

sexual assault of a child on the uncorroborated word of a child?

SENATOR ABBODD: I don't know if corroboration, I don't believe that is required. We changed the law a couple of years ago dealing with rape of an individual.

SENATOR SCHMIT: Yes, you're right, Senator Abboud, we did change the law. Today it is possible to convict an adult of sexual assault of a child without corroboration. I guess I have no problem with your increasing the penalty for the offenses. I think that is the most heinous offense and certainly it ought to be punished very severely. My concern, I guess, is how do we determine whether or not the child is telling the truth, if there is no corroboration, and what is required for conviction in the eyes of the law or in the eyes of the court or in the eyes of a prosecutor, I'm going to ask you a question. Suppose that you were a county attorney and a child came to you and told you that they had been assaulted. What would you require in way of proof or would you just file charges?

SENATOR ABBODD: Well, I believe what county attorneys do throughout the state is they take it on a case by case basis and determine whether the individual is telling the truth, much the same as any other type of sexual assault, whether it is committed on a child or an adult and I think that that, when you get into a situation without corroboration, you know, I think that is really dependent upon the prosecution's discretion in determining the belief of that child. That is why it is so difficult in these types of cases in dealing with sexual assault of a child to get a conviction, let alone have a prosecutor file against an individual.

SENATOR SCHMIT: Well, I guess in a way then, is it possible that by making the sentence more severe we actually will reduce the percentage of convictions for this kind of assault rather than to increase the convictions?

SENATOR ABBODD: I think that we would reduce the incidences in that these types of individuals literally don't see anything wrong with their types of actions. And if I can digress a bit, a few years ago I brought in a bill dealing with child pornography and at that time I got a rather unusual letter, as did every other senator in this body, from an individual that was involved in child pornography and in that letter, it was a rather lengthy one, and he proceeded to tell myself, as well as