

HOUSE BILL REPORT

SSB 5360

As Reported By House Committee On:
Judiciary
Appropriations

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).

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).

Background: The final report of the Domestic Violence Task Force included recommendations that the Legislature mandate the use of simplified form protection orders, and mandate distribution of instructions and brochures which explain the process for obtaining a protection order. 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.

Summary of Amended 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.

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.

Amended Bill Compared to Substitute Bill: References to court staff are replaced with references to court clerks as appropriate. A notice provision is rewritten. A technical correction is made to conform the findings section with substantive provisions.

Fiscal Note: Available.

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

Testimony For: 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.

Testimony Against: None.

Witnesses: 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).

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).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Judiciary: A requirement is added for the Office of the Administrator for the Courts to translate the instructions, informational brochures, and the petition and order for protection forms into Spanish, Vietnamese, Laotian, Cambodian, and Chinese. This requirement is null and void unless funding is provided in the budget.

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: 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: None.

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