

# HOUSE BILL No. 1142

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-37-7.

**Synopsis:** Qualified sex crime witnesses. Allows a court to qualify a person as an expert witness in sex crime cases if the person has certain specialized knowledge, training, or education. Provides that if a person is qualified as an expert witness, the person may testify regarding facts and opinions concerning specific types of victim responses and behaviors.

**Effective:** July 1, 2014.

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## McNamara, Lawson L

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January 9, 2014, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

# HOUSE BILL No. 1142

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 35-37-7 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2014]:

4 **Chapter 7. Sex Crimes Expert Testimony**

5 **Sec. 1. In a prosecution for a sex crime as defined under**  
6 **IC 35-42-4, a witness may be qualified by the court as an expert if**  
7 **the witness has specialized knowledge beyond knowledge possessed**  
8 **by the average layperson based on the specialized training,**  
9 **education, or experience of the witness concerning:**

- 10 (1) **criminal justice;**
- 11 (2) **behavioral sciences;**
- 12 (3) **victim responses to sexual violence; or**
- 13 (4) **the impact of sexual violence on victims during an assault**  
14 **or after being assaulted.**

15 **Sec. 2. If a witness is qualified as an expert under section 1 of**  
16 **this chapter:**



- 1           **(1) the witness may testify regarding facts and opinions**
- 2           **concerning specific types of victim responses and victim**
- 3           **behaviors;**
- 4           **(2) the opinion of the witness regarding the credibility of any**
- 5           **other witness, including the victim, is not admissible; and**
- 6           **(3) the witness may be called by the prosecuting attorney or**
- 7           **the defense attorney to provide expert testimony.**

