

CHAPTER 9 DOMESTIC VIOLENCE DATABASE

I. Scope of the Domestic Violence Database

The Judicial Information System (JIS) data base was made available to the courts in July 1997 to insure that full information is available to the court, to assist the court in avoiding conflicting orders, and to assist the court in crafting parenting plans and visitation orders. [RCW 26.50.160\(1\)-\(3\)](#) was amended in 2006 to include sexual assault protection orders. It provides the data base shall include:

- (1) The names of the parties and the cause number for every order of protection issued under this title, every sexual assault protection order issued under chapter [7.90](#) RCW, every criminal no-contact order issued under chapters [9A.46](#) and [10.99](#) RCW, every antiharassment order issued under chapter [10.14](#) RCW, every dissolution action under chapter [26.09](#) RCW, every third-party custody action under chapter [26.10](#) RCW, every parentage action under chapter [26.26](#) RCW, every restraining order issued on behalf of an abused child or adult dependent person under chapter [26.44](#) RCW, every foreign protection order filed under chapter [26.52](#) RCW, and every order for protection of a vulnerable adult under chapter [74.34](#) RCW. When a guardian or the department of social and health services has petitioned for relief on behalf of an abused child, adult dependent person, or vulnerable adult, the name of the person on whose behalf relief was sought shall be included in the data base as a party rather than the guardian or department;
- (2) A criminal history of the parties; and
- (3) Other relevant information necessary to assist courts in issuing orders under this chapter as determined by the judicial information system committee.

Legislation provides that courts shall consult with the Judicial Information System, if available, prior to granting an order directing residential placement of a child or restraining/limiting a party's contact with the child. [RCW 26.50.135\(1\)](#).

II. Use of Database in Court

Information in the database is generally admissible. However, the court is required to give notice and an opportunity to be heard with regard to any information it intends to consider from the domestic violence database.

When a judge proposes to consider information from a domestic violence database, the judge shall disclose the information to each party present at the hearing; on timely request, provide each party with an opportunity to be heard; and take appropriate measures to alleviate litigants' safety concerns. The judge has discretion not to disclose information that he or she does not propose to consider.
[ER 1101\(c\)\(4\)](#).

[ER 1101\(c\)\(4\)](#) is discussed somewhat more fully in Chapter 6, Section I.

NOTE: The court should be aware that not every protection order may actually be entered into the law enforcement database. Washington State Agencies began entering Protection Orders into the National Crime Information Center (NCIC) using the NCIC Protection Order format in September 1999. When there are gaps in the mandatory information fields required for entry into NCIC, the order may not be recorded. Neither the courts nor the victim may be aware that the order was not entered. The court should make every effort to insure the required information is included on every order.

Also note that foreign protection orders are not entered unless they have been filed with a Washington state court.

III. JABS Access: Current Version of the Database

The current version of the database is accessible to judicial officers through the Judicial Access Browser System (JABS) on the Washington State Courts Extranet at <https://jabslink.courts.wa.gov/JabsWeb/pages/logon.jsp>.

The Administrative Office of the Courts has prepared detailed instructions for accessing JABS and information on current updates at <https://jabslink.courts.wa.gov/JabsWeb/helpPages/JABS.htm#Welcome~.htm>.