

SENATE BILL REPORT

SB 5209

As of January 30, 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: Senators Regala, Holmquist, Kohl-Welles, Brandland, Kauffman, Stevens, Hargrove, McAuliffe and Kline; by request of Attorney General.

Brief History:

Committee Activity: Human Services & Corrections: 1/29/09.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Kevin Black (786-7747)

Background: The Department of Labor and Industries administers a crime victims' compensation program. Monetary benefits are made available to a victim injured as a result of a criminal act, or the victim's family or dependents in the case of the death of the victim. Money may also be paid 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 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 chapter 51.04 of the Revised Code of Washington.

Summary of Bill: A victim of a person against whom the state initiates civil commitment proceedings as a sexually violent predator may additionally apply for funds for counseling to address distress arising from participation in the civil commitment proceedings. These expenses are not expressly limited to amounts payable under chapter 51.04 of the Revised Code of Washington.

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.

Benefits for a victim of a person against whom the state initiates civil commitment proceedings as a sexually violent predator may be paid to a person who is not a resident of the state of Washington.

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: The crime victims' compensation program provides a valuable service which should be extended as provided in the bill. The Department of Labor and Industries is working with the Attorney General on an amendment which should cut the fiscal note in half.

Persons Testifying: PRO: Brooke Burbank, Attorney General's Office; Dave Johnson, Washington Coalition of Crime Victim's Advocates; Cletus Nwawbu, Department of Labor and Industries.