

SENATE BILL REPORT

SB 5864

As Reported by Senate Committee On:
Law & Justice, March 4, 1997

Title: An act relating to drive-by shooting.

Brief Description: Renaming first-degree reckless endangerment as drive-by shooting.

Sponsors: Senators Roach and Schow.

Brief History:

Committee Activity: Law & Justice: 3/3/97, 3/4/97 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5864 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Haugen, Kline, Long, McCaslin, Stevens and Zarelli.

Staff: Mychal Schwartz (786-7444)

Background: Reckless endangerment in the first degree is a Level VII, class B felony defined as the reckless discharge of a firearm in a manner which creates a substantial risk of death or serious physical injury to another person where the discharge is either from a motor vehicle or from the immediate area of a motor vehicle that was used to transport the shooter or the firearm, or both, to the scene of the discharge.

It has been suggested that the name "reckless endangerment" is misleading in its description of the crime.

Summary of Substitute Bill: "Reckless endangerment in the first degree" is renamed "drive-by shooting." "Reckless endangerment in the second degree" is renamed "reckless endangerment."

Drive-by shooting is a violent offense.—

Drive-by shooting is a "most serious offense" for the purpose of finding an offender to be a persistent offender under the "Three Strikes" section of the criminal code.

Substitute Bill Compared to Original Bill: The substitute bill makes drive-by shooting a most serious offense.—

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: No one.