
SENATE BILL 5451

State of Washington

57th Legislature

2001 Regular Session

By Senators Costa, Kline, McCaslin and Kohl-Welles; by request of Attorney General

Read first time 01/23/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to actions for crimes of violence motivated by
2 gender; and adding a new chapter to Title 7 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) All persons in this state have the
5 right to be free from crimes of violence motivated by gender.

6 (2) In any action, a person who commits a crime of violence
7 motivated by gender is liable to the injured party for
8 compensatory damages, injunctive relief and declaratory relief,
9 and any other relief the court deems appropriate.

10 (3) This section does not:

11 (a) Establish a cause of action for random acts of violence
12 that are unrelated to gender or for acts that cannot be
13 demonstrated by a preponderance of the evidence to be motivated by
14 gender; or

15 (b) Require a prior criminal complaint, prosecution, or
16 conviction to establish the elements of a cause of action under
17 subsection (2) of this section.

1 (4) A party who prevails in an action to enforce this section
2 shall recover reasonable attorney fees and costs.

3 (5) For the purposes of this section:

4 (a) "Crime of violence" means an act or acts that would
5 constitute a felony against the person or property if the act
6 presents a serious risk of physical injury to another person,
7 whether or not the act or acts resulted in criminal charges,
8 prosecution, or conviction, and includes any offense involving
9 domestic violence as defined in RCW 10.99.020.

10 (b) "Crime of violence motivated by gender" means a crime of
11 violence that is committed because of gender or on the basis of
12 gender and that is due at least in part to an animus based on the
13 victim's gender.

14 NEW SECTION. **Sec. 2.** Section 1 of this act constitutes a new
15 chapter in Title 7 RCW.

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