
**Community Safety, Justice, & Reentry
Committee**

E2SSB 5635

Brief Description: Concerning victims' rights.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Braun, Dhingra, Frame, Wilson, C. and Wilson, L.).

Brief Summary of Engrossed Second Substitute Bill

- Expands the statutory rights provided to victims, survivors of victims, and witnesses of crimes in certain proceedings to include the right to have the victim's safety considered in bail determinations, the right to be informed of available victim notification services, and certain considerations of victim input when setting a trial date.

Hearing Date: 2/14/24

Staff: Corey Patton (786-7388).

Background:

The Washington Constitution grants crime victims basic and fundamental rights, while additional rights are further enumerated in statute. A reasonable effort must be made to ensure that victims, survivors of victims, and witnesses of crimes have access to such rights in adult and juvenile criminal proceedings and sexually violent predator commitment proceedings. Examples of statutory rights include the following:

- with respect to victims of violent and sex crimes, the right to have a crime victim advocate from a crime victim or witness program, or any other support person of the victim's choosing, present at any prosecutorial or defense interviews with the victim, and at any judicial proceedings related to criminal acts committed against the victim;

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- with respect to victims and survivors of victims, the right to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified; and
- with respect to victims and survivors of victims, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing for felony convictions upon request by a victim or survivor.

Summary of Bill:

The statutory rights of victims, survivors of victims, and witnesses of crimes are expanded to include the right to have the victim's safety considered in bail determinations, and the right to be informed of victim notification services which may be available and can provide notification regarding the offender's place of incarceration, release from confinement, or escape. The court may consider the written input of the victim or victim's family when setting a trial date, provided that such input may not impair the parties' rights to present an effective prosecution or defense. If a trial cannot be provided in a reasonable time frame, the court must provide an explanation for the delay.

Appropriation: None.

Fiscal Note: Available.

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