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Dear Legal Voice Supporter,

The Washington Legislature is sprinting toward the end of its 2010 session. Just two more weeks remain before the session ends on March 11.

We're delighted to report that **legislation to restrict the barbaric practice of shackling pregnant incarcerated women is continuing to move forward.** The House of Representatives passed the bill (HB 2747) on February 13 by a 95-0 vote. The legislation is now pending in the Senate Human Services & Corrections Committee, which held a hearing on the bill on February 23.

The Legislature is also moving forward to close the \$2.8 billion gap in the state budget. On February 15, Legal Voice joined 6,000 allies from the **Rebuilding Our Economic Future** coalition to rally in Olympia for including new revenue as part of a balanced approach to the budget crisis. The alternative of an "all cuts" budget would have a devastating and unacceptable impact on women and their families.

In the past week, the Governor, the Senate Democrats, and the House Democrats each unveiled budget proposals. Although the details of each proposal are different, all three plans would rely on new revenue as well as targeted spending cuts to close the budget shortfall. We are closely following the budget debate to **preserve funding for vital services, including family planning, maternity support services, and the Basic Health plan for low-income working adults.**

As the end of session draws near, we are also continuing to follow many other bills that would affect women and girls. Please read on for more information about some of the legislation that we are tracking.

Sincerely,

David Ward
Legal & Legislative Counsel

PS: You received this email because you told us you were interested in hearing about Legal Voice's legislative work. You can [update your email preferences](#) on our website.

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Civil Rights

HB 2801 Regarding anti-harassment strategies in public schools

Sponsor: Representative Liias

Status: Passed House 97-0; approved by Senate Early Learning & K-12 Education Committee on Feb. 24.

Legal Voice position: Support

Under a law passed in 2002, school districts must adopt policies prohibiting harassment,

intimidation, or bullying of any student. This legislation would build on that law by requiring the Office of the Superintendent of Public Instruction (OSPI) to revise and update a model anti-harassment policy. School districts would be required to amend their policies to incorporate the model OSPI policy. The bill would also create an ongoing work group to focus on strategies to improve school climate and create respectful learning environments.

HB 3026 Regarding school district compliance with state and federal civil rights laws

Sponsor: Representative Santos

Status: Passed House 59-35; approved by Senate Early Learning & K-12 Education Committee on Feb. 24.

Legal Voice position: Support.

Washington's school code includes explicit language banning sex discrimination in public schools, but does not contain similarly explicit language prohibiting discrimination on other grounds. As passed by the House, this bill would expressly prohibit discrimination in public education on the basis of race, creed, religion, color, national origin, veteran/military status, disability, and sexual orientation (including gender identity and expression). It would give the Office of the Superintendent of Public Instruction (OSPI) authority to make rules to eliminate such discrimination and to monitor and enforce compliance with the law. It would also enable individuals to bring lawsuits in Superior Court when the law is violated. However, this bill would be null and void unless funding is provided for it in the state budget.

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Health / Reproductive Freedom

SB 6500/HB 2747 Relating to the use of restraints on pregnant women or youth

Sponsors: Representative Darneille/Senator Fraser

Status: HB 2747 passed House 95-0 and was heard by Senate Human Services & Corrections Committee on Feb. 23.

Legal Voice position: Support

This bill developed out of our work representing Casandra Brawley, who was shackled by correctional officers while she was in labor. With narrow exceptions, the bill would restrict the use of restraints on an incarcerated pregnant woman or youth while she is in transportation during the third trimester of pregnancy and while she is in labor, delivery, or postpartum recovery. The legislation would also specifically ban the use of leg irons or waist chains on any incarcerated woman or youth known to be pregnant.

SB 6248/HB 1180 Relating to use of bisphenol A

Sponsor: Representative Dickerson / Senator Keiser

Status: HB 1180 passed House 95-1 and approved by Senate Health & Long-Term Care Committee on Feb. 23. SB 6248 passed Senate 36-9 and approved by House Environmental Health Committee on Feb. 17.

Legal Voice position: Support

These bills would restrict the use of Bisphenol A (BPA), a chemical used to harden plastic. Exposure to BPA may have reproductive and developmental effects, particularly in newborns and infants. The Senate version of this bill would prohibit the manufacture, sale, and distribution in Washington of plastic containers made with BPA that are designed to hold food or beverages primarily for children under three years old, such as baby bottles. The House version has similar restrictions, and also prohibits the use of BPA in sports water bottles.

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Violence Against Women

HB 2457 Relating to pro se defendants in criminal cases questioning victims of sex offenses

Sponsor: Representative Williams

Status: Passed House 97-0; heard by Senate Judiciary Committee on Feb. 17.

Legal Voice position: Support

This bill would authorize courts in criminal sex offense cases to appoint an attorney to question the victim if the defendant is self-represented. To make such an appointment, courts must find by substantial evidence that allowing the victim to be directly questioned by the defendant will cause the victim to suffer serious emotional or mental distress which will prevent the victim from reasonably communicating at trial. The bill would ensure that the defendant is allowed to prepare the questions to be asked of the victim and to communicate with court-appointed counsel at all times during the questioning.

HB 2777 Relating to domestic violence

Sponsor: Representative Goodman

Status: Passed House 97-0; heard by Senate Judiciary Committee on Feb. 23.

Legal Voice position: Support

This bill includes provisions that Rep. Goodman developed following a series of workgroup meetings with key stakeholders, including Legal Voice. Many provisions in this bill were initially included in a different bill (HB 2778), but were later added to HB 2777 on the floor of the House. The legislation would improve our state's response to domestic violence, including provisions to enable more victims of teen dating violence

domestic violence, including provisions to enable more victims of teen dating violence to obtain domestic violence protection orders and to ensure that Washington courts have broad "long-arm" jurisdiction to enter protection orders for victims who come to Washington to escape abusers in other states.

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Family Law

HB 2793 Clarifying and expanding the rights and obligations of state registered domestic partners and other couples related to parentage

Sponsor: Representative Kessler
Status: Passed House 59-39; approved by Senate Government Operations & Elections Committee on Feb. 22.
Legal Voice position: Monitor

This bill would clarify and update Washington's Uniform Parentage Act to ensure fair and equal treatment of parents who are in registered domestic partnerships. We strongly support those provisions of the bill. The legislation would also significantly revise Washington's surrogacy laws. Among other things, it would permit financial compensation to women who act as gestational surrogates (a woman who agrees to attempt to carry and give birth to a child conceived through in vitro fertilization, but who is not biologically related to the child). It would also establish requirements for gestational surrogacy contracts. We are neutral on the surrogacy provisions of the bill. Surrogacy raises significant ethical and legal implications. We recognize that surrogacy helps gay parents, single women, older women, and infertile straight couples create families, while at the same time putting economically-disadvantaged women at risk of many harms, including exploitation by third party brokerages, health consequences, and loss of autonomy and decision-making power. We believe many of the provisions in HB 2793 may mitigate these potential harms and could address the largely unregulated environment of commercial surrogacy in our state.

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Employment and Economic Rights

HB 2444 Providing leave from employment for participating in a child's educational activities

Sponsor: Representative Williams
Status: Passed House 54-40; heard by Senate Labor & Commerce Committee on Feb. 23.
Legal Voice position: Support

This bill provides that employees are entitled to four hours of unpaid leave during any 12-month period to participate in a child's educational activities.

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Other Legislation of Interest

HB 3045/SB 6639 Creating alternatives to total confinement for nonviolent offenders with minor children

Sponsor: Senator Brown
Status: Passed Senate 46-2; approved by House Human Services Committee on Feb. 22.
Legal Voice position: Support

This bill would create a "Parenting Sentencing Alternative" for parents who commit nonviolent criminal offenses. If certain conditions are met, courts would be authorized to sentence parents who commit nonviolent offense to community custody, rather than incarceration. If a parent is already serving a sentence and is otherwise eligible for the Parenting Sentencing Alternative, the parent may be eligible for home detention for the final 12 months of his or her sentence.

HB 3141 Redesigning the delivery of temporary assistance to needy families

Sponsor: Representative Kagi
Status: Passed House 51-43; heard by Senate Human Services & Corrections Committee on Feb. 18.
Legal Voice position: Support.

As passed by the House, this bill would declare the Legislature's intent to redesign the Temporary Assistance for Needy Families program in Washington (now known as "WorkFirst"). The intent would be to refocus the program on promoting sustainable economic self-sufficiency for families through education and training, and to help alleviate the effects of poverty on Washington's children. The bill requires the WorkFirst subcommittee, in consultation with the Governor, to reevaluate the WorkFirst Program, develop a proposal for redesigning the program, and report back to the Legislature by December 1, 2010.

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