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**SENATE BILL 5928**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senators Padden, Fortunato, and L. Wilson

Prefiled 12/29/23. Read first time 01/08/24. Referred to Committee on Law & Justice.

1 AN ACT Relating to studying coercive control; and amending RCW  
2 7.105.903.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 7.105.903 and 2022 c 268 s 27 are each amended to  
5 read as follows:

6 (1) The gender and justice commission, through its E2SHB 1320  
7 stakeholder work groups, and in consultation with the Washington  
8 state center for court research, shall include in their 2022 work  
9 consideration of a study regarding how the inclusion of coercive  
10 control under chapter 268, Laws of 2022 helps to further realize the  
11 legislative intent of the law to increase safety for victims by  
12 obtaining effective legal protection apart from, or in addition to,  
13 the criminal legal system. The possible parameters for such a study  
14 would be as follows:

15 (a) The center for court research may engage or partner with  
16 other researchers with expertise in intimate partner violence,  
17 coercive control, civil protection order processes, and related  
18 research to conduct the study or help with study design, duration,  
19 methods, measurements, data collection, and analysis.

20 (b) The administrative office of the courts and superior and  
21 district courts shall provide the center for court research with

1 necessary data to conduct the study, as requested by the center for  
2 court research.

3 (c) The study may include, if determined by the gender and  
4 justice commission's E2SHB 1320 stakeholder work groups and the  
5 center for court research to be empirically useful and readily  
6 measurable through available data, measurements such as:

7 (i) The ability of survivors to obtain protection orders that  
8 fully address the nature of the harm or threat of harm they are  
9 experiencing;

10 (ii) The frequency of inclusion of coercive control in protection  
11 order petitions and the nature of the harm or threatened harm  
12 articulated;

13 (iii) Whether the orders were granted and if so, the relief  
14 ordered by the court;

15 (iv) Whether the orders were denied, and if so, the reason for  
16 the denial; and

17 (v) In proceedings involving domestic violence where coercive  
18 control is part of the harm alleged:

19 (A) The frequency of conflicting protection orders, cross-  
20 petitions (where each party files a petition against the other), or  
21 realigned orders (where the court finds that the original petitioner  
22 is the abuser and the original respondent is the victim);

23 (B) Enforcement of protection order violations;

24 (C) Other legal proceedings involving either party, such as  
25 family, dependency, or criminal matters; (~~and~~)

26 (D) Whether the parties had legal representation or legal  
27 advocates in the protection order proceedings; and

28 (E) The frequency with which parental alienation was cited as a  
29 reason for filing of a protection order.

30 (d) The study shall also assess judicial officer training  
31 regarding protection orders, and coercive control in particular, and  
32 whether additional judicial officers are required to hear protection  
33 order proceedings.

34 (e) To the extent feasible, and considered best practice by the  
35 center for court research, the evaluation should also: Gather  
36 qualitative information from survivors of domestic violence, legal  
37 counsel, protection order advocates and court navigators, court  
38 clerks, and judicial officers; and include analysis of any  
39 disproportionate impact on survivors by race, immigration status,  
40 language, gender, sexual orientation, or disability.

1 (f) At the conclusion of any study conducted under this section,  
2 the center for court research shall report its findings to the  
3 legislature in compliance with RCW 43.01.036.

4 (2) By July 1, 2022, the gender and justice commission through  
5 its E2SHB 1320 work groups and the center for court research shall  
6 advise the chairs of the relevant policy committees of the  
7 legislature of their recommendations regarding need, timing, and  
8 design for such a study.

9 (3) By December 1, 2025, the gender and justice commission shall  
10 provide a preliminary report to the relevant policy committees of the  
11 legislature.

12 (4) This section expires January 1, 2028.

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