
**Criminal Justice & Corrections
Committee**

HB 1186

Brief Description: Making the third violation of antiharassment protection order a class C felony.

Sponsors: Representatives O'Brien, Kessler, Kagi, Buck, Lovick, Campbell, Williams, Kenney, Clibborn and Ormsby.

Brief Summary of Bill

- Makes the third violation of an antiharrassment protection order an unranked class C felony.

Hearing Date: 2/4/05

Staff: Yvonne Walker (786-7841).

Background:

There are several types of orders a court may grant that restrict a person's ability to have contact with another: (1) protection orders; (2) no-contact orders; (3) restraining orders; and (4) foreign protection orders.

Protection orders can be issued by a court in civil proceedings. There are four types of protection orders authorized by statute: domestic violence protection orders, foreign protection orders, vulnerable adult protection orders, and antiharassment protection orders.

An antiharassment protection order can be issued to a victim who fears unlawful harassment from an un-related person. Unlawful harassment is conduct that seriously alarms, annoys, or harasses another person and basically serves no legitimate or lawful purpose. Generally, the parties involved in an antiharassment protection order are not married, have not lived together, and have no children in common. The order can provide such relief as no contact with the petitioner directly or indirectly and exclusion from a specific distance from a residence, work or school of the petitioner.

A violation of an antiharassment protection order is a gross misdemeanor. A gross misdemeanor offense is punishable by imprisonment in jail for a maximum term of not more than one year, or by a fine of not more than \$5,000, or both.

Summary of Bill:

The penalty for subsequent violations of an antiharassment order is increased. A violation of an antiharassment protection order is an unranked class C felony if the offender has two previous convictions for violating an antiharassment protection order. The previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.