

SENATE BILL REPORT

2SHB 2962

As Reported By Senate Committee On:
Law & Justice, February 23, 1998

Title: An act relating to criminal mistreatment.

Brief Description: Creating the crime of criminal mistreatment in the fourth degree.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Robertson, Kessler, Lisk, Costa, Sheahan, McDonald, L. Thomas and Anderson).

Brief History:

Committee Activity: Law & Justice: 2/23/98 [DP, DNP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Long and Thibaudeau.

Minority Report: Do not pass.

Signed by Senators Hargrove and Zarelli.

Staff: Harry Steinmetz (786-7421)

Background: Domestic violence frequently occurs in front of the children of the victim or the offender. Although prosecutors use this as an argument in favor of a no contact order or to increase the punishment, it is not a separate crime.

Presently, the state has two degrees of criminal mistreatment. First degree, where causing great bodily harm to a child or dependent, is a class B felony. Second degree, where placing a child or dependant in a situation that creates a risk of death or great bodily harm or causes substantial bodily harm, is a class C felony.

It has been suggested that witnessing actual violence causes psychological harm to a child.

Summary of Bill: Criminal mistreatment in the fourth degree is created. The crime occurs when a person commits an act of domestic violence within sight or sound of the victim's or offender's minor children. This crime is a misdemeanor.

The perpetrator must complete substance abuse assessment and treatment if under the influence at the time of the act, complete domestic violence treatment, and the court must restrict or forbid contact with the victim for no longer than 90 days.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: None.

Testimony Against: None.

Testified: No one.