

FINAL BILL REPORT

SB 5612

C 229 L 22
Synopsis as Enacted

Brief Description: Ensuring domestic violence victims and survivors of victims have the opportunity to make a statement during sentencing for all domestic violence convictions.

Sponsors: Senators Wilson, L., Warnick, Braun, Brown, Dhingra, Keiser, Lovick, Mullet, Rolfes, Short, Wagoner and Wilson, J..

Senate Committee on Law & Justice
House Committee on Public Safety

Background: Under Washington law, a reasonable effort must be made to ensure that victims, survivors of victims, and witnesses of crimes have various rights in criminal court and juvenile court proceedings. Some examples of the rights that should be afforded to victims, survivors of victims, and witnesses of crimes include:

- with respect to victims of violent and sex crimes, to have a crime victim advocate from a crime victim/witness program, or any other support person of the victim's choosing, present at any prosecutorial or defense interviews with the victim, and at any judicial proceedings related to criminal acts committed against the victim;
- with respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;
- with respect to victims and survivors of victims, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing for felony convictions upon request by a victim or survivor;
- to submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney if requested, which must be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or institution; and
- with respect to victims and survivors of victims, to present a statement personally or by representation, at the sentencing hearing for felony convictions.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Summary: Victims and survivors of victims are allowed to present a statement personally or by representation at the sentencing hearing for felony cases or any case involving domestic violence.

Prosecuting attorneys must notify victims or survivors of victims of the date, time, and place of the trial and of the sentencing hearing upon request by victims or survivors of victims in any domestic violence case.

Votes on Final Passage:

Senate	43	0	
House	98	0	(House amended)
Senate	49	0	(Senate concurred)

Effective: June 9, 2022