

# SENATE BILL REPORT

## SB 6653

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As of January 30, 1998

**Title:** An act relating to communications between victims of domestic violence and victims' advocates.

**Brief Description:** Creating a privilege for communications between victims of domestic violence and victims' advocates.

**Sponsors:** Senators Roach, Fairley, Wojahn and Rasmussen.

**Brief History:**

**Committee Activity:** Law & Justice: 2/2/98.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** David Johnson (786-7754)

**Background:** Certain professionals are allowed to have confidential communications with clients. They may not be questioned in court about information they acquire because of their job duties.

Advocates for victims of domestic violence often counsel and assist those who have suffered domestic violence. This often involves discussing matters which are the subject of legal proceedings. The advocate become a witness by obtaining information about a pending criminal charge or civil case which is evidence.

If conversations between a victim and advocate are not confidential, a victim may not be forthcoming or honest with the advocate about the situation. It is felt that confidentiality would produce a more beneficial relationship for the victim and allow the advocate to fully carry out his or her function.

**Summary of Bill:** Questioning of a domestic violence victim advocate as to communications with the victim, without the victim's consent, is prohibited. The term "domestic violence victims advocate" is defined.

An advocate may disclose confidential communications, without the victim's consent, if failing to do so will probably result in harm to the victim or another person. Advocates have immunity from liability if they disclose information, without consent of the victim, in good faith. The good faith of the advocate will be presumed in later proceedings.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

