

HJR 16 -- ADMISSIBILITY OF EVIDENCE (McCaherty)

COMMITTEE OF ORIGIN: Committee on Crime Prevention and Public Safety

Upon voter approval, this proposed constitutional amendment allows relevant evidence of prior criminal acts, whether charged or uncharged, to be admissible in the prosecution for a crime of a sexual nature involving a victim less than 16 years of age for the purpose of corroborating the victim's testimony or demonstrating the defendant's propensity to commit the crime with which he or she is presently charged.

The court may exclude relevant evidence of prior criminal acts if the probative value is substantially outweighed by the danger of unfair prejudice.