In addition to all the other issues the Washington Legislature will face in 2017, it will also have to answer this question: Why should victims of sexual assault receive less protection than victims of domestic violence, stalking or harassment?

Under the law today, a judge can issue a domestic violence, stalking or harassment protection order that protects victims for as long as the judge deems necessary, based on the unique facts in each case. That order sometimes involves a suspension of firearms rights. However, through a quirk in the law, sexual assault protection orders can only last up to two years before they must be renewed. For the third consecutive year, we will ask the Legislature to pass a bill to make all such protection orders equal.

A SAPO provides an important civil protection for victims of sexual assault. They are particularly helpful when criminal charges are not or have not yet been filed. A SAPO requires the perpetrator to stay away from the victim and places that the victim frequents, and to have no further direct or indirect contact with the victim.

A significant problem with the current order is that it must be reissued every two years. All other protection orders for victims in Washington, including domestic violence, anti-harassment and stalking, allow for judicial discretion in the length of time a protection order is in place. SAPOs, however, are unique, and there is a two-year cap on the orders. This requires victims of sexual assault to return to court every two years if they need continued protection, placing an unnecessary burden on victims and discouraging them from using a law that is designed to offer protection.

In 2016, a bill to fix this problem passed the state Senate unanimously but died in the House during the last week of the legislative session because the National Rifle Association suddenly expressed opposition to the bill.

We remain perplexed by the NRA’s concerns, for the following reasons:

- The current law regarding firearms rights and protection orders is the result of a bill passed in 2014 that the NRA helped negotiate and did not object to. Again, this bill makes no changes to that law; it simply treats the duration of SAPOs the same as other protective orders.
- There is no automatic requirement to surrender firearms when any protection order is granted. A separate hearing is held to determine whether the respondent displayed a weapon or used a weapon to threaten the victim, or whether there is
some other reason the respondent cannot possess a firearm. This bill makes no change to current law regarding weapons forfeiture under protection orders.

- No one loses their firearms rights "permanently" under any protection order. A judge can revoke those rights for an indeterminate amount of time, but the respondent always has the right to petition to have them restored. This bill would not change that.
- In most instances where SAPOs were granted since the 2014 bill passed, firearms rights were not suspended.

This year, we once again ask the Legislature to pass a common-sense bill to simply treat sexual assault victims the same as victims of other crimes. We hope gun politics will not get in the way. Sen. Mike Padden, chairman of the Senate Law and Justice Committee, has helped us pass this bill out of committee twice. Please contact him and urge him to support this legislation once again. The issue before the House and Senate next year is very simple: Why do we have less compassion and respect for the victims of sexual assault than we have for other victims?

Erin Williams Hueter is director of Victim Advocacy and Education at LCS Northwest Spokane.

EDITOR’S NOTE: Erin Williams Hueter submitted this column via email “along with my colleague, Mr. Larry Haskell, Spokane County Prosecuting Attorney.” He says he did not participate in writing it, so his name was removed from the byline.