
Public Safety Committee

HB 1532

Brief Description: Concerning traumatic brain injuries in domestic violence cases.

Sponsors: Representatives Mosbrucker, Pettigrew, Dye, Goodman, Griffey, Walsh, Eslick, Corry, Graham, Kraft, Appleton, Senn, Shea, Stanford, Valdez, Kloba, Leavitt and Macri.

Brief Summary of Bill

- Requires the Department of Social and Health Services, in collaboration with the Washington Traumatic Brain Injury Strategic Partnership Advisory Council, to recommend or develop an educational handout regarding traumatic brain injury (TBI) for distribution to domestic violence victims.
- Requires the Criminal Justice Training Commission's curriculum on domestic violence to include curriculum focused on recognizing the signs of possible or probable TBI.
- Adds to the requirement that law enforcement agencies maintain records of all reported domestic violence incidents, to additionally require that such records include a notation of probable incidents of TBI.

Hearing Date: 1/28/19

Staff: Omeara Harrington (786-7136).

Background:

Administrative Office of the Courts Materials on Domestic Violence.

The Administrative Office of the Courts (AOC) is statutorily required to develop and make available a variety of instructional and informational documents related to domestic violence. Included in these required documents are standardized protection order petition forms and instructional brochures designed to assist petitioners in the domestic violence protection order petition, modification, and termination processes. As part of, or in addition to, the informational

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.

brochures, courts must include a community resource list of local domestic violence programs. The AOC is also required to develop a court staff handbook on domestic violence.

Law Enforcement Training and Response to Domestic Violence.

The Criminal Justice Training Commission (CJTC) provides basic law enforcement training through the Basic Law Enforcement Academy (BLEA). The BLEA consists of a 720-hour program covering a wide variety of subjects. The basic law enforcement curriculum must include at least 20 hours of basic training instruction on law enforcement response to domestic violence. In addition, the CJTC must maintain an in-service training program to familiarize law enforcement officers with domestic violence laws.

Officers responding to domestic violence calls must advise victims of all reasonable means to prevent further abuse, including advising as to available shelters or other local services and giving immediate notice of legal rights and remedies available. As part of providing the required notice, the officer must give the victim a standardized statement detailing victim rights.

Law enforcement agencies must make and maintain written records of all reported incidents of domestic violence, which are in turn submitted to the Washington Association of Sheriffs and Police Chiefs (WASPC). The WASPC produces an annual report on crime in Washington, which must include the total number of domestic violence offenses and the number of offenses attributed to certain listed crimes.

Washington Traumatic Brain Injury Strategic Partnership Advisory Council.

The Washington Traumatic Brain Injury Strategic Partnership Advisory Council (TBI Advisory Council) was established in 2007 to advise the Governor, the Legislature, and the Department of Social and Health Services (DSHS) on issues related to TBI. Represented on the TBI Advisory Council are: tribes; TBI nonprofits; medical professionals; social workers and others with experience working with adults and children with TBI; rehabilitation specialists; individuals and family members of individuals with TBI; members of the public with experience in the causes of TBI; and government agencies. The TBI Advisory Council is responsible for collaborating with the DSHS to develop and revise a comprehensive statewide plan to address the needs of individuals with TBI, among other duties.

Summary of Bill:

The DSHS, in consultation with the TBI Advisory Council, must recommend or develop an educational handout regarding traumatic brain injury (TBI) for distribution to victims of domestic violence. The handout must include:

- an explanation of the potential for domestic abuse to lead to TBI;
- information on recognizing cognitive, behavioral, and physical symptoms of TBI, and potential impacts to a person's emotional well-being and mental health, along with a self-screening tool; and
- recommendations for persons with TBI to address or cope with the injury.

The DSHS must update the educational handout on a periodic basis. The handout must be included as part of the AOC-prepared informational brochures provided to persons seeking

protection orders. Law enforcement officers responding to domestic violence incidents must also provide victims with the educational handout.

The domestic violence component of the basic law enforcement curriculum must include curriculum focused on recognizing the signs of possible or probable TBI. The written records of domestic violence incidents created and maintained by law enforcement agencies must include a notation of any probable incident of TBI.

Appropriation: None.

Fiscal Note: Requested on January 23, 2019.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.