

# HOUSE BILL REPORT

## E2SHB 2588

---

---

### As Amended by the Senate

**Title:** An act relating to domestic violence fatality reviews.

**Brief Description:** Creating domestic violence fatality review panels.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Tokuda, D. Sommers, Kagi, Boldt, Kenney, Dickerson, Ogden, Veloria, Haigh, Santos, Romero, O'Brien, Edwards, Constantine, Rockefeller, Miloscia and McIntire).

### Brief History:

#### Committee Activity:

Children & Family Services: 2/3/00 [DPS];  
Appropriations: 2/5/00, 2/7/00 [DP2S].

#### Floor Activity:

Passed House: 2/14/00, 95-0.  
Senate Amended.  
Passed Senate: 3/2/00, 48-0.

### Brief Summary of Second Substitute Bill

- Subject to available funds, the Department of Social and Health Services (DSHS) will contract with an entity with expertise in domestic violence to coordinate regional domestic violence fatality review panels.
- The contractor is given various responsibilities to convene, train, and gather information for the panels.
- Requires biennial reports that identify patterns in domestic violence fatalities and make recommendations on policy changes that would improve program performance.

---

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives D. Sommers, Republican Co-Chair; Tokuda, Democratic Co-Chair; Boldt, Republican Vice Chair; Kagi, Democratic Vice Chair; Campbell; Carrell; Dickerson; Eickmeyer; Kastama and Pflug.

**Staff:** Deborah Frazier (786-7152).

---

## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Children & Family Services. Signed by 32 members: Representatives Huff, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; D. Schmidt, Republican Vice Chair; Alexander; Benson; Boldt; Clements; Cody; Crouse; Gombosky; Grant; Kagi; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; Mastin; McIntire; McMorris; Mulliken; Parlette; Regala; Rockefeller; Ruderman; Sullivan; Sump; Tokuda and Wensman.

**Staff:** Heather Flodstrom (786-7391).

### **Background:**

Local Departments of Health are responsible for conducting child mortality reviews for persons under 18 years of age. The purpose of the review is to identify preventable causes of child mortality, including violence, so that these causes may be addressed.

County coroners are responsible for determining whether an inquest is needed to examine the death of a person suspected to be a result of unlawful means or suspicious circumstances, or of unnatural or violent causes. The purpose of the inquest is to determine the cause of death and to support enforcement of criminal laws related to death.

In 1997, Washington received grant funding from the federal Violence Against Women Act to create a model for a statewide domestic violence fatality review mechanism. Three pilot review panels covering five counties (Pierce, Spokane, Chelan, Douglas, and Okanogan) began reviewing deaths in 1998. A fourth panel was formed in Yakima/Kittitas Counties in 1999, and a fifth is being organized in King County. At least four other communities have requested help in forming review panels.

---

### **Summary of Bill:**

The substitute bill provides that, subject to available funds, DSHS will contract with an entity with expertise in domestic violence to coordinate regional domestic violence fatality review panels. The contractor is given various responsibilities to convene, train, and gather information for the panels. The contractor is charged with the responsibility to compile information and issue annual reports with recommendations to improve the system of response to domestic violence, and to identify patterns in domestic violence fatalities. The reports are to be submitted to the House Children & Family Services and Criminal Justice and Corrections Committees and the Senate Human Services and Corrections Committee.

**EFFECT OF SENATE AMENDMENT(S):** Removes defense attorney records from the list of records available to the panels for review. Deletes immunity from criminal liability for the members of the review panel. Adds the Senate Judiciary Committee to the list of report recipients. Adds a federal severability clause.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** (Children & Family Services) We must have ways to institutionalize access to information so that we can better understand the problem of domestic violence. It is critical that we analyze what is going on, and improve our current system of response to domestic violence.

(Appropriations) The state coalition is already conducting fatality reviews in a few counties of the state. The funds that were available for this came from the Violence Against Women Act and that money is expected to run out at the end of the year. The funding for this bill would come from the new \$500 penalties instituted by HB 2402. This project would implement panels in areas of the state where there is a high incidence of domestic violence. \$150,000 per year is enough to implement this bill. We are open to biennial reports rather than annual.

**Testimony Against:** (Children & Family Services)None.

(Appropriations) None.

**Testified:** (Children & Family Services)(In support) Margaret Hobart, Washington State Coalition Against Domestic Violence; and Barbara Fleming, King County Prosecutor's Office.

(Appropriations) Sharon Case, Washington State Coalition Against Domestic Violence.