

# SENATE BILL REPORT

## SB 6125

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As Reported By Senate Committee On:  
Law & Justice, January 21, 1998

**Title:** An act relating to victim impact panels.

**Brief Description:** Requiring drivers convicted of DUI to participate in victim impact panels.

**Sponsors:** Senators Kline, Zarelli, T. Sheldon, Haugen, Goings, Rasmussen, Rossi, Johnson and Oke

**Brief History:**

**Committee Activity:** Law & Justice: 1/13/98, 1/21/98 [DPS].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 6125 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Kline, Long, Stevens and Thibaudeau.

**Staff:** Lidia Mori (786-7755)

**Background:** A person who is convicted of a violation of the laws relating to driving under the influence of alcohol or drugs (DUI) or who enters a deferred prosecution based on a DUI may be required by the court to attend an educational program focusing on the emotional, physical, and financial suffering of victims who were injured by persons convicted of driving under the influence of intoxicants.

There are many victim impact panels established and functioning in Washington. The victim impact panels are not regulated by law or required to be licensed.

Proponents of this bill believe DUI offenders benefit greatly by participation in victim impact panels and there is concern some people who are convicted of DUI are not being ordered to participate in a victim impact panel. There is also concern that victim impact panels are unregulated and no procedures exist to control or monitor them.

**Summary of Substitute Bill:** A person who is convicted of a violation of the laws relating to driving under the influence of alcohol or drugs (DUI) or who enters a deferred prosecution based on a DUI is required by the court to participate in a victim impact panel program. Participation in such a program may be waived by the court if a victim impact panel program is not available within a 60 mile radius of the person's residence. The court is required to notify the Department of Licensing whenever a person is ordered to participate in a program or such participation is waived. The victim impact panel program may require the person ordered to participate to pay a fee of not more than \$50 to be used exclusively

for the operation of the program, unless the court requires the person to pay a fee to compensate the victim impact panel program.

Victim impact panel programs must be licensed by the Department of Licensing. It is a gross misdemeanor for any person or persons to operate a victim impact panel program unless the program is licensed. Requirements for licensure are specified. The Department of Social and Health Services may monitor victim impact panel programs to assure they are not in conflict with alcohol and drug treatment programs. The Department of Social and Health Services and the Department of Licensing may jointly propose to the Legislature guidelines for the victim impact panels.

In determining whether a person is eligible for a driver's license after the person's license has been suspended or revoked due to a DUI, the Department of Licensing must consider whether the person has complied with the victim impact panel program requirements.

**Substitute Bill Compared to Original Bill:** When a person's license has been suspended or revoked due to a DUI, the Department of Licensing must consider whether the person has complied with the victim impact panel program requirements before issuing a new license.

**Appropriation:** None.

**Fiscal Note:** Requested on December 31, 1997.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Participation in victim impact panels has benefitted many people and we know this through their own written feedback after attending the panels.

**Testimony Against:** None.

**Testified:** Senator Adam Kline, prime sponsor (pro); Shirley Anderson.