

SENATE BILL REPORT

HB 1271

As of March 16, 2001

Title: An act relating to modifying requirements for certain victims of sexually violent predators to be eligible for victims' compensation.

Brief Description: Modifying requirements for certain victims of sexually violent predators to be eligible for victims' compensation.

Sponsors: By Representatives Ballasiotes, O'Brien, Conway and Woods.

Brief History:

Committee Activity: Human Services & Corrections: 3/23/01.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Fara Daun (786-7459)

Background: Washington State provides victims' compensation benefits to victims of violent crimes. Under the current statute, the victim must generally file a police report within 12 months of the criminal act and apply for benefits within two years after the police report was filed. The program director may make a good cause- exception for up to five years.

Victims of persons being held on sexually violent predator petitions may be retraumatized when notified of the civil commitment proceedings or when they are interviewed, deposed, or asked to testify against their offender. Civil commitment proceedings usually occur long after the right to file a victims' compensation claim occurs and after the program director's ability to make a good cause exception has expired. These victims are not currently eligible for benefits under the victims' compensation statute for their current trauma.

Summary of Bill: Victims of persons against whom the state is proceeding under the civil commitment for sexually violent predators statute are eligible for victims' compensation benefits. The right to benefits under this provision accrues when the victim is notified of the proceedings, or is interviewed, deposed, or testifies in proceedings under Chapter 71.09 RCW. The victim must apply for benefits within two years after the right to benefits accrues. Benefits under this provision are limited to compensation for losses or costs incurred after the right to benefits under this provision accrues. The director of the victims' compensation program may make good cause- extensions of the time for application for five years after the right to benefits accrues.

Appropriation: None.

Fiscal Note: Available.

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

