



**WCSAP**

Washington Coalition of  
Sexual Assault Programs

**62nd Legislative Session in Review**

# **Sexual Assault Legislation in the Washington State Legislature**

Washington Coalition of Sexual Assault Programs  
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**End Sexual Violence in our Communities**

## 2011 Session in Brief

The 105-day session of the 62nd Legislature of the State of Washington began on January 10, 2011 and ended on April 22, 2011. A special session was called on April 26 and concluded on May 25, 2011. It was a complex and challenging year due to a 5.1 billion dollar state budget deficit. Balancing the budget was the primary concern for legislators this year and dominated legislative focus on the Hill. The challenging financial times forced lawmakers to make tough decisions and cut programs, jobs, and other important funding from the budget. A significant amount of policy (budget and non-fiscal) was introduced this year.

Even in the midst of this dire economic climate, our work to protect sexual assault (SA) funding was successful! The Governor's budget had proposed a 12% reduction to SA funding; the House had no cuts and the Senate had a 6% reduction which we worked to have restored. The final result was no cuts to SA funding!

WCSAP tracked approximately 116 pieces of legislation regarding victims of sexual violence, community services, and public safety. Our legislative agenda focused on issues including maintaining funding for sexual assault services, pro se court protections, sex offender management, human trafficking, crime victim compensation, victim privacy, DNA collection, victims of crime, and victim service program transfers.

Our number one priority this session was to maintain sexual assault funding. As mentioned, we were successful at doing so. Other significant agenda items such as sex offender policy recommendations as proposed by the Sex Offender Policy Board and pro se representation were high priorities for WCSAP. We celebrate the many legislative successes and are extremely grateful to our members for their advocacy. Your visits with legislators and your calls and emails helped make a difference--voices were strong and they were heard!

Given the budget and the climate on the Hill, there were numerous bills WCSAP supported that didn't pass. We will continue to work on those issues as relevant in the upcoming year.

This report includes information regarding legislation affecting our agenda that went before the legislature this year and passed. Please feel free to contact WCSAP about any of these issues as we are happy to provide additional information to you. To see a full listing of bills we tracked in 2011, please visit the public policy section of our website. Again, we are deeply grateful for your support and we look forward to 2012!

# Legislation Supported by WCSAP in 2011

## Tier 1

<p><b>Funding for Sexual Assault Services</b></p>	<p>Lead efforts to maintain current funding for sexual assault services.</p> <p><b>Sexual assault monies were successfully maintained.</b></p>
<p><b>Pro Se Court Protections</b></p>	<p>Lead efforts to implement protections for sexual assault victims in criminal cases where defendants represent themselves pro se.</p> <p><b>SB 5014 and HB 1001: Placing restrictions on pro se defendants when questioning witnesses.</b></p> <p><b>Neither of these bills passed this session due to the Supreme Court having proposed a court rule during the session to attend to the concern. WCSAP is currently working on this matter through the court rules process.</b></p>
<p><b>Victim Service Program Transfers</b></p>	<p>Lead efforts to support statewide stakeholder input processes. Support a sustainable plan that upholds sexual assault priorities, goals, and offers quality administration of sexual assault monies and contractors.</p> <p><b>No bills were introduced regarding moving sexual assault services this session. Bills were presented on moving and or eliminating the Sentencing Guidelines Commission as a cost saving measure. Bill <u>ESSB 5891</u> passed, making effective on July 1, 2011 that the Caseload Forecast Council (CFC) assumes responsibility for the Sentencing Guidelines Commission’s adult felony and juvenile disposition databases, the annual sentencing statistical summaries, and sentencing manuals. The Office of Financial Management will convene the Commission and the Sex Offender Policy Board as requested by the Governor or the Legislature. The SGC was eliminated as an independent agency.</b></p>

## Tier 2

<p><b>Sex Offender Management</b></p>	<p>Support proposals which address the sentencing, release, housing and overall management of adult and juvenile sex offenders in order to improve the safety of victims and communities.</p> <p><b>SB 5203: Improving the administration and efficiency of sex and kidnapping offender registration. Signed by the Governor May 12, 2011.</b></p> <p><b>SB 5204: Concerning juveniles who have been adjudicated of a sex offense. Signed by the Governor May 12, 2011.</b></p> <p><b>With passage of ESSB 5891, the Sex Offender Policy Board was transferred to the Office of Financial Management. The board was made dormant until called upon by the legislature and its duties of were modified.</b></p>
<p><b>Human Trafficking</b></p>	<p>Support efforts to improve access to services for survivors of human trafficking.</p> <p><b>SB 5546: Concerning the Crime of Human Trafficking. Signed by the Governor April 18, 2011. Effective July 22, 2011.</b></p>

	<p><b>SB 5482: Authorizing existing funding to house victims of human trafficking and their families. Signed by the Governor April 18, 2011. Effective July 22, 2011.</b></p> <p><b>HB 1874: Addressing police investigations of commercial sexual exploitation of children and human trafficking. Signed by the Governor May 3, 2011. Effective August 1, 2011.</b></p>
<b>Crime Victims Compensation</b>	<p>Lead efforts to maintain Crime Victim Compensation benefits for sexual assault victims.</p> <p><b>SB 5691: Streamlining the crime victims' compensation program. Signed by the Governor May 12, 2011.</b></p> <p>The Governor vetoed sunset dates that served to preserve benefit levels in the future.</p>
<b>Victim Privacy</b>	<p>Support proposals that clarify and remove court authority in ordering victim and witnesses in a criminal case to be deposed and/or to have their interview with defense counsel recorded.</p> <p>No legislation was introduced this year. However, this matter has been an item of consideration via Court Rules CcR 4.11.</p>

### Tier 3

<b>DNA Conviction Collection</b>	<p>Support DNA collection from individuals whose original charges prior to plea bargain met criteria for collection.</p> <p><b>HB 1153: Concerning costs for the collection of DNA samples. Signed by the Governor April 20, 2011. Effective July 22, 2011.</b></p>
<b>Victims of Crime</b>	<p>Support proposals to improve services to victims of other crimes (i.e., homicide, assault, etc).</p> <p><b>SB 5579: Modifying harassment provisions. Signed by the Governor May 10, 2011. Effective July 22, 2011.</b></p> <p><b>SB 5042: Concerning the protection of vulnerable adults. Signed by the Governor April 27, 2011. Effective July 22, 2011.</b></p> <p><b>SB 5011: Concerning the victimization of homeless persons. Signed by the Governor April 15, 2011. Effective July 22, 2011.</b></p>

### A selection of legislation signed into law by the Governor that was also supported by WCSAP:

- **HB 1793:** Restricting access to juvenile records. Signed by Governor May 12, 2011.
- **HB 1206:** Making harassment against criminal justice participants a crime under certain circumstances. Signed by Governor April 14, 2011. Effective July 22, 2011.
- **HB1182:** Clarifying that each instance of an attempt to intimidate or tamper with a witness constitutes a separate violation for purposes of determining the unit of prosecution under tampering with or intimidation a witness statutes. Signed by Governor April 27, 2011. Effective July 22, 2011.

## Looking Ahead

WCSAP will continue to monitor public policy issues throughout the upcoming year. We will continue to encourage your participation and send updates as relevant.

As we gear up for 2012 and begin formulating a strategy, we will be working with our lobbyist and Legislative Committee to be sure we are covering all concerns regarding victims of sexual violence and the programs that serve them.

Building and maintaining relationships with your legislators both in and out of session is critical to our public policy efforts. We strongly encourage our programs to contact their legislators when they are back in their district offices. We recommend that you invite them to your programs, drop by and visit their district offices, share information about your programs, send a card when they win an award or are featured in a story in your local paper, and just keep the relationship current. You are their constituents and they want to meet with you! Please feel free to contact us if you need any assistance in this area as we are happy to help you find your members and provide guidance as you strengthen your relationships with your legislators.

## Coalition Legislative Committee

1. **Jan Osborn** - DV/SA Services of the San Juan Islands
2. **Dale Fukura** - Providence Intervention Center for Assault & Abuse
3. **Kris Camenzind** - Crisis Support Network
4. **Julia Hart** - Lower Valley Crisis and Support Services
5. **Sondra Dixon** - Sexual Assault Response Center
6. **Kim Foley** - Yakima Victim Advocacy Center

## Coalition Public Policy Staff

WCSAP was present at numerous legislative hearings during the 2011 session and provided testimony regarding operating appropriations, sexual offender management, pro se court protections, statute of limitations for child sex abuse, addressing the rights of crime victims, protecting workers from human trafficking violations, crime victims compensation, workplace harassment protections, harassment, juvenile restorative justice, and streamlining of boards and commissions.

Through our Legislative Action Center, we sent legislative alerts to more than 300 interested parties. This information was integral in alerting our membership to the critical pieces of legislation before the House and Senate and we thank all of you for your responsive emails and phone calls to your constituency. It really does make a difference.

As we reflect on 2011 and gear up for 2012, please know that we are always available if you have any questions or concerns regarding our public policy efforts.

**For assistance please contact:**

- Andrea Piper, Executive Director
- Lonnie Johns-Brown, Lobbyist

**More Information:**

1. WCSAP website: <http://www.wcsap.org>
2. WCSAP's Legislative Action Center: <http://capwiz.com/wcsap/home/>
3. Washington State Legislature: <http://www1.leg.wa.gov/legislature>

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