

# SENATE BILL REPORT

## SB 6389

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As Reported by Senate Committee On:  
Human Services & Corrections, February 2, 2012  
Ways & Means, February 7, 2012

**Title:** An act relating to crime victims' services.

**Brief Description:** Creating the crime victims' services account.

**Sponsors:** Senators Hargrove, Harper, Regala and Shin.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/31/12, 2/02/12 [DPS, DNP].  
Ways & Means: 2/06/12, 2/07/12 [DPS(HSC), DNP, w/oRec].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 6389 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Harper and McAuliffe.

**Minority Report:** Do not pass.

Signed by Senators Stevens, Ranking Minority Member; Carrell and Padden.

**Staff:** Kevin Black (786-7747)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 6389 as recommended by Committee on Human Services & Corrections be substituted therefor, and the substitute bill do pass.

Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Brown, Conway, Fraser, Harper, Hatfield, Kastama, Keiser, Kohl-Welles, Pridemore, Regala and Tom.

**Minority Report:** Do not pass.

Signed by Senators Honeyford, Padden and Schoesler.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Parlette, Ranking Minority Member Capital; Baumgartner, Hewitt and Holmquist Newbry.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Richard Ramsey (786-7412)

**Background:** The Office of Crime Victims' Advocacy (OCVA) within the Department of Commerce administers state General Fund and federal grant programs which provide services to victims of crime. The following programs are operated on state funds: Crime Victims Service Centers, Domestic Violence Legal Advocacy, and Victim/Witness Assistance. The following programs are operated on a combination of federal and state funds: Language Bank, Sexual Assault Treatment Services, and Sexual Assault Services Program. The following programs are operated on federal funds: Grants to Encourage Arrest, Rape Prevention and Education, Sexual Assault Prevention, STOP Grant, and Victims of Crime. The Prostitution Prevention and Intervention Program is funded by a special fee account. Of these programs, Crime Victims Service Centers and Victims of Crime provide services to victims of vehicular crimes.

Monetary penalties are assessed for traffic infractions. A court may impose a payment plan when a person is not able to pay a monetary penalty in full. State law requires the following additional fees to be assessed in addition to the penalty for the infraction and any late payment or administrative costs:

<u>Fee</u>	<u>Purpose</u>
\$5	Emergency Medical Services and Trauma Care System Trust Account
\$10	Auto Theft Prevention Authority Account
\$2	Traumatic Brain Injury Account

**Summary of Bill (Recommended Substitute):** A crime victims' services account is created in the State Treasury. Expenditures from the account may only be used for comprehensive crime victims and witness programs; crime victim service centers; grant programs for sexual assault treatment and prevention services; grant programs to enhance funding for treatment of sexual assault; statewide programs services for victims of sexual assault; and supplemental funding for rape crisis centers. Up to 8 percent of the fund may be used for the administrative costs of the OCVA.

A fee of \$10 must be added to every traffic infraction. Revenue from this fee must be deposited in the crime victims' services account.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute):** Monies in the crime victims' services account may be spent only after appropriation.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill takes effect on July 1, 2012.

**Staff Summary of Public Testimony on Original Bill (Human Services & Corrections):**

PRO: Last year, our members served over 13,000 victims of sexual assault, including children. The cuts proposed in the Governor's budget threaten services. Reduction in services would be devastating; it will mean loss of staff. Our advocates already do tremendous work with limited resources. This state has been a leader in sexual assault services since the 1970s. If victims don't come forward, there is no way to hold an offender accountable. Sexual assault services save lives by preventing suicide, drug and alcohol problems, and problems with post-traumatic stress. We already turn away three people for every one we admit to therapy. We advocate for victims of all kinds of crimes. We assist only 10 percent of victims. Victims' services have long been underfunded.

CON: These programs should not be funded through traffic tickets. The funding for these programs should come out of the general fund. These are civil fines for civil infractions and not necessarily related to the programs that would be funded.

OTHER: Services to crime victims are very important.

**Persons Testifying (Human Services & Corrections):** PRO: Andrea Piper-Wentland, WA Coalition of Sexual Assault Programs; Mary Ellan Stone, King County Sexual Assault Resource Center; Karla Salp, WA Coalition of Crime Victim Advocates.

CON: Honorable Sam Meyer, District and Municipal Court Judges Assn.

OTHER: James McMurray, Multicultural Self-Sufficiency Movement.

**Staff Summary of Public Testimony on Substitute (Ways & Means):** PRO: This bill is a result of chronic underfunding of these programs; at current funding levels, only 10 percent of crime victims are served. In addition, the Governor's proposed budget cuts these programs by 20 percent. Last year rape crisis centers served 13,044 victims, many of whom were children.

CON: The \$10 surcharge makes infractions unreasonably expensive. In addition, there's no clear nexus between the fee and the purpose of expenditure.

**Persons Testifying (Ways & Means):** PRO: Karla Salp, WA Coalition of Crime Victims Advocates; Andrea Piper-Wentland, WA Coalition of Sexual Assault Programs.

CON: Melanie Stewart, WA District and Municipal Court Judges.