

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 1
Yeas:	Barton, Cameron, Garrett, Krieger, Shields, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	Olson
Prepared By:	Shannon Sivell, Counsel
Meeting Dates:	2/26, 3/10

WHAT THE MEASURE DOES: Modifies current law that requires corroboration before a confession is admissible and creates an exception for sex crimes against vulnerable victims when the confession is deemed trustworthy and the victim is incompetent to testify. Removes language from the measure that would have placed further restrictions on the admissibility of a defendant's statements or conduct.

ISSUES DISCUSSED:

- Corpus Delicti Rule
- Admissions without physical evidence
- Vulnerable Victims
- Unprosecuted crimes
- Specific examples

EFFECT OF COMMITTEE AMENDMENT: Removes language from the measure that would have placed further restrictions on the admissibility of a defendant's statements or conduct.

BACKGROUND: Under current law, a confession alone is not sufficient to convict an offender without some other proof that the crime was committed. As applied to sex crimes, the current law provides a safeguard to offenders who choose vulnerable victims such as the very young, the elderly or the severely disabled, because they may be legally incompetent to testify against their accuser. There is often no physical evidence associated with sex abuse cases. If the victim is unable to testify as to the abuse, and no physical evidence is found, prosecutors will generally find that they are unable to prosecute these cases. This measure addresses this narrow class of cases by providing a framework that judges can use to evaluate an offender's admissions and determine whether it is sufficient to warrant a conviction without further proof.