HB742 - Raser
Senate Judiciary
March 23, 2007

SENATE JUDICIARY
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Healthy Children – Healthy Families Counseling
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02/21/07

Chairwoman Diane Rice
House Judiciary Committee

Dear Chairwoman Rice,

As a mental health therapist in the Missoula community and mental health representative on the First STEP (Sexual Trauma Evaluation Program) Resource Center Multidisciplinary Team I have worked with numerous cases of child and adult sexual and physical abuse. When working with adults with developmental disabilities there is frequently information that care providers have that would help establish facts of the case, however, it would be considered hearsay if care providers testified to the information. Therefore, I would like to support House Bill 742 that would establish provisions to enter hearsay evidence in cases of physical and/or sexual abuse of a developmentally disabled adult.

People with developmental disabilities are one of our most vulnerable populations, yet our legal and judicial systems lacks the abilities to adequately prosecute abuse cases of victims with developmental disabilities as current laws do not accommodate for the special needs of this population in judicial hearings. For example, due to communication difficulties of victims who are developmentally disabled, there are times it would be impossible to establish facts of the case through only the testimony of the victim. The number of prosecuted cases of physical and sexual abuse with a developmentally disabled persons is drastically smaller in comparison to the actual number of cases of physical and sexual abuse incidents. This is the first step in providing the necessary tools to those who prosecute these cases and establishing communities that do not tolerate abuse to this vulnerable population.

Sincerely,

Pamela M. Clausen, M.S.
Licensed Clinical Professional Counselor