

SUBJECT:	Extending rights of certain crime victims
COMMITTEE:	Criminal Jurisprudence — favorable, without amendment
VOTE:	9 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, Leach, C. Morales, Schatzline 0 nays
SENATE VOTE:	On final passage (April 13) — 30 – 0
WITNESSES:	None (<i>considered in a formal meeting on April 21</i>)
BACKGROUND:	Concerns have been raised that some victims of sexual offenses may not be adequately informed about the status of their cases or consulted when the case is pled to a lower offense, which could negatively impact a survivor’s engagement in the case.
DIGEST:	<p>SB 409 would extend the rights of a victim, guardian of a victim, or close relative of a deceased victim of sexual assault to a victim, guardian of a victim, or close relative of a deceased victim of:</p> <ul style="list-style-type: none">• continuous sexual abuse of a young child or disabled individual;• indecency with a child;• indecent assault;• aggravated sexual assault; or• stalking. <p>The bill also would add to such rights the right to, if requested, be informed about and confer with the attorney representing the state regarding the disposition of the offense, including sharing the victim’s, guardian’s, or relative’s views regarding a decision not to file charges, the dismissal of charges, the use of a pretrial intervention program or a plea bargain agreement.</p>

The bill also would extend the requirement for a victim, guardian, or relative who requested to be notified about certain requests and results regarding the analysis of evidence in the case to provide contact information to a victim, guardian, or relative who requested to receive information regarding certain evidence collected during the investigation or a disposition in the case.

SB 409 would specify that a victim, guardian, or relative could assert their rights either orally or in writing.

The bill would take effect September 1, 2023.