
**Criminal Justice & Corrections
Committee**

HB 2716

Brief Description: Increasing penalties for eluding a police vehicle.

Sponsors: Representatives Simpson, D., Sullivan, Campbell, Simpson, G. and Kirby.

Brief Summary of Bill

- Increases the seriousness level for the crime of eluding a police officer from a level I to a level IV felony offense.

Hearing Date: 1/28/04

Staff: Yvonne Walker (786-7841).

Background:

It is a criminal offense to intentionally refuse to stop when ordered to do so by a police officer. The gravity of the offense depends upon the circumstances. It is a misdemeanor offense for a person to willfully fail to stop when ordered by a law enforcement officer, but the offense can increase to a felony if the driver willfully refuses to stop while attempting to elude a police vehicle.

A driver commits the crime of attempting to elude a pursuing police vehicle when the driver willfully fails or refuses to immediately stop his or her car and drives in a reckless manner after being given a visual or audible signal to stop by a police officer. The signal to stop may be given by hand, voice, emergency light, or siren. Further, the police officer giving the signal must be in uniform and driving a vehicle equipped with lights and sirens.

The crime of attempting to elude a police vehicle is a seriousness level I class C felony. A class C felony has a maximum sentence of five years of incarceration, a fine of \$10,000, or both. The presumptive sentencing range for a first-time offender convicted of a seriousness level I offense is zero to 60 days in jail. In addition to any fine or incarceration, a person convicted of attempting to elude a police vehicle can have his or her driver's license revoked for one year.

Summary of Bill:

The punishment for the crime of attempting to elude a police vehicle is increased from a seriousness level I to a seriousness level IV felony offense. The presumptive sentencing range for a first-time offender convicted of a seriousness level IV offense is three to nine months in jail.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2004.