

# FINAL BILL REPORT

## HB 2454

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Synopsis as Enacted

**Brief Description:** Revising the privilege for sexual assault advocates.

**Sponsors:** By Representatives Williams, Lantz, Darneille, Morrell, O'Brien and Green.

**House Committee on Judiciary**

**Senate Committee on Judiciary**

### **Background:**

The judiciary has inherent power to compel witnesses to appear and testify in judicial proceedings so that the court will receive all relevant evidence. However, the common law and statutory law recognize exceptions to compelled testimony in some circumstances, including "testimonial privileges." Privileges are recognized when certain classes of relationships or communications within those relationships are deemed of such importance that they should be protected.

Washington's privilege statute provides a number of privileges, including a privilege for communications made *by* a sexual assault victim *to* a sexual assault advocate.

A sexual assault advocate is an employee or volunteer of a rape crisis center or a victim assistance unit, program, or association that provides information, medical or legal advocacy, counseling, or support to victims of sexual assault and who is designated by the victim to accompany the victim to the hospital or other health care facility and to proceedings, including police and prosecution interviews, concerning the alleged assault.

### **Summary:**

The language in the privilege statute applicable to sexual assault victims and advocates is changed. The privilege applies to communications *made between* the victim and advocate, instead of communications made *by* the victim *to* the advocate.

### **Votes on Final Passage:**

House	96	2
Senate	48	0

**Effective:** June 7, 2006