

SENATE BILL REPORT

SB 5065

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 13, 1991

Brief Description: Allowing a child's statement concerning attempted acts of sexual contact to be admitted in court.

SPONSORS: Senators Nelson, Metcalf, McCaslin, Bailey, Erwin, Stratton, Thorsness and Conner.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5065 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, L. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Susan Carlson (786-7418)

Hearing Dates: February 4, 1991; February 13, 1991

BACKGROUND:

The child hearsay exception allows certain statements made by a child under the age of ten describing any act of sexual contact performed with or on the child by another to be admitted in dependency and criminal proceedings.

There is a concern that the child hearsay exception should also apply to statements describing attempted acts of sexual contact.

SUMMARY:

The child hearsay exception is expanded to include application to statements made by a child under the age of ten describing any attempted act of sexual contact with or on the child by another.

EFFECT OF PROPOSED SUBSTITUTE:

The substitute bill clarifies that the child hearsay exception applies to juvenile offender cases and provides that the act takes effect immediately.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The child hearsay exception should be available in cases of attempted sexual contact.

TESTIMONY AGAINST: None

TESTIFIED: J. Reiko Cushman, Thurston County Prosecutor's Office (pro); Dawn Larsen, Washington Coalition of Sexual Assault Programs (pro)