

SENATE BILL REPORT

SB 6462

As Passed Senate, February 7, 1996

Title: An act relating to crimes of domestic violence.

Brief Description: Increasing penalties for domestic violence crimes.

Sponsors: Senators Wojahn, Rasmussen, Smith, Haugen, Kohl, Long, Deccio, Winsley, Fairley, Prentice, Wood, Fraser, Hale, Moyer, McCaslin, Johnson, Oke, Goings, Bauer and Spanel; by request of Governor Lowry and Attorney General.

Brief History:

Committee Activity: Law & Justice: 1/30/96, 1/31/96 [DP].
Passed Senate, 2/7/96, 48-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Quigley, Roach and Schow.

Staff: Susan Carlson (786-7418)

Background: The number of crimes associated with domestic violence has increased dramatically. Domestic violence is especially harmful to families because it undermines family stability, and children in these families are at high risk of perpetuating the cycle of violence by becoming abusers or victims themselves.

The Governor and the Attorney General have suggested that domestic violence laws should be amended to increase the accountability of perpetrators of domestic violence.

Summary of Bill: In a felony case, the sentencing court may impose an exceptional sentence above the standard range if the offense involved domestic violence and one of the following circumstances: (1) the offense was part of an ongoing pattern of abuse of the victim manifested by multiple incidents over a prolonged period of time; (2) the offense occurred in the presence of the victim's minor children; or (3) the offender's conduct while committing the crime manifested deliberate cruelty or intimidation of the victim.

A gross misdemeanor crime of interference with the reporting of domestic violence is created. The crime is committed if the person prevents or attempts to prevent a victim of or a witness to domestic violence from calling a 911 emergency communication system, obtaining medical assistance, or making a report to any law enforcement official. This crime is classified as a domestic violence crime for purposes of inclusion in court procedures related to domestic violence crimes and no-contact orders.

A third or subsequent conviction for willful violation of a domestic violence no-contact order is increased from a gross misdemeanor to a class C felony.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill will enable courts to hold perpetrators of domestic violence more accountable for their actions. The bill is a step toward breaking the cycle of violence that occurs when children witness domestic violence in their families.

Testimony Against: None.

Testified: PRO: Governor Mike Lowry; Attorney General Christine Gregoire; Senator Wojahn, prime sponsor; Capt. Brent Wingstrand, Seattle Police Department; Mary Pontarolo, WA Coalition Against Domestic Violence; China Fortson, YWCA-Tacoma/Pierce Co.; Larry Erickson, WA Assn. of Sheriffs and Police Chiefs; Jackie Grimsey, Domestic Abuse Women's Network; Merrill Cousin, Snohomish Co. Center for Battered Women.