

SENATE BILL REPORT

ESSB 6299

As Passed Senate, February 9, 1996

Title: An act relating to no contact and protection orders.

Brief Description: Increasing penalties for multiple violations of domestic violence protection orders.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Rasmussen, Long, Fairley, McCaslin, Haugen, Winsley, Oke and Spanel).

Brief History:

Committee Activity: Law & Justice: 1/30/96, 1/31/96 [DPS].
Passed Senate, 2/9/96, 47-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6299 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Quigley, Roach and Schow.

Staff: Susan Carlson (786-7418)

Background: Victims of domestic violence can obtain a no-contact order or protection order to restrain the perpetrator from contacting the victim. Violation of the order is a misdemeanor if the order was issued in a criminal proceeding, and a gross misdemeanor if the order was issued through civil protection order proceedings.

In some cases, persons restrained by these orders continually violate the order. It has been suggested that the sanction for violation of an order should be a gross misdemeanor in all cases, and should be increased after a third violation of the order to a class C felony.

New technology has resulted in a device that can be worn by a person that initiates an alarm if the person approaches certain geographic locations. It has been suggested that the domestic violence laws should allow courts discretion to require the use of such a device to assist in the enforcement of protection orders.

Summary of Bill: Violation of a no-contact order issued in a criminal proceeding is increased from a misdemeanor to a gross misdemeanor. The third or subsequent violation of a domestic violence no-contact order or protection order is increased to a class C felony.

The court may require a person subject to a no-contact order or a protection order to wear an electronic monitoring device that initiates an alarm when the person wearing it approaches a location in violation of the order.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Multiple violations of a protection order should result in more serious penalties as provided by this bill.

Testimony Against: None.

Testified: PRO: Senator Rasmussen, prime sponsor; Merril Cousins, Snohomish Co. Center for Battered Women; Jackie Grimsey, Domestic Abuse Women's Network; China Fortson, YWCA-Tacoma/Pierce Co.; Mary Pontarolo, WA State Coalition Against Domestic Violence.