

2 **HB 2472 - H AMD 081 ADOPTED 2-6-96**

3 By Representatives Costa and Lambert

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5 On page 5, after line 22, insert the following:

6 "Sec. 3. RCW 10.99.030 and 1995 c 246 s 22 are each amended to  
7 read as follows:

8 (1) All training relating to the handling of domestic violence  
9 complaints by law enforcement officers shall stress enforcement of  
10 criminal laws in domestic situations, availability of community  
11 resources, and protection of the victim. Law enforcement agencies and  
12 community organizations with expertise in the issue of domestic  
13 violence shall cooperate in all aspects of such training.

14 (2) The criminal justice training commission shall implement by  
15 January 1, 1997, a course of instruction for the training of law  
16 enforcement officers in Washington in the handling of domestic violence  
17 complaints. The basic law enforcement curriculum of the criminal  
18 justice training commission shall include at least twenty hours of  
19 basic training instruction on the law enforcement response to domestic  
20 violence. The course of instruction, the learning and performance  
21 objectives, and the standards for the training shall be developed by  
22 the commission and focus on enforcing the criminal laws, safety of the  
23 victim, and holding the perpetrator accountable for the violence. The  
24 curriculum shall include training on the extent and prevalence of  
25 domestic violence, the importance of criminal justice intervention,  
26 techniques for responding to incidents that minimize the likelihood of  
27 officer injury and that promote victim safety, investigation and  
28 interviewing skills, evidence gathering and report writing, assistance  
29 to and services for victims and children, verification and enforcement  
30 of court orders, liability, and any additional provisions that are  
31 necessary to carry out the intention of this subsection.

32 (3) The criminal justice training commission shall develop and  
33 update annually an in-service training program to familiarize law  
34 enforcement officers with the domestic violence laws. The program  
35 shall include techniques for handling incidents of domestic violence  
36 that minimize the likelihood of injury to the officer and that promote

1 the safety of all parties. The commission shall make the training  
2 program available to all law enforcement agencies in the state.

3 (4) Development of the training in subsections (2) and (3) of this  
4 section shall be conducted in conjunction with agencies having a  
5 primary responsibility for serving victims of domestic violence with  
6 emergency shelter and other services, and representatives to the state-  
7 wide organization providing training and education to these  
8 organizations and to the general public.

9 (5) The primary duty of peace officers, when responding to a  
10 domestic violence situation, is to enforce the laws allegedly violated  
11 and to protect the complaining party.

12 (6)(a) When a peace officer responds to a domestic violence call  
13 and has probable cause to believe that a crime has been committed, the  
14 peace officer shall exercise arrest powers with reference to the  
15 criteria in RCW 10.31.100. The officer shall notify the victim of the  
16 victim's right to initiate a criminal proceeding in all cases where the  
17 officer has not exercised arrest powers or decided to initiate criminal  
18 proceedings by citation or otherwise. The parties in such cases shall  
19 also be advised of the importance of preserving evidence.

20 (b) A peace officer responding to a domestic violence call shall  
21 take a complete offense report including the officer's disposition of  
22 the case.

23 (7) When a peace officer responds to a domestic violence call, the  
24 officer shall advise victims of all reasonable means to prevent further  
25 abuse, including advising each person of the availability of a shelter  
26 or other services in the community, and giving each person immediate  
27 notice of the legal rights and remedies available. The notice shall  
28 include handing each person a copy of the following statement:

29 "IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the  
30 city or county prosecuting attorney to file a criminal  
31 complaint. You also have the right to file a petition in  
32 superior, district, or municipal court requesting an order for  
33 protection from domestic abuse which could include any of the  
34 following: (a) An order restraining your abuser from further  
35 acts of abuse; (b) an order directing your abuser to leave your  
36 household; (c) an order preventing your abuser from entering  
37 your residence, school, business, or place of employment; (d)  
38 an order awarding you or the other parent custody of or  
39 visitation with your minor child or children; and (e) an order

1       restraining your abuser from molesting or interfering with  
2       minor children in your custody. The forms you need to obtain  
3       a protection order are available in any municipal, district, or  
4       superior court.

5       Information about shelters and alternatives to domestic  
6       violence is available from a state-wide twenty-four-hour toll-  
7       free hotline at (include appropriate phone number). The  
8       battered women's shelter and other resources in your area are  
9       . . . . (include local information)"

10       (8) The peace officer may offer, arrange, or facilitate  
11       transportation for the victim to a hospital for treatment of injuries  
12       or to a place of safety or shelter.

13       (9) The law enforcement agency shall forward the offense report to  
14       the appropriate prosecutor within ten days of making such report if  
15       there is probable cause to believe that an offense has been committed,  
16       unless the case is under active investigation.

17       (10) Each law enforcement agency shall make as soon as practicable  
18       a written record and shall maintain records of all incidents of  
19       domestic violence reported to it.

20       (11) Records kept pursuant to subsections (6) and (10) of this  
21       section shall be made identifiable by means of a departmental code for  
22       domestic violence.

23       (12) Commencing January 1, 1994, records of incidents of domestic  
24       violence shall be submitted, in accordance with procedures described in  
25       this subsection, to the Washington association of sheriffs and police  
26       chiefs by all law enforcement agencies. The Washington criminal  
27       justice training commission shall amend its contract for collection of  
28       state-wide crime data with the Washington association of sheriffs and  
29       police chiefs:

30       (a) To include a table, in the annual report of crime in Washington  
31       produced by the Washington association of sheriffs and police chiefs  
32       pursuant to the contract, showing the total number of actual offenses  
33       and the number and percent of the offenses that are domestic violence  
34       incidents for the following crimes: (i) Criminal homicide, with  
35       subtotals for murder and nonnegligent homicide and manslaughter by  
36       negligence; (ii) forcible rape, with subtotals for rape by force and  
37       attempted forcible rape; (iii) robbery, with subtotals for firearm,  
38       knife or cutting instrument, or other dangerous weapon, and strongarm

1 robbery; (iv) assault, with subtotals for firearm, knife or cutting  
2 instrument, other dangerous weapon, hands, feet, aggravated, and other  
3 nonaggravated assaults; (v) burglary, with subtotals for forcible  
4 entry, nonforcible unlawful entry, and attempted forcible entry; (vi)  
5 larceny theft, except motor vehicle theft; (vii) motor vehicle theft,  
6 with subtotals for autos, trucks and buses, and other vehicles; ((and))  
7 (viii) arson; and (ix) violations of the provisions of a protection  
8 order or no contact order restraining the person from going onto the  
9 grounds of or entering a residence, workplace, school, or day care;

10 (b) To require that the table shall continue to be prepared and  
11 contained in the annual report of crime in Washington until that time  
12 as comparable or more detailed information about domestic violence  
13 incidents is available through the Washington state incident based  
14 reporting system and the information is prepared and contained in the  
15 annual report of crime in Washington; and

16 (c) To require that, in consultation with interested persons, the  
17 Washington association of sheriffs and police chiefs prepare and  
18 disseminate procedures to all law enforcement agencies in the state as  
19 to how the agencies shall code and report domestic violence incidents  
20 to the Washington association of sheriffs and police chiefs."

21 Renumber the remaining sections consecutively and correct any  
22 internal references accordingly.

23 **HB 2472** - H AMD  
24 By Representative Costa

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26 On page 1, line 1 of the title, after "10.99.020," insert  
27 "10.99.030,"

28 **EFFECT:** The Washington Association of Sheriffs and Police Chiefs  
29 is directed to compile data on the number of incidents of violations of  
30 protection or no contact orders.

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