

# Wyoming Liberty Index

## 62<sup>nd</sup> Wyoming Legislature ★ 2014 Budget Session

### **HB0121, Admissibility of evidence in sex offense cases.**

Sponsors: Representative(s) Burkhart, Hutchings and Krone and Senator(s) Nutting

#### **Comments**

This bill is about bringing evidence of similar crimes into trials about sexual offenses. I have mixed views on this issue. I am not sure this bill has adequate protections for self incrimination issues. None the less, liberty neutral.

N: No significant fiscal or personnel impact. The idea that different crimes merit different standards of evidence is somewhat disquieting on its face. If these standards are good enough for civil suits seeking to punish and/or obtain restitution for alleged sexual assault, why are they not good enough to use in all civil suits? This departure from universality appears to make it easier for a plaintiff in a suit related to a sexual offense to obtain a guilty verdict from a jury. This means that it becomes easier for a plaintiff to deprive a defendant of property in a case related to a sexual offense than in any other type of civil suit. This may make legislators feel good, but how is this fair? Without universal applicability this effectively becomes prejudicial discrimination against certain classes of behavior and possibly certain classes of people. The fact that this makes it easier for some persons to be deprived of their property and not others makes this unfair and inimical to Liberty.

Weighted Rating: -0.50. Unweighted Rating: -0.50.

#### **Categories**

General Government, Individual Rights, Limited Government, and Spirit and Letter of Founding Documents

For more information on the categories:

<http://wyominglibertyindex.info/2014/methodology.html#thecategories>

#### **Document Status**

Final