

SENATE BILL REPORT

SHB 1181

As Reported By Senate Committee On:
Judiciary, April 1, 1999

Title: An act relating to domestic violence perpetrator treatment programs.

Brief Description: Changing provisions relating to penalties and treatment for crimes involving domestic violence.

Sponsors: House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Edwards, Romero, Radcliff, Scott, DeBolt, Cooper, Lovick, Hurst, Fisher, Kessler, Dickerson, O'Brien, Cody, Kenney, Ogden, Wood, Santos, Regala, Conway, Lantz, Rockefeller, McIntire and Stensen).

Brief History: Passed House 2/26/99, 96-0.

Committee Activity: Judiciary: 3/31/99, 4/1/99 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Hargrove, Haugen, Johnson, Long, McCaslin and Thibaudeau.

Staff: Lidia Mori (786-7755)

Background: A person is guilty of a domestic violence crime if the person commits one of several specified crimes against a family or household member. Examples include assault, rape, stalking, malicious mischief, and criminal trespass. In the civil context, a person who is a victim of domestic violence may petition the court for a domestic violence protection order, or in domestic relations actions for a restraining order.

In response to a petition for a protection order, the court may restrain the respondent from having any contact with the victim of the domestic violence, or the victim's children and may order the respondent to participate in batterers' treatment.

The Department of Social and Health Services is required to have standards for the approval of domestic violence treatment programs that accept perpetrators of domestic violence into treatment to satisfy court orders.

Community supervision means a period of time during which a convicted offender is subject to crime related prohibitions and other sentence conditions imposed by the court. Crime related prohibitions do not include orders directing the offender to participate in rehabilitative programs. However, if the offender receives a first-time offender waiver, up to two years of community supervision may be ordered, which can include requirements that the offender undergo available outpatient treatment of up to two years, or inpatient treatment not to exceed the standard range of confinement for the offense.

Summary of Bill: When the court orders a respondent to participate in batterers' treatment in response to a petition for a protection order, it is clarified that this means a domestic violence perpetrator treatment program that has been approved by the Department of Social and Health Services.

The department's standards for approval of domestic violence perpetrator treatment programs must include a requirement that, if the perpetrator or the victim has a minor child, treatment will include education regarding the effects of domestic violence on children.

If either the offender or the victim of the domestic violence crime has a minor child, the court may order the offender to participate in an approved domestic violence perpetrator treatment program as part of any term of community supervision.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill tries to get at the soul of the perpetrator and educate this person to realize the effects of domestic violence on children. It dovetails somewhat with a bill passed earlier that requires people seeking a divorce to attend a class on the effects of divorce on children.

Testimony Against: None.

Testified: Representative Sandra Romero.