
Public Safety Committee

HB 2878

Brief Description: Creating a penalty assessment for crimes involving the abuse of children used to support child advocacy centers.

Sponsors: Representatives Kilduff, Robinson, Muri and Ormsby.

Brief Summary of Bill

- Authorizes courts to impose a penalty assessment of up to \$1,000 for convictions involving the physical or sexual abuse of children in order to fund children's advocacy centers.

Hearing Date: 2/2/16

Staff: Kelly Leonard (786-7147).

Background:

Crimes Involving the Physical or Sexual Abuse of Children. Several state felony and gross misdemeanor offenses could apply to facts involving the physical or sexual abuse of a child, depending on the circumstances. This includes, for example: Homicide, Murder, Manslaughter, Assault, Assault of a Child, Kidnapping, Trafficking, Criminal Mistreatment, Abandonment of a Dependent Person, Harassment, and a wide range of sex offenses and domestic violence offenses.

Legal Financial Obligations. When a defendant is convicted of a crime, the court may impose certain legal financial obligations as part of the judgment and sentence. Legal financial obligations include: victim restitution; crime victims' compensation fees; costs associated with the offender's prosecution and sentence; fines; penalties; and assessments.

Children's Advocacy Centers. A children's advocacy center is a child-focused facility that uses a multidisciplinary process for the investigation and prosecution of crimes involving the physical and sexual abuse of children as well as for the treatment of victims in such crimes. Children's

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advocacy centers provide a location for forensic interviews and coordinate access to services, including medical evaluations, advocacy, therapy, and case review.

Summary of Bill:

Superior courts, district courts, and municipal courts (courts) may impose a penalty assessment not to exceed \$1,000 on any adult offender convicted of a crime involving the physical abuse or sexual abuse of children.

When determining whether to impose a penalty assessment, the courts are encouraged to solicit input from the victim or representatives of the victim to assess the ability of the defendant to pay the penalty.

Revenue from the assessment is not subject to any state laws requiring remittance of the funds to the state or certain local entities. Revenue from the assessment must be used solely for establishing and funding children's advocacy centers. If a local government does not have a children's advocacy center, revenue may be used to fund a contract with a community-based children's advocacy program provider.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.