

# FINAL BILL REPORT

## SSB 6384

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### C 15 L 04

#### Synopsis as Enacted

**Brief Description:** Imposing penalties against convicted domestic violence offenders to pay for domestic violence programs.

**Sponsors:** Senate Committee on Judiciary (originally sponsored by Senators Esser, Thibaudeau, Keiser, Regala, Eide, McCaslin, Rasmussen, Oke, Prentice, B. Sheldon, Kline, Murray, McAuliffe, Kohl-Welles and Roach).

#### Senate Committee on Judiciary

#### House Committee on Juvenile Justice & Family Law

**Background:** Domestic violence includes, but is not limited to, crimes such as assault, stalking, malicious mischief, and rape, when committed by one family or household member against another.

Under Washington law, all crimes are punishable by imprisonment, payment of a fine, or both. In addition to criminal fines, courts may be required to impose additional assessments against convicted persons. For example, a superior court must impose a crime victims and witness penalty assessment of \$250 against a person convicted of a misdemeanor, and \$500 for a gross misdemeanor or felony.

Generally, all fees, fines, forfeitures, and penalties assessed and collected by courts must be remitted and distributed between local governments and the state. Usually, the distribution is 32 percent to the state public safety and education account and 68 percent to local government.

**Summary:** A new penalty of up to \$100 is established for anyone convicted of a crime involving domestic violence. All superior courts and courts of limited jurisdiction may impose this penalty, in addition to any other penalty, restitution, fine or cost already required under law. Judges are encouraged to solicit input from victims when assessing an offender's ability to pay this penalty. Specifically, judges should inquire into the families' financial circumstances.

Revenues collected must be used to fund domestic violence advocacy, prevention, and prosecution programs in the city or county in which the court imposing the penalty is located. In cities and counties where domestic violence programs do not exist, revenues may be used to contract with recognized community based domestic violence program providers. The Legislature intends the revenue to be in addition to existing sources of funding to enhance or help and prevent the reduction and elimination of domestic violence programs.

Revenues collected from this new penalty are not subject to remittance requirements or subject to distribution to the state public safety and education account.

#### Votes on Final Passage:

Senate 49 0  
House 95 0 (House amended)  
Senate 49 0 (Senate concurred)

**Effective:** June 10, 2004