

SENATE BILL REPORT

SHB 1221

As of March 17, 2009

Title: An act relating to the availability of crime victims' compensation funds for witnesses in civil commitment proceedings.

Brief Description: Concerning counseling for witnesses in civil commitment proceedings under chapter 71.09 RCW.

Sponsors: House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Maxwell, Hurst, O'Brien, Rodne, Hope, Pedersen, Smith, McCoy, Bailey, Williams, Kirby and Dickerson; by request of Attorney General).

Brief History: Passed House: 2/23/09, 96-0.

Committee Activity: Human Services & Corrections: 3/13/09.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Kevin Black (786-7747)

Background: The Department of Labor and Industries administers a crime victims' compensation program. Funds from the program may be provided to a victim injured as a result of a criminal act to reimburse the victim for medical expenses or lost wages, or a victim's family or dependents in the case of the death of the victim. Funds may also be provided for burial expenses, for counseling of immediate family members of a homicide victim, or for counseling of victims of sexual assault.

A victim of a person against whom the state initiates civil commitment proceedings as a sexually violent predator may apply for benefits under the crime victims' compensation program within two years of the victim's notice of the proceedings, or from any point at which the victim is interviewed, deposed, or testifies as a witness in connection with the proceedings.

Counseling expenses are limited to the amounts payable under the industrial insurance provisions in chapter 51.04 of the Revised Code of Washington (RCW).

Summary of Bill: A victim of a person who is the subject of civil commitment petition as a sex predator whose crime occurred in another state may receive funds from the victims'

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compensation program for counseling appropriate to address the distress arising from participation in the civil commitment proceedings.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Washington has taken important steps to help crime victims move on with their lives and be productive. This is a technical correction. Civil commitment proceedings are very traumatic for victims of sex crimes. Some of these crimes occur out of state. This bill will help out-of-state victims who agree to come to Washington to get appropriate counseling. The willingness of out-of-state victims to come to Washington greatly assists the people of Washington.

Persons Testifying: PRO: Representative Maxwell, prime sponsor; Brooke Burbank, Assistant Attorney General.