

1 **2SSB 5830 - H AMD 629 FAILED 4-19-91**

2 By Representatives Vance, Ludwig, Tate and Padden

3 On page 9, after line 16, insert:

4 "NEW SECTION. Sec. 14. Unless the context clearly requires  
5 otherwise, the definitions in this section apply throughout this  
6 chapter.

7 (1) "Pattern of criminal gang activity" means the commission,  
8 attempted commission, or solicitation of two or more felony or  
9 misdemeanor offenses, provided at least one of those offenses  
10 occurred after the effective date of this act and the last of those  
11 offenses occurred within one year after a prior offense, and the  
12 offenses are committed on separate occasions, or by two or more  
13 persons.

14 (2) "Criminal street gang" means any ongoing organization,  
15 association, or group of three or more persons, whether formal or  
16 informal, that has a common name or common identifying sign or  
17 symbol and that has committed one or more criminal offense.

18 NEW SECTION. Sec. 15. (1) It is a gross misdemeanor  
19 for any person to participate actively in any criminal street gang  
20 with knowledge that its members engage in or have engaged in a  
21 pattern of criminal gang activity. For purposes of this chapter

1 "actively participate" means the commission of an offense  
2 punishable as a misdemeanor or a felony, which is committed for the  
3 benefit of, at the direction of, or in association with, any  
4 criminal street gang or with the specific intent to promote,  
5 further, or assist in any criminal conduct by members of that gang.

6 (2) It is a gross misdemeanor for any person willfully to  
7 promote, further, assist, or profit from any criminal conduct by  
8 members of a criminal street gang.

9 NEW SECTION. Sec. 16. (1) Any person who is convicted  
10 of a felony that is committed for the benefit of, at the direction  
11 of, or in association with any criminal street gang, with the  
12 specific intent to promote, further, or assist in any criminal  
13 conduct by gang members, shall, upon conviction of that felony, be  
14 sentenced in accordance with RCW 9.94A.310. An additional thirty-  
15 six months shall be added to the presumptive sentence for any  
16 ranked offense if the offender is found to have committed the  
17 offense in connection with criminal street gang activity as  
18 provided for in this act.

19 NEW SECTION. Sec. 17. Sections 14 through 16 of this  
20 act shall constitute new sections in Title 9 RCW."

EFFECT: The amendment provides enhanced penalties for taking  
part in criminal gang related activities.

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By Representatives Vance, Ludwig, Tate and Padden Vance

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On page 1, line 2 of the title, after "sections" insert:  
"; adding new sections to Title 9 RCW; and prescribing penalties"