

FINAL BILL REPORT

SB 5538

C 283 L 97

Synopsis as Enacted

Brief Description: Requiring permission before disclosing the address of a child victim or witness or the address of a parent of a child victim or witness.

Sponsors: Senators Long, Hargrove, Zarelli, Oke and Winsley.

Senate Committee on Law & Justice

House Committee on Criminal Justice & Corrections

Background: There is currently a comprehensive scheme recognizing the rights of victims and witnesses in this state. Such rights include, but are not limited to, the right to: (a) notice of proceedings, (b) submit a victim impact statement and/or to address the court personally at a sentencing hearing, (c) the entry of an order of restitution in most felony cases, (d) be protected from harm, and (e) receive needed medical assistance. Among the rights of child victims or child witnesses of violent crimes, sex crimes, or child abuse is the right not to have their name, address or photograph disclosed without their consent and/or that of their parents or legal guardians to anyone except another law enforcement agency, prosecutor, defense counsel, or agency that provides services to children.

Summary: At the time of reporting a crime, or at the initial interview, child victims or child witnesses of violent crimes, sex crimes or child abuse and their parents must be informed of their rights not to have their address disclosed by any law enforcement agency, prosecutor, defense counsel or state agency without their permission.

The right of nondisclosure so created is substantive, and its intentional violation is punishable as a misdemeanor.

Votes on Final Passage:

Senate	47	0	
House	98	0	(House amended)
Senate			(Senate refused to concur)
House	98	0	(House receded)

Effective: July 27, 1997