

Submitter: Aurore Shewell

On Behalf Of:

Committee: Senate Committee On Judiciary

Measure, Appointment or Topic: SB385

SB 385 is much needed and long overdue. Currently, the repercussions for those making false allegations and those for the accused are not in any way even, fair or balanced. False allegations of abuse are devastating to children and those being accused, and sadly, not often punished. As Chair Prozanski stated during the hearing, in his almost forty years in his position, he has never seen a judge prosecute anyone for false allegations. That needs to change.

As currently written, this bill is similar to a three-strike penalty. Unfortunately, this is not enough to deter someone from making false allegations. The damage is done with the first accusation; there may be no further accusations. Especially considering these crimes are rarely prosecuted, it's important the severity of this offense is increased for the first occurrence in order to actually work.

False reports waste time and resources that could be spent on actual cases of child abuse and have devastating consequences, to include:

- Psychological damage to the child and parent/person being accused,
- Financial burdens for the accused parent,
- Destruction of career and reputation,
- As well as Major financial damages to the state in the form of already overburdened court appointed attorneys & DHS workers, law enforcement and tying up the courts with unnecessary litigation.

Many of these allegations end up with multiple measure 11 charges for those being accused which carry mandatory minimums and lengthy sentences. These can range from 75 months to a lifetime in prison. The catastrophic damages from these types of allegations have such a great effect on financial and emotional well-being for the children and those accused that it deserves more than a slap on the wrist, which often isn't even prosecuted. This is not in any way fair or balanced.

Until we put stricter protections in place for children to protect them from being weaponized against a parent, SB385 being one of them, there will continue to be many family relationships that remain broken, with devastating effects on the child and accused parent or person, as well as financial damages to the state.

As someone whose family has been personally affected by false allegations of abuse, and knowing others who have been affected, I can tell you that our current protections for those falsely accused and the children caught in the middle are NOT

strict enough nor sufficient and need to be changed.

Aurore Shewell  
MPH in Public Health