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SENATE BILL NO. 1114

Offered January 9, 2013

Prefiled January 9, 2013

A BILL to amend the Code of Virginia by adding a section numbered 18.2-67.7:1, relating to admission of prior child sex offenses into evidence in child sex crime cases.

Patron—Herring

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-67.7:1 as follows:

§ 18.2-67.7:1. Evidence of similar crimes in child sexual abuse cases.

A. In a criminal case in which the defendant is accused of an offense of child sexual abuse, evidence of the defendant's conviction of another offense or offenses of child sexual abuse is admissible and may be considered for its bearing on any matter to which it is relevant.

B. The Commonwealth shall provide to the defendant 14 days prior to trial notice of its intention to introduce copies of final orders evidencing the defendant's qualifying prior criminal convictions. Such notice shall include (i) the date of each prior conviction, (ii) the name and jurisdiction of the court where each prior conviction was had, and (iii) each offense of which the defendant was convicted. Prior to commencement of the trial, the Commonwealth shall provide to the defendant photocopies of certified copies of the final orders that it intends to introduce.

C. This section shall not be construed to limit the admission or consideration of evidence under any other section or rule of court.

D. For purposes of this section, "child" means a person under the age of 18, and "offense of child sexual abuse" means any offense or any attempt or conspiracy to engage in any offense involving a child victim described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 and Article 4 (§ 18.2-362 et seq.) of Chapter 8.

INTRODUCED

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