

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE SENATE BILL 6347

Chapter 111, Laws of 1992
(partial veto)

52nd Legislature
1992 Regular Session

DOMESTIC VIOLENCE PROTECTION ORDERS--REVISIONS

EFFECTIVE DATE: 6/11/92

Passed by the Senate February 18, 1992
Yeas 49 Nays 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 5, 1992
Yeas 98 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Approved March 31, 1992, with the
exception of sections 3, 5, and 13,
which are vetoed.

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
**ENGROSSED SECOND SUBSTITUTE SENATE
BILL 6347** as passed by the Senate and
the House of Representatives on the
dates hereon set forth.

GORDON A. GOLOB

Secretary

FILED

March 31, 1992 - 12:04 p.m.

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE SENATE BILL 6347

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Nelson, A. Smith, Erwin, Madsen, Rinehart, Thorsness and von Reichbauer)

Read first time 02/11/92.

1 AN ACT Relating to domestic violence; amending RCW 26.50.030,
2 26.50.035, 26.50.060, 10.99.030, 26.50.010, 26.50.020, 4.08.050,
3 12.04.140, 12.04.150, and 26.28.015; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 Domestic violence is a problem of immense proportions affecting
7 individuals as well as communities. Domestic violence has long been
8 recognized as being at the core of other major social problems: Child
9 abuse, other crimes of violence against person or property, juvenile
10 delinquency, and alcohol and drug abuse. Domestic violence costs
11 millions of dollars each year in the state of Washington for health
12 care, absence from work, services to children, and more. The crisis is
13 growing.

1 While the existing protection order process can be a valuable tool
2 to increase safety for victims and to hold batterers accountable,
3 specific problems in its use have become evident. Victims have
4 difficulty completing the paperwork required particularly if they have
5 limited English proficiency; model forms have been modified to be
6 inconsistent with statutory language; different forms create confusion
7 for law enforcement agencies about the contents and enforceability of
8 orders. Refinements are needed so that victims have the easy, quick,
9 and effective access to the court system envisioned at the time the
10 protection order process was first created.

11 When courts issue mutual protection orders without the filing of
12 separate written petitions, notice to each respondent, and hearing on
13 each petition, the original petitioner is deprived of due process.
14 Mutual protection orders label both parties as violent and treat both
15 as being equally at fault: Batterers conclude that the violence is
16 excusable or provoked and victims who are not violent are confused and
17 stigmatized. Enforcement may be ineffective and mutual orders may be
18 used in other proceedings as evidence that the victim is equally at
19 fault.

20 Valuable information about the reported incidents of domestic
21 violence in the state of Washington is unobtainable without gathering
22 data from all law enforcement agencies; without this information, it is
23 difficult for policymakers, funders, and service providers to plan for
24 the resources and services needed to address the issue.

25 Domestic violence must be addressed more widely and more
26 effectively in our state: Greater knowledge by professionals who deal
27 frequently with domestic violence is essential to enforce existing
28 laws, to intervene in domestic violence situations that do not come to
29 the attention of the law enforcement or judicial systems, and to reduce

1 and prevent domestic violence by intervening before the violence
2 becomes severe.

3 Adolescent dating violence is occurring at increasingly high rates:
4 Preventing and confronting adolescent violence is important in
5 preventing potential violence in future adult relationships.

6 **Sec. 2.** RCW 26.50.030 and 1985 c 303 s 2 are each amended to read
7 as follows:

8 There shall exist an action known as a petition for an order for
9 protection in cases of domestic violence.

10 (1) A petition for relief shall allege the existence of domestic
11 violence, and shall be accompanied by an affidavit made under oath
12 stating the specific facts and circumstances from which relief is
13 sought.

14 (2) A petition for relief may be made regardless of whether or not
15 there is a pending lawsuit, complaint, petition, or other action
16 between the parties except in cases where the court realigns petitioner
17 and respondent in accordance with RCW 26.50.060(3).

18 (3) Within ninety days of receipt of the master copy from the
19 administrator for the courts, all court clerk's offices shall make
20 available ((simplified)) the standardized forms, instructions, and
21 ((instructional)) informational brochures required by RCW 26.50.035 and
22 shall fill in and keep current specific program names and telephone
23 numbers for community resources. Any assistance or information
24 provided by clerks under this section does not constitute the practice
25 of law and clerks are not responsible for incorrect information
26 contained in a petition.

27 (4) A filing fee of twenty dollars shall be charged for proceedings
28 under this section. No filing fee may be charged for: (a) A petition
29 filed in an existing action or under an existing cause number brought

1 under this chapter in the jurisdiction where the relief is sought; or
2 (b) the transfer of a case from district or municipal court to superior
3 court under RCW 26.50.020(2). Forms and instructional brochures shall
4 be provided free of charge.

5 (5) A person is not required to post a bond to obtain relief in any
6 proceeding under this section.

8 **Sec. 3. RCW 26.50.035 and 1985 c 303 s 3 are each amended to read*
9 *as follows:*

10 *By January 1, 1993, the administrator for the courts shall develop*
11 *and prepare, in consultation with interested persons, to include a*
12 *representative of the state domestic violence coalition, judges, and*
13 *law enforcement personnel, ((the—forms)) instructions and*
14 *((instructional)) informational brochures required under RCW*
15 *26.50.030(3), standard petition and order for protection forms that*
16 *must be used after April 15, 1993, for all petitions filed and orders*
17 *issued under this chapter, and a court staff handbook on domestic*
18 *violence and the protection order process. The instructions shall be*
19 *designed to assist petitioners in completing the petition. The*
20 *informational brochure shall describe the use of and the process for*
21 *obtaining a protection order, a no contact order as provided by RCW*
22 *10.99.040, a restraining order as provided by RCW 26.09.060, and an*
23 *antiharassment protection order as provided by chapter 10.14 RCW, along*
24 *with a list of local community resources. The community resources*
25 *shall be in the form of a list that includes law enforcement agencies,*
26 *domestic violence agencies, sexual assault agencies, legal assistance*
27 *programs, interpreters, multicultural programs, and batterers'*
28 *treatment programs, which shall contain the names and telephone numbers*
29 *of programs serving the community in which the court is located. Court*
30 *staff shall obtain the community resource list from a domestic violence*

1 program as defined in RCW 70.123.020 serving the county in which the
2 court is located. The order for protection form shall include, in a
3 conspicuous location, notice of criminal penalties resulting from
4 violation of the order, notice that the petitioner may not waive any
5 provisions of the order, and notice that it is the sole responsibility
6 of the respondent to avoid or refrain from violating the provisions of
7 the order. The administrator for the courts shall distribute a master
8 copy of the petition and order forms ((and—instructional)),
9 instructions, and informational brochures to ((all court clerks)) the
10 staff of all courts and shall distribute a master copy of the order
11 forms to all superior, district, and municipal courts.

12 The administrator for the courts shall arrange for translation of
13 the instructions and informational brochures into Spanish, Vietnamese,
14 Laotian, Cambodian, and Chinese and shall distribute a master copy of
15 the translated instructions and informational brochures to all court
16 clerks by March 1, 1993.

17 The administrator for the courts shall, in consultation with
18 interested parties to include a representative of the state domestic
19 violence coalition, judges, law enforcement personnel, and staff from
20 multicultural programs, determine by June 30, 1993, whether translation
21 of the petition and standard order forms would substantially improve
22 access to the protection order process for those with limited English
23 proficiency. If so, the administrator for the courts shall arrange for
24 the translation of the petition and standard order forms into Spanish,
25 Vietnamese, Laotian, Cambodian, and Chinese, and shall distribute a
26 master copy of the translated petition and standard order forms to all
27 court staff by September 1, 1993, along with any necessary instructions

1 or explanations for use of the translated petition and standard order
2 forms.

3 *Sec. 3 was vetoed, see message at end of chapter.

4 **Sec. 4.** RCW 26.50.060 and 1989 c 411 s 1 are each amended to read
5 as follows:

6 (1) Upon notice and after hearing, the court may provide relief as
7 follows:

8 (a) Restrain (~~(a party)~~) the respondent from committing acts of
9 domestic violence;

10 (b) Exclude the respondent from the dwelling which the parties
11 share or from the residence of the petitioner;

12 (c) On the same basis as is provided in chapter 26.09 RCW, the
13 court shall make residential provision with regard to minor children of
14 the parties. However, parenting plans as specified in chapter 26.09
15 RCW shall not be required under this chapter;

16 (d) Order the respondent to participate in batterers' treatment
17 (~~(or counseling services)~~);

18 (e) Order other relief as it deems necessary for the protection of
19 (~~(a)~~) the petitioner and other family or household members sought to be
20 protected, including orders or directives to a peace officer, as
21 allowed under this chapter;

22 (f) Require the respondent to pay the filing fee and court costs,
23 including service fees, and to reimburse the petitioner for costs
24 incurred in bringing the action, including a reasonable attorney's fee.
25 If the petitioner has been granted leave to proceed in forma pauperis,
26 the court may require the respondent to pay the filing fee and costs,
27 including services fees, to the county or municipality incurring the
28 expense; and

1 (g) Restrain ((any party)) the respondent from having any contact
2 with the victim of domestic violence or the victim's children or
3 members of the victim's household.

4 (2) Any relief granted by the order for protection, other than a
5 judgment for costs, shall be for a fixed period not to exceed one year.

6 (3) In providing relief under this chapter, the court may realign
7 the designation of the parties as "petitioner" and "respondent" where
8 the court finds that the original petitioner is the abuser and the
9 original respondent is the victim of domestic violence and may issue an
10 ex parte temporary order for protection in accordance with RCW
11 26.50.070 on behalf of the victim until the victim is able to prepare
12 a petition for an order for protection in accordance with RCW
13 26.50.030.

14 (4) Except as provided in subsection (3) of this section, no order
15 for protection shall grant relief to any party except upon notice to
16 the respondent and hearing pursuant to a petition or counter-petition
17 filed and served by the party seeking relief in accordance with RCW
18 26.50.050.

29 **Sec. 5. RCW 10.99.030 and 1984 c 263 s 21 are each amended to read*
21 *as follows:*

22 (1) *All training relating to the handling of domestic violence*
23 *complaints by law enforcement officers shall stress enforcement of*
24 *criminal laws in domestic situations, availability of community*
25 *resources, and protection of the victim. Law enforcement agencies and*
26 *community organizations with expertise in the issue of domestic*
27 *violence shall cooperate in all aspects of such training.*

28 (2) *The primary duty of peace officers, when responding to a*
29 *domestic violence situation, is to enforce the laws allegedly violated*
30 *and to protect the complaining party.*

1 (3)(a) When a peace officer responds to a domestic violence call
2 and has probable cause to believe that a crime has been committed, the
3 peace officer shall exercise arrest powers with reference to the
4 criteria in RCW 10.31.100. The officer shall notify the victim of the
5 victim's right to initiate a criminal proceeding in all cases where the
6 officer has not exercised arrest powers or decided to initiate criminal
7 proceedings by citation or otherwise. The parties in such cases shall
8 also be advised of the importance of preserving evidence.

9 (b) A peace officer responding to a domestic violence call shall
10 take a complete offense report including the officer's disposition of
11 the case.

12 (4) When a peace officer responds to a domestic violence call, the
13 officer shall advise victims of all reasonable means to prevent further
14 abuse, including advising each person of the availability of a shelter
15 or other services in the community, and giving each person immediate
16 notice of the legal rights and remedies available. The notice shall
17 include handing each person a copy of the following statement:

18 "IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the
19 city or county prosecuting attorney to file a criminal
20 complaint. You also have the right to file a petition in
21 superior, district, or municipal court requesting an order for
22 protection from domestic abuse which could include any of the
23 following: (a) An order restraining your abuser from further
24 acts of abuse; (b) an order directing your abuser to leave your
25 household; (c) an order preventing your abuser from entering
26 your residence, school, business, or place of employment; (d)
27 an order awarding you or the other parent custody of or
28 visitation with your minor child or children; and (e) an order
29 restraining your abuser from molesting or interfering with

1 *minor children in your custody. The forms you need to obtain*
2 *a protection order are available in any municipal, district, or*
3 *superior court.*

4 *Information about shelters and alternatives to domestic violence is*
5 *available from a state-wide twenty-four-hour toll-free hotline at*
6 *1-800-562-6025. The battered women's shelter and other resources*
7 *in your area are --- (include local information)"*

8 *(5) The peace officer may offer, arrange, or facilitate*
9 *transportation for the victim to a hospital for treatment of injuries*
10 *or to a place of safety or shelter.*

11 *(6) The law enforcement agency shall forward the offense report to*
12 *the appropriate prosecutor within ten days of making such report if*
13 *there is probable cause to believe that an offense has been committed,*
14 *unless the case is under active investigation.*

15 *(7) Each law enforcement agency shall make as soon as practicable*
16 *a written record and shall maintain records of all incidents of*
17 *domestic violence reported to it.*

18 *(8) Records kept pursuant to subsections (3) and (7) of this*
19 *section shall be made identifiable by means of a departmental code for*
20 *domestic violence.*

21 *(9) Commencing January 1, 1993, records of incidents of domestic*
22 *violence shall be submitted, in accordance with procedures described in*
23 *this subsection, to the Washington association of sheriffs and police*
24 *chiefs by all law enforcement agencies. The Washington criminal*
25 *justice training commission shall amend its contract for collection of*
26 *state-wide crime data with the Washington association of sheriffs and*
27 *police chiefs: (a) To require the compilation, presentation, and*
28 *inclusion of domestic violence incidents in the annual report of crime*

1 in Washington produced by the Washington association of sheriffs and
2 police chiefs pursuant to such contract; and (b) to require that, in
3 consultation with interested persons, the Washington association of
4 sheriffs and police chiefs prepare and disseminate procedures to all
5 law enforcement agencies in the state as to how such agencies shall
6 code and report domestic violence incidents to the Washington
7 association of sheriffs and police chiefs.

8 *Sec. 5 was vetoed, see message at end of chapter.

9 NEW SECTION. **Sec. 6.** The departments of social and health
10 services, community development, and health; the administrator for the
11 courts; and the criminal justice training commission, in cooperation
12 with each other and with the department of social and health services
13 as lead agency shall, in consultation with interested parties, conduct
14 a review of and issue a report on the current level of domestic
15 violence education in the state of Washington, including higher
16 education curricula and continuing professional education for
17 individuals working in positions that involve duties to, or contact
18 with, those affected by domestic violence. Professions for which
19 education levels should be determined include, but are not limited to,
20 health care, mental health, and substance abuse professionals licensed
21 or certified by the state and pastoral counselors, employee assistance
22 counselors, police and law enforcement officers, prosecutors, judges,
23 court administrators, court clerks, probation officers, parole
24 officers, child protective service workers, school counselors,
25 teachers, and clergy. The analysis shall include suggested approaches
26 of how to achieve any needed additional education, and an evaluation of
27 whether there is a need for additional domestic violence education for
28 some or all of these professions, either as part of their higher
29 education curricula or through continuing education or both. The

1 department of social and health services shall report to the house of
2 representatives judiciary and senate law and justice committees
3 regarding its findings and recommendations by September 1, 1992.

4 **Sec. 7.** RCW 26.50.010 and 1991 c 301 s 8 are each amended to read
5 as follows:

6 As used in this chapter, the following terms shall have the
7 meanings given them:

8 (1) "Domestic violence" means: (a) Physical harm, bodily injury,
9 assault, or the infliction of fear of imminent physical harm, bodily
10 injury or assault, between family or household members; or (b) sexual
11 assault of one family or household member by another.

12 (2) "Family or household members" means spouses, former spouses,
13 persons who have a child in common regardless of whether they have been
14 married or have lived together at any time, adult persons related by
15 blood or marriage, ~~((and))~~ adult persons who are presently residing
16 together or who have resided together in the past, persons sixteen
17 years of age or older who are presently residing together or who have
18 resided together in the past and who have or have had a dating
19 relationship, persons sixteen years of age or older with whom a
20 respondent sixteen years of age or older has or has had a dating
21 relationship, and persons who have a biological or legal parent-child
22 relationship, including stepparents and stepchildren and grandparents
23 and grandchildren.

24 (3) "Dating relationship" means a social relationship of a romantic
25 nature. Factors that the court may consider in making this
26 determination include: (a) The length of time the relationship has
27 existed; (b) the nature of the relationship; and (c) the frequency of
28 interaction between the parties.

1 (4) "Court" includes the superior, district, and municipal courts
2 of the state of Washington.

3 (~~(4)~~) (5) "Judicial day" does not include Saturdays, Sundays, or
4 legal holidays.

5 **Sec. 8.** RCW 26.50.020 and 1989 c 375 s 28 are each amended to read
6 as follows:

7 (1) Any person may seek relief under this chapter by filing a
8 petition with a court alleging that the person has been the victim of
9 domestic violence committed by the respondent. The person may petition
10 for relief on behalf of himself or herself and on behalf of minor
11 family or household members.

12 (2) A person under eighteen years of age who is sixteen years of
13 age or older may seek relief under this chapter and is not required to
14 seek relief by a guardian or next friend.

15 (3) No guardian or guardian ad litem need be appointed on behalf of
16 a respondent to an action under this chapter who is under eighteen
17 years of age if such respondent is sixteen years of age or older.

18 (4) The court may, if it deems necessary, appoint a guardian ad
19 litem for a petitioner or respondent who is a party to an action under
20 this chapter.

21 (5) The courts defined in RCW 26.50.010(3) have jurisdiction over
22 proceedings under this chapter. The jurisdiction of district and
23 municipal courts under this chapter shall be limited to enforcement of
24 RCW 26.50.110(1), or the equivalent municipal ordinance, and the
25 issuance and enforcement of temporary orders for protection provided
26 for in RCW 26.50.070 if: (a) A superior court has exercised or is
27 exercising jurisdiction over a proceeding under this title or chapter
28 13.34 RCW involving the parties; (b) the petition for relief under this
29 chapter presents issues of residential schedule of and contact with

1 children of the parties; or (c) the petition for relief under this
2 chapter requests the court to exclude a party from the dwelling which
3 the parties share. When the jurisdiction of a district or municipal
4 court is limited to the issuance and enforcement of a temporary order,
5 the district or municipal court shall set the full hearing provided for
6 in RCW 26.50.050 in superior court and transfer the case. If the
7 notice and order are not served on the respondent in time for the full
8 hearing, the issuing court shall have concurrent jurisdiction with the
9 superior court to extend the order for protection.

10 ~~((3))~~ (6) An action under this chapter shall be filed in the
11 county or the municipality where the petitioner resides, unless the
12 petitioner has left the residence or household to avoid abuse. In that
13 case, the petitioner may bring an action in the county or municipality
14 of the previous or the new household or residence.

15 ~~((4))~~ (7) A person's right to petition for relief under this
16 chapter is not affected by the person leaving the residence or
17 household to avoid abuse.

18 **Sec. 9.** RCW 4.08.050 and 1891 c 30 s 1 are each amended to read as
19 follows:

20 Except as provided under RCW 26.50.020, when an infant is a party
21 he or she shall appear by guardian, or if he or she has no guardian, or
22 in the opinion of the court the guardian is an improper person, the
23 court shall appoint one to act. Said guardian shall be appointed as
24 follows:

25 (1) When the infant is plaintiff, upon the application of the
26 infant, if he or she be of the age of fourteen years, or if under that
27 age, upon the application of a relative or friend of the infant.

28 (2) When the infant is defendant, upon the application of the
29 infant, if he or she be of the age of fourteen years, and applies

1 within thirty days after the service of the summons; if he or she be
2 under the age of fourteen, or neglects to apply, then upon the
3 application of any other party to the action, or of a relative or
4 friend of the infant.

5 **Sec. 10.** RCW 12.04.140 and 1971 ex.s. c 292 s 75 are each amended
6 to read as follows:

7 Except as provided under RCW 26.50.020, no action shall be
8 commenced by any person under the age of eighteen years, except by his
9 guardian, or until a next friend for such a person shall have been
10 appointed. Whenever requested, the justice shall appoint some suitable
11 person, who shall consent thereto in writing, to be named by such
12 plaintiff, to act as his or her next friend in such action, who shall
13 be responsible for the costs therein.

14 **Sec. 11.** RCW 12.04.150 and 1971 ex.s. c 292 s 76 are each amended
15 to read as follows:

16 After service and return of process against a defendant under the
17 age of eighteen years, the action shall not be further prosecuted,
18 until a guardian for such defendant shall have been appointed, except
19 as provided under RCW 26.50.020. Upon the request of such defendant,
20 the justice shall appoint some person who shall consent thereto in
21 writing, to be guardian of the defendant in defense of the action; and
22 if the defendant shall not appear on the return day of the process, or
23 if he or she neglect or refuse to nominate such guardian, the justice
24 may, at the request of the plaintiff, appoint any discreet person as
25 such guardian. The consent of the guardian or next friend shall be
26 filed with the justice; and such guardian for the defendant shall not
27 be liable for any costs in the action.

1 **Sec. 12.** RCW 26.28.015 and 1971 ex.s. c 292 s 2 are each amended
2 to read as follows:

3 Notwithstanding any other provision of law, and except as provided
4 under RCW 26.50.020, all persons shall be deemed and taken to be of
5 full age for the specific purposes hereafter enumerated at the age of
6 eighteen years:

7 (1) To enter into any marriage contract without parental consent if
8 otherwise qualified by law;

9 (2) To execute a will for the disposition of both real and personal
10 property if otherwise qualified by law;

11 (3) To vote in any election if authorized by the Constitution and
12 otherwise qualified by law;

13 (4) To enter into any legal contractual obligation and to be
14 legally bound thereby to the full extent as any other adult person;

15 (5) To make decisions in regard to their own body and the body of
16 their lawful issue whether natural born to or adopted by such person to
17 the full extent allowed to any other adult person including but not
18 limited to consent to surgical operations;

19 (6) To sue and be sued on any action to the full extent as any
20 other adult person in any of the courts of this state, without the
21 necessity for a guardian ad litem.

22 ***NEW SECTION.** **Sec. 13.** *(1) If specific funding for the purposes*
24 *of sections 2 and 3 of this act, referencing sections 2 and 3 of this*
25 *act by bill and section number, is not provided by June 30, 1992, in*
26 *the omnibus appropriations act, sections 2 and 3 of this act shall be*
27 *null and void.*

28 *(2) If specific funding for the purposes of section 5 of this act,*
29 *referencing section 5 of this act by bill and section number, is not*

1 *provided by June 30, 1992, in the omnibus appropriations act, section*
2 *5 of this act shall be null and void.*

3 **Sec. 13 was vetoed, see message at end of chapter.*

4 NEW SECTION. **Sec. 14.** If any provision of this act or its
5 application to any person or circumstance is held invalid, the
6 remainder of the act or the application of the provision to other
7 persons or circumstances is not affected.

Passed the Senate February 18, 1992.

Passed the House March 5, 1992.

Approved by the Governor March 31, 1992, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State March 31, 1992.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to sections 3, 5,
3 and 13, Engrossed Second Substitute Senate Bill No. 6347 entitled:

4 "AN ACT Relating to domestic violence."

5 Sections 2 and 3 of Engrossed Second Substitute Senate Bill No.
6 6347 require the Office of the Administrator for the Courts to develop
7 standardized forms, instructions, and informational brochures for
8 persons petitioning for protection under the state's Domestic Violence
9 Protection Act. Section 5 requires records of incidents of domestic
10 violence to be submitted to the Washington Association of Sheriffs and
11 Police Chiefs for the purpose of collecting statewide crime data.

12 Section 13 declares sections 2, 3, and 5, null and void if funding
13 is not provided in the omnibus appropriations act referencing these
14 sections by number.

15 Although funding has not been specifically provided in the 1992
16 Supplemental Appropriations Act, the Office of the Administrator for
17 the Courts can accomplish the provisions of section 2 within available
18 resources. In order to allow section 2 to go into effect without
19 placing additional burdens on state agencies, I am vetoing section 3,
20 which contains the date for completion, and section 13 which contains
21 the null and void language.

22 I am further troubled by the lack of funding for the domestic
23 violence incident reporting contained in section 5. The broad coverage
24 of section 5 to include all reports of incidents of domestic violence
25 (rather than just reports of felony incidents) is a cost which cannot
26 be absorbed within the current budget of the Criminal Justice Training
27 Commission. However, because RCW 10.99.030(7) and (8) require law
28 enforcement agencies to maintain records of all domestic violence
29 incidents reported, and to maintain such records identifiable by a
30 specific code, I believe greater cooperation and coordination between

1 law enforcement records of the various state and local jurisdictions is
2 possible.

3 Many felonies (for which records are kept) characterized as rape,
4 homicide, assault, arson, robbery, burglary, larceny and motor vehicle
5 theft originate as acts of domestic violence. The lack of coordinated
6 documentation tends to de-emphasize the explosion in domestic violence
7 incidents. Failure to document will continue to impair our ability to
8 control, prevent or adequately respond to such violence.

9 Despite the veto of section 5, I am directing the Office of
10 Financial Management to work toward obtaining funding, through
11 available grants or applicable federal or state funds, to assist the
12 improvement of domestic violence data through coordinated reporting of
13 domestic violence incidents pursuant to RCW 10.99.030(7). In the event
14 such funding cannot be found, I encourage the Washington State
15 Association of Sheriffs and Police Chiefs to work with interested
16 groups to develop a request for funding to the 1993 Legislature.

17 With the exception of sections 3, 5, and 13, Engrossed Second
18 Substitute Senate Bill No. 6347 is approved."