

ESHB 1766 - S COMM AMD

By Committee on Law & Justice

NOT CONSIDERED 04/08/2023

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that:

4 (1) Washington state has been a national leader in adopting legal
5 protections to prevent and respond to abuse, violence, harassment,
6 stalking, neglect, and other threatening behaviors, through the
7 enactment of different types of civil protection orders, which are
8 intended to provide an efficient means to obtain protection against
9 perpetrators of these harms. Protection orders are essential tools
10 that can increase safety for victims of domestic violence, sexual
11 assault, stalking, abuse of vulnerable adults, and unlawful
12 harassment, by empowering them to obtain immediate protection for
13 themselves without having to rely on the criminal legal system. From
14 2018 through 2021, more than 83,000 full protection order cases were
15 filed in Washington courts, with domestic violence protection order
16 cases making up nearly 58 percent of that total.

17 (2) Washingtonians who receive protection orders, however, are
18 often confronted by a difficult choice—always carry a paper copy of
19 the order with them, an inconvenient option that could result in the
20 document being damaged or lost, or risk not having access to proper
21 documentation should assistance from law enforcement or emergency
22 services become necessary.

23 (3) Numerous other states including Oregon, Idaho, and Montana
24 have successfully implemented a solution by establishing hope card
25 programs. Hope cards are durable, laminated cards, similar in
26 construction to a driver's license, that contain the vital
27 information about a protection order that first responders need to
28 quickly verify its existence.

29 (4) Establishing a hope card program in Washington will not only
30 relieve protection order recipients of an unnecessary source of
31 frustration and stress, but also increase the effectiveness of these

1 crucial sources of safety and security for thousands of
2 Washingtonians.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 7.105
4 RCW to read as follows:

5 (1) The administrative office of the courts shall develop a
6 program for the issuance of protection order hope cards in scannable
7 electronic format by superior and district courts. The administrative
8 office of the courts shall develop the program in collaboration with
9 the Washington state superior court judges' association, the
10 Washington state district and municipal court judges' association,
11 the Washington state association of county clerks, association of
12 Washington superior court administrators, district and municipal
13 court management association, and the Washington association of
14 sheriffs and police chiefs, and shall make reasonably feasible
15 efforts to solicit and incorporate input from appropriate stakeholder
16 groups, including representatives from victim advocacy groups, law
17 enforcement agencies, and the department of licensing.

18 (2)(a) A hope card must be in a scannable electronic format
19 including, but not limited to, a barcode, data matrix code, or a
20 quick response code, and must contain, without limitations, the
21 following:

22 (i) The restrained person's name, date of birth, sex, race, eye
23 color, hair color, height, weight, and other distinguishing features;

24 (ii) The protected person's name and date of birth and the names
25 and dates of birth of any minor children protected under the order;
26 and

27 (iii) Information about the protection order including, but not
28 limited to, the issuing court, the case number, the date of issuance
29 and date of expiration of the order, and the relevant details of the
30 order, including any locations from which the person is restrained.

31 (b) If feasible, the information stored in a scannable electronic
32 format and accessible through a barcode, data matrix code, or a quick
33 response code must include a digital record of the protection order
34 as entered and provide access to the entire case history, including
35 the petition for protection order, statement, declaration, temporary
36 order, hearing notice, and proof of service.

37 (3) Commencing on July 1, 2024, a person who has been issued a
38 valid full protection order may request a hope card from the clerk of

1 the issuing court at the time the order is entered or at any time
2 prior to the expiration of the order.

3 (4) A person requesting a hope card may not be charged a fee for
4 the issuance of an original and one duplicate hope card.

5 (5) A hope card has the same effect as the underlying protection
6 order.

7 (6) For the purposes of this section, "full protection order"
8 means a domestic violence protection order, a sexual assault
9 protection order, a stalking protection order, a vulnerable adult
10 protection order, or an antiharassment protection order, as defined
11 in this chapter."

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12 On page 1, line 1 of the title, after "program;" strike the
13 remainder of the title and insert "adding a new section to chapter
14 7.105 RCW; and creating a new section."

EFFECT: Requires the Hope Card to be provided in a scannable
electronic format. A hope card has the same effect as the underlying
protection order.

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