

SENATE BILL REPORT

SB 6299

As Reported By Senate Committee On:
Law & Justice, January 31, 1996

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

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

Sponsors: Senators Rasmussen, Long, Fairley, McCaslin, Haugen, Winsley, Oke and Spanel.

Brief History:

Committee Activity: Law & Justice: 1/30/96, 1/31/96 [DPS].

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 increased after a third violation of the order.

Summary of Substitute 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.

Substitute Bill Compared to Original Bill: The substitute increases violation of a no-contact order issued in a criminal proceeding to a gross misdemeanor, consistent with violation of a no-contact order issued through civil protection order proceedings. The language making a third violation a class C felony is added to another statute that was inadvertently omitted in the original bill.

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; Merrill 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.