
SECOND SUBSTITUTE HOUSE BILL 2962

State of Washington 55th Legislature 1998 Regular Session

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

Read first time 02/09/98. Referred to Committee on .

1 AN ACT Relating to criminal mistreatment; adding a new section to
2 chapter 9A.42 RCW; creating a new section; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.42 RCW
5 to read as follows:

6 (1) Any person who commits domestic violence, as defined in RCW
7 10.99.020, within sight or sound of the victim's or offender's minor
8 children under the age of eighteen years is guilty of criminal
9 mistreatment in the fourth degree.

10 (2) Criminal mistreatment in the fourth degree is a misdemeanor.

11 (3) As part of any sentence for criminal mistreatment in the fourth
12 degree, the court shall impose and enforce an order with the following
13 conditions:

14 (a) Restricted or no contact with the victim, as defined in RCW
15 10.99.020, or with the child or children of the victim or offender,
16 within whose sight or sound the offense was committed, for a period not
17 to exceed the maximum sentence for the crime, regardless of the
18 expiration of the offender's term of community supervision;

1 (b) No further acts of violence or threats against the victim, as
2 defined in RCW 10.99.020;

3 (c) If the offense was committed while the defendant was under the
4 influence of drugs or alcohol, comprehensive substance abuse assessment
5 and treatment services appropriate for the offender and submission to
6 urinalysis or other testing to monitor drug and alcohol use during any
7 periods of community supervision;

8 (d) Completion of a domestic violence perpetrator program approved
9 under chapter 26.50 RCW; and

10 (e) The defendant shall pay the cost of evaluation, treatment, and
11 monitoring.

12 (4) The court may waive any of the minimum sentencing conditions in
13 subsection (3) of this section upon finding that the conditions would
14 not be in the best interests of justice. The court shall state on the
15 record its reasons for any waiver.

16 NEW SECTION. **Sec. 2.** If specific funding for the purposes of this
17 act, referencing this act by bill or chapter number, is not provided by
18 June 30, 1998, in the omnibus appropriations act, this act is null and
19 void.

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