

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 884
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Author:	Sen. Boren
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Bill Analysis

SB 884 provides that any person charged with willfully or maliciously engaging in enabling child abuse, enabling child neglect, enabling child sexual abuse, or enabling child sexual exploitation may assert the affirmative defense of duress by abuse if the person had a reasonable apprehension that attempting to stop or prevent the listed crimes would result in imminent intimate partner abuse to himself or herself in retaliation. Duress by abuse may be shown by direct or indirect evidence. The court may order any person found to be subject to such duress to complete a needs assessment and recovery plan in lieu of a conviction and punishment at the discretion of the court. Recovery plans shall not exceed 2 years and shall consist of medical, social and psychological services. Failure to complete the plan shall result in the person being sentenced for the offense. The needs assessment and recovery plan program shall be created by a private facility or organization that has been certified by the Office of the Attorney General as a certified domestic violence program or certified sexual assault program.

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