ORIGINAL

WP0459C-ORD
07/13/95

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4784

AN ORDINANCE regarding no-contact orders; and amending Bellevue City Code 10A.92.010.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Bellevue City Code 10A.92.010 is amended to read as follows:

10A.92.010 No-contact order.

A. Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any defendant charged with a crime involving domestic violence is released from custody before trial on bail or personal recognizance, the court authorizing the release may prohibit the defendant from having any contact with the victim. The arresting jurisdiction authorizing the release shall determine whether the defendant should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting the defendant from having contact with the victim, the court authorizing release may issue, by telephone, a no-contact order prohibiting the defendant from having contact with the victim. The no-contact order shall also be issued in writing as soon as possible. If the court has probable cause to believe that the defendant is likely to use or display or threaten to use a deadly weapon as defined in RCW 9A.04.110 or BCC 10A.04.110 in any further acts of violence, the court may also require the defendant to surrender any deadly weapon in the defendant's immediate possession or control, or subject to the defendant's immediate possession or control, to the sheriff of the county or chief of police of the municipality in which the defendant resides or to the defendant's counsel for safekeeping.

B. Wilful violation of a court order issued under subsection A of this section is a gross misdemeanor. The written order releasing the defendant shall contain the court's directives and shall bear the legend:

> VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE UNDER CHAPTER 10.99 RCW AND BELLEVUE CITY CODE 10A.92.010 AND WILL SUBJECT THE VIOLATOR TO ARREST; ANY ASSAULT OR RECKLESS ENDANGERMENT THAT IS A VIOLATION OF THIS ORDER IS A FELONY. YOU CAN BE ARRESTED EVEN IF ANY PERSON PROTECTED BY THE ORDER INVITES OR

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ALLOWS YOU TO VIOLATE THE ORDER'S PROHIBITIONS. YOU HAVE THE SOLE RESPONSIBILITY TO AVOID OR REFRAIN FROM VIOLATING THE ORDER'S PROVISIONS. ONLY THE COURT CAN CHANGE THE ORDER.

A certified copy of the order shall be provided to the victim.

Section 2. This ordinance shall take effect and be in force thirty days after final passage by the Council.

PASSED by the City Council this 24th day of July, 1995, and signed in authentication of its passage this 24th day of July, 1995.

(SEAL)

Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard Gidley, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk

Published July 28, 1995