

**Senate File 329 - Introduced**

SENATE FILE 329  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1016)

**A BILL FOR**

1 An Act relating to expert witness testimony in child sexual  
2 abuse and child endangerment cases.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 915.39 Expert witness testimony in  
2 child sexual abuse, child abuse, and child endangerment cases.

3 1. For the purposes of this section:

4 a. "*Child endangerment*" means a criminal charge alleging  
5 that a defendant has committed an offense under section 726.2,  
6 726.3, or 726.6, against a victim under eighteen years of age  
7 at the time of the offense.

8 b. "*Sexual abuse*" means a criminal charge alleging that a  
9 defendant has committed an offense under chapter 709 against a  
10 victim under eighteen years of age at the time of the offense.

11 2. In a criminal prosecution in which a defendant has been  
12 charged with child sexual abuse or child endangerment, evidence  
13 from a qualified expert witness shall be admissible on matters  
14 relevant to the case, including but not limited to testimony  
15 from the expert witness based upon the expert's education,  
16 training, and experience concerning any of the following:

17 a. The various reasons child victims delay disclosure of  
18 circumstances surrounding sexual abuse or child endangerment,  
19 or intermittently disclose details of such circumstances  
20 surrounding sexual abuse or child endangerment.

21 b. The process engaged in by perpetrators of sexual abuse  
22 to groom their victims, or grooming behaviors in general,  
23 which include but are not limited to preparing a child for  
24 victimization and ensuring the child does not report the sexual  
25 abuse.

26 c. The various reasons that child victims recant allegations  
27 of sexual abuse or child endangerment.

28 d. Possible symptoms or post-allegation behaviors of a child  
29 who is the victim of sexual abuse or child endangerment.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with  
32 the explanation's substance by the members of the general assembly.

33 This bill relates to expert testimony in child sexual abuse,  
34 child abuse, and child endangerment cases.

35 The bill defines "child endangerment" as a criminal charge

1 alleging that the defendant has committed an offense under  
2 Code section 726.2 (incest), 726.3 (neglect or abandonment of  
3 a dependent person), or 726.6 (child endangerment), against a  
4 victim under 18 years of age at the time of the offense and  
5 "sexual abuse" as a criminal charge alleging that the defendant  
6 has committed an offense under Code chapter 709 (sexual abuse)  
7 against a victim under 18 years of age at the time of the  
8 offense.

9     The bill creates new Code section 915.39, which provides  
10 that in a criminal prosecution in which a defendant has  
11 been charged with child sexual abuse or child endangerment,  
12 evidence from a qualified expert witness is admissible on  
13 matters relevant to the case, including but not limited to  
14 testimony from the expert witness based upon the expert's  
15 education, training, and experience concerning any of the  
16 following: (1) reasons child victims delay disclosure of  
17 circumstances surrounding sexual abuse or child endangerment,  
18 or intermittently disclose details of such circumstances  
19 surrounding sexual abuse or child endangerment; (2) the process  
20 engaged in by perpetrators of sexual abuse to groom their  
21 victims, or grooming behaviors in general, which include but  
22 are not limited to preparing a child for victimization and  
23 ensuring the child does not report the sexual abuse; (3) the  
24 various reasons that child victims recant allegations of  
25 sexual abuse or child endangerment; and (4) possible symptoms  
26 or post-allegation behaviors of a child who is the victim of  
27 sexual abuse or child endangerment.