

HOUSE BILL REPORT

SSB 5360

As Passed House
April 14, 1993

Title: An act relating to domestic violence.

Brief Description: Creating new procedures for reporting domestic violence.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators A. Smith, Roach, Spanel, M. Rasmussen, Winsley and von Reichbauer).

Brief History:

Reported by House Committee on:
Judiciary, March 23, 1993, DPA;
Appropriations, April 1, 1993, DPA(JUD & APP);
Passed House - Amended, April 14, 1993, 98-0.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended. Signed by 16 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Ballasiotes, Assistant Ranking Minority Member; Campbell; Chappell; Forner; Johanson; Long; Mastin; H. Myers; Riley; Schmidt; Scott; Tate; and Wineberry.

Staff: Patricia Shelledy (786-7149).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Judiciary as further amended by Committee on Appropriations. Signed by 24 members: Representatives Locke, Chair; Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dorn; Dunshee; Jacobsen; Lemmon; Leonard; Linville; Morton; Rust; Sehlin; Sheahan; Sommers; Stevens; Talcott; Wang; Wineberry; and Wolfe.

Staff: Nancy Stevenson (786-7137).

Background: The final report of the Domestic Violence Task Force included recommendations that the Legislature mandate

the use of simplified form protection orders, mandate distribution of instructions and brochures which explain the process for obtaining a protection order, and mandate translation of the forms into various foreign languages. The task force also recommended that the Legislature require statewide collection of law enforcement data identifying all incidents of domestic violence. These proposals were included in legislation considered in the 1992 session, but were vetoed by the governor due to a lack of funding.

Crime victims have certain rights under the state constitution and as afforded in statute. No requirement exists to ensure that victims are advised of their rights.

Summary of Bill: The Legislature finds that domestic violence is a problem of immense proportions, and that the existing protection order process should be refined to require the use of standard forms. To assist in policy formulation, data about reported incidents of domestic violence needs to be gathered from law enforcement.

By July 1, 1994, the administrator for the courts, in consultation with interested persons, is required to prepare instructions, informational brochures, standard petition and order for protection forms, and a court staff handbook on domestic violence. The petition and order forms must be used for all protection orders sought after September 1, 1994. The administrator for the courts must, if funded in the budget, arrange for translation of the instructions and brochures into various foreign languages. The instructions and brochures must contain certain information. The administrator for the courts must distribute a master copy of the materials to court clerks.

Beginning January 1, 1994, all law enforcement agencies must submit records of incidents of domestic violence to the Washington Association of Sheriffs and Police Chiefs. A compilation of this data must be included in the association's annual crime report.

Law enforcement officers must provide victims of a violent or sex offense with a written statement of the victim's rights under the statutory provisions concerning crime victims. In addition to existing rights, crime victims of violent or sex offenses have a right to have a crime victim advocate attend prosecutorial or defense interviews with the victim if practicable.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed. The translation requirement is null and void unless funding is provided in the budget.

Testimony For: (Judiciary): The lack of standardized orders produces confusion and inconsistent enforcement of protection orders. Domestic violence is so prevalent we need to collect statewide data on the number of incidents.

(Appropriations): Translating the forms and the instructional materials into other languages will assist those who are least able to understand the process. Without the statewide reporting system, federal funds may be jeopardized.

Testimony Against: (Judiciary): None.

(Appropriations): None.

Witnesses: (Judiciary): Judy Clibborn, Human Services Roundtable (pro); Lynn Gordon, King County Prosecutors Protection Order Program (pro); Victoria Trevino, Consejo (pro); Nancy Ashley, Human Services Roundtable (pro); and Bev Ickes, Washington Association of Sheriffs and Police Chiefs (neutral).

(Appropriations): Mike Ryherd, Human Services Roundtable (supports).