

2151-S

Sponsor(s): House Committee on Judiciary (originally sponsored by Representatives Carrell and Talcott)

Brief Description: Making admissible the hearsay statements of vulnerable persons.

HB 2151-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that an out-of-court statement, not otherwise admissible by statute or court rule, made by a vulnerable person describing an act constituting abuse, assault, neglect, or a sexual offense against the declarant, when the act results in the death of or substantial bodily harm to the declarant, is admissible as evidence in a criminal or juvenile offense adjudication proceeding if the court finds:

(1) That the declarant was not incompetent under RCW 5.60.050 at the time the out-of-court statement was made;

(2) That the declarant is unavailable as a witness at trial;

(3) That there is corroborative evidence of the act against the declarant; and

(4) In a hearing conducted outside the presence of the jury, if any, that the time, content, and circumstances of the out-of-court statement provide sufficient indicia of reliability.