



**61st Legislative Session in Review - 2009**

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

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**End Sexual Violence in our Communities**

## 2009 Session in Brief



Governor Christine Gregoire signs House Bill 1856 on May 7, 2009

The 105 day session (1st half) of the 61st Legislature of the State of Washington began on January 12, 2009 and ended on April 26, 2009. This session had a high volume of policy introduced and was complex and challenging due to a nine billion dollar budget deficit which forced lawmakers to cut programs, jobs and other important funding from the budget.

Even in the midst of this dire economic climate our voices were heard and we are pleased to report that sexual assault monies for sexual assault programs were maintained at the current levels. This is a significant victory. It honors the needs of victims and survivors and recognizes the importance and quality of advocacy services in our state.

WCSAP tracked approximately 130 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, statute of limitations for child sex abuse, sexual assault housing protections and background checks for school safety.

We are happy to report that our top tier agenda items were passed this session and that we had several other legislative successes as well and we are most 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!

**Statute of Limitations for Child Sex Abuse:** On April 10, 2009, Governor Gregoire signed Senate Bill 5832 which allows the prosecution of sex offenses against minor victims until the victim's twenty-eighth birthday.

**Sexual Assault Housing Protections:** On May 7, 2009, Governor Gregoire signed House Bill 1856 which provides certain procedures for tenants who are victims of sexual assault, unlawful harassment, and stalking. This law takes effect on July 26, 2009 (see signing photo above).

**Background Checks for School Safety:** On May 4, 2009, Governor Gregoire signed House Bill 1385 which protects registered school students from sexual misconduct by school employees. On May 7, 2009 the Governor signed House Bill 1741 which expands the list of crimes that require dismissal or certificate revocation for school employees.

This report includes information regarding legislation affecting our agenda that went before the legislature this year. Please feel free to contact WCSAP about any of these issues as we are happy to provide additional information to you. We will post a full list of all the bills we tracked in 2009 to the public policy section of our website. Again, we are deeply grateful for your support and we look forward to 2010!

## Legislation Supported by WCSAP in 2009

Laws passed with an emergency clause become effective immediately and all others take effect 90 days after session ends (July 26, 2009).

### Tier 1

<b>Funding for Sexual Assault Services</b>	Support efforts to maintain current funding for sexual assault services.  <b>Sexual assault monies were maintained for the 2009-2011 budget years.</b>
<b>Statute of Limitations for Child Sex Abuse</b>	Support the elimination of the statute of limitations for child sexual abuse in civil cases, and support the extension of limitations in criminal cases.  <b><u>SB5832</u>: allows the prosecution of sex offenses against minor victims until the victim's twenty-eighth birthday. Signed by Governor April 10, 2009.</b>
<b>Sexual Assault Housing Protections</b>	Support proposals that provide housing protections and remedy for sexual assault survivors and their family unit when sexual assault is perpetrated by their landlord or person acting on behalf of the landlord.  <b><u>HB1856</u>: which provides certain procedures for tenants who are victims of sexual assault, unlawful harassment, and stalking. Signed by Governor May 7, 2009.</b>
<b>Background Checks for School Safety</b>	Support legislation that seeks to enhance safety of children by enhancing background check processes for school personnel to include documentation and sharing of allegations of sexual misconduct.  <b><u>HB1385</u>: protects registered school students from sexual misconduct by school employees. Signed by Governor May 4, 2009.</b> <b><u>HB1741</u>: expanding the list of crimes that require dismissal or certificate revocation for school employees. Signed by Governor May 7, 2009.</b>

### Tier 2

<b>Fee Collection</b>	Support efforts relating to collection of fees by county clerks that place priority of the collection to victim payments.  <b><u>SB5013</u>: Concerning fees collected by county clerks. Signed by Governor May 8, 2009.</b>
<b>DNA Conviction Collection</b>	Support expansion of collection criteria to include DNA collection from individuals whose original charges prior to plea bargain met criteria for collection.  <b><u>SB5026</u>: regarding the collection of biological samples for DNA identification analysis from individuals whose convictions are the result of a plea agreement. This bill did not pass but may be heard during the 2<sup>nd</sup> part of the biennial session in 2010.</b>
<b>DOC Victim Input Opportunities</b>	Support legislation that increases victim opportunity for input to the department of corrections regarding an offender's placement in work release.  <b><u>HB1076</u>: Allowing crime victims to submit input to the department of corrections regarding an offender's placement in work release. Signed by Governor April 13, 2009.</b>

Continued.....

### Tier 3

<b>Sex Offender Management</b>	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.  <b>HB1361:</b> Regarding county supervised community options. <i>Signed by Governor April 25, 2009.</i> <b>HB1789:</b> Allowing the department of corrections to approve jail certifications from correctional agencies in the calculation of release dates for offenders. <i>Signed by Governor May 7, 2009.</i> <b>SB5261:</b> Creating an electronic statewide unified sex offender notification and registration program. <i>Signed by Governor April 8, 2009.</i>
<b>Special Commitment</b>	Monitor special commitment security information in relation to public disclosure.  <b>HB1030:</b> Concerning the exemption of the special commitment center under the public records act. <i>Signed by Governor April 13, 2009.</i>
<b>Certificate of Discharge</b>	Monitor change of allowances in certificate of discharge regulations  <b>HB1002:</b> Allowing a certificate of discharge to be issued when an existing order excludes or prohibits an offender from having contact with a specified person or business, or coming within a set distance of any specified location. <i>Signed by Governor April 30, 2009.</i>

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

- **SB5288:** Changing provisions regarding supervision of offenders. *Signed by Governor May 6, 2009.*
- **SB5688:** Expanding the rights and responsibilities of state registered domestic partners. *Signed by the Governor on May 18, 2009.*
- **SB5850:** Protecting workers from human trafficking violations. *Signed by Governor May 14, 2009.*
- **SB5952:** Modifying the definition of "sexual orientation" for malicious harassment prosecution purposes. *Signed by Governor April 22, 2009.*
- **HB1790:** Including domestic violence court order violations to the list of offenses eligible for notification. *Signed by Governor May 7, 2009.*
- **HB1362:** Concerning vehicles used in prostitution-related offenses. *Signed by Governor May 7, 2009.*

### Looking Ahead

WCSAP will continue to monitor public policy issues throughout the interim and encourage membership input.

As we gear up for 2010 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. **Chelsea Anderson** - Domestic and Sexual Violence Crisis Center
2. **Desiree Reynolds** - Sexual Assault Response Center
3. **Glenda Tanner** - Proud African American Youth Society
4. **Jan Osborn** - DV/SA Services of the San Juan Islands
5. **Kris Camenzind** - Crisis Support Network in Pacific County
6. **Marcia Black-Gallucci** - Lutheran Community Services
7. **Martha Westcott** - Kitsap Sexual Assault Center
8. **Mary Ellen Stone** - King County Sexual Resource Center

## Coalition Public Policy Staff

WCSAP was present at numerous legislative hearings during the 2009 session and provided testimony regarding 2009-2011 operating appropriations, sexual assault housing protections, sexual misconduct by school employees, statute of limitations for child sex abuse, addressing the rights of crime victims, sex offender management, and protecting workers from human trafficking violations.

Through our Legislative Action Center, we sent legislative alerts to over 230 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 look towards 2010, 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
- **Marilyn Turnbow**, Office Manager/Public Policy Support

### 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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