

SENATE BILL REPORT

E2SHB 2588

As Reported By Senate Committee On:
Judiciary, February 25, 2000

Title: An act relating to domestic violence fatality reviews.

Brief Description: Creating domestic violence fatality review panels.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Tokuda, D. Sommers, Kagi, Boldt, Kenney, Dickerson, Ogden, Voloria, Haigh, Santos, Romero, O'Brien, Edwards, Constantine, Rockefeller, Miloscia and McIntire).

Brief History:

Committee Activity: Judiciary: 2/23/2000, 2/25/2000 [DPA].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended.

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

Staff: Lidia Mori (786-7755)

Background: In 1997, Washington received grant funding from the federal Violence Against Women Act to create a model for a statewide domestic violence fatality review mechanism. Three pilot review panels covering five counties (Pierce, Spokane, Chelan, Douglas, and Okanogan) began reviewing deaths in 1998. A fourth panel was formed in Yakima/Kittitas Counties in 1999, and a fifth is being organized in King County. At least four other communities have requested help in forming review panels.

Summary of Amended Bill: Subject to available funds, the Department of Social and Health Services contracts with an entity with expertise in domestic violence to coordinate regional domestic violence fatality review panels. The contractor is given various responsibilities to convene, train, and gather information for the panels. The contractor is charged with the responsibility to compile information and issue annual reports with recommendations to improve the system of response to domestic violence, and to identify patterns in domestic violence fatalities. The review panels have access to information and records regarding domestic violence perpetrators and victims under review but must maintain the confidentiality of such information to the extent required by an applicable law. The reports are to be submitted to the House Children & Family Services and Criminal Justice & Corrections Committees and the Senate Human Services & Corrections Committee.

Amended Bill Compared to Second Substitute Bill: The category defense attorneys– is specifically removed from the list of those whose records are accessible to the regional review panels. The language in the bill is made gender neutral.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill does not reference the privilege statute. There are four panels operating now and they only use public records. The panel members feel they could do a better job if they had access to more records and information.

Testimony Against: Client records held by defense attorneys are confidential and it would also violate the Washington State Bar Association rules of professional conduct to divulge them. All domestic violence fatality cases should be reviewed, not just some of them.

Testified: Mary Pontarolo, WA State Coalition Against Domestic Violence (pro); Margaret Hobart, WA State Coalition Against Domestic Violence (pro); Sean Crowley, WA Assn. of Criminal Defense Lawyers, WA Defender Assn. (con in part); Lisa Scott, Taking Action Against Bias in the System (con).