

ORDINANCE NO. 4123-25

An ORDINANCE amending chapter 10.16 of the Everett Municipal Code to add Exposing a Minor Child to Domestic Violence.

WHEREAS,

- A.** The City of Everett has the power to provide for the punishment of all practices dangerous to public health or safety, and to make necessary for the preservation of public health, peace, and good order, and to provide for the punishment of all persons charged with violating any city ordinance.
- B.** Washington law recognizes that the State has a compelling interest in protecting children from witnessing domestic violence.¹
- C.** Domestic violence has serious consequences for the safety and wellbeing of residents in Everett.
- D.** According to the Centers for Disease Control and Prevention (CDC), children witness 68% to 80% of domestic assaults.²
- E.** Studies show that witnessing domestic violence alone is sufficiently intense to precipitate posttraumatic stress in children.²
- F.** Children who witness domestic violence or are victims of abuse themselves are at serious risk for long-term physical and mental health problems. Children who witness violence between parents may also be at greater risk of being violent in their future relationships.
- G.** Holding perpetrators of domestic violence accountable enhances public health and safety.

¹ *In re Rainey*, 168 Wash. 2d 367, 378, 229 P.3d 686, 690 (2010)

² *Alarming Effects of Children's Exposure to Domestic Violence*, Matt Huston. Psychology Today. (2019)

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. Findings adopted

The findings set forth in the above recitals are hereby adopted and incorporated by reference. Further, the City Council specifically finds that the regulation of the conduct addressed in this Ordinance is a valid exercise of police power.

Section 2. Chapter 10.16.XX EMC

One section is added to chapter 10.16 of the Everett Municipal Code as follows:

Chapter 10.16.XX

Exposing a Minor Child to Domestic Violence

- A. A person commits the crime of exposing a minor child to domestic violence when they:
 - (1) Commit a crime of domestic violence, as defined in RCW 10.99.020; and
 - (2) The crime is committed in the immediate presence of, or is witnessed by, the suspect's or victim's minor child, minor stepchild, or a minor child residing within the household of the suspect or victim.
- B. "Minor child" or "minor stepchild" as used in this section means a person who is, on the date of the violation, under the age of 18 years.
- C. "Witnessed" as used in this section means that the crime is seen or directly perceived in any other manner by the minor child.
- D. Commission of a crime of domestic violence under subsection A of this section is a necessary element of the crime of exposing a minor child to domestic violence.
- E. Exposing a minor child to domestic violence is a gross misdemeanor. A person convicted of violating this section shall serve not less than 15 days in confinement unless:
 - (1) The city prosecutor recommends a sentence of less than 15 days after considering factors relevant to the case including prior domestic violence offenses committed by the defendant, the

level of violence witnessed by the child, age of the child, whether or not the child resides full time in home with the perpetrator, and any history of violence in the home or between the defendant and victim; or

- (2) The municipal court enters written findings that a sentence of 15 days or more would not serve the interests of justice. Factors to be considered by the court include prior domestic violence offenses committed by the defendant, the level of violence witnessed by the child, age of the child, whether or not the child resides full time in home with the perpetrator, and any history of violence in the home or between the defendant and victim.

F. A mandatory minimum jail sentence under this section will be consecutive to any other sentence arising from this same incident.



CASSIE FRANKLIN, MAYOR

ATTEST:



MARISTA JORVE, CITY CLERK

Passed: 11/12/2025

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ORD 4123-25_CB 2510-58 Exposing a Minor Child to DV Ordinance_SD

Final Audit Report

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Section 2. Chapter 10.16.XX EMC

One section is added to chapter 10.16 of the Everett Municipal Code as follows:

Chapter 10.16.XX

Exposing a Minor Child to Domestic Violence

A. A person commits the crime of exposing a minor child to domestic violence when they:

(1) Commit a crime of domestic violence, as defined in RCW 20:99.020; and

(2) The crime is committed in the immediate presence of, or is witnessed by, the suspect's or victim's minor child, minor stepchild, or a minor child residing within the household of the suspect or victim.

B. "Minor child" or "minor stepchild" as used in this section means a person who is, on the date of the violation, under the age of 18 years.

C. "Witnessed" as used in this section means that the crime is seen or directly perceived in any other manner by the minor child.

D. Commission of a crime of domestic violence under subsection A of this section is a necessary element of the crime of exposing a minor child to domestic violence.

E. Exposing a minor child to domestic violence is a gross misdemeanor. A person convicted of violating this section shall serve not less than 15 days in confinement unless:

(1) The city prosecutor recommends a sentence of less than 15 days after considering factors relevant to the case including prior domestic violence offenses committed by the defendant, the