

ESSB 5171 - H COMM AMD

By Committee on Juvenile Justice & Family Law

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The purpose of this act is to ensure the
4 health, safety, and general welfare of Washington's school children,
5 teachers, and school staff. The purpose of this act is to give
6 guidance to principals and their designees regarding their duty to
7 report incidents to law enforcement officials when it is reasonable to
8 suspect that a significant crime has occurred. It is the intent of the
9 legislature to ensure that agents of law enforcement, who are trained
10 investigators, are alerted and called upon to determine whether or not
11 there is probable cause to believe a crime has been committed in
12 serious cases. This act is also intended to reduce potential tort
13 liability that could arise from unreported criminal activity.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
15 RCW to read as follows:

16 (1)(a) When a principal or the principal's designee of a school has
17 reasonable cause to believe that a person has committed, on school
18 grounds or at an event sponsored by the school, a drug offense or a
19 crime against a person that causes severe injury, that school
20 administrator shall report such incident, or cause a report to be made,
21 to the proper law enforcement agency. The report may be made by
22 telephone, in person, or on paper.

23 (b) For purposes of this subsection:

24 (i) "Severe injury" means: Any single act that causes physical
25 trauma of sufficient severity that, if left untreated, could cause
26 death; any sex offense; any single act that causes significant bleeding
27 that, if left untreated, could cause death or serious physical
28 impairment or loss of function; or more than one act, each of which

1 causes significant bleeding that, if left untreated, could cause death
2 or serious physical impairment or loss of function, bone fracture, or
3 unconsciousness; and

4 (ii) "Crime against a person" has the meaning set out in RCW
5 9.94A.411.

6 (c) The report must be made at the first opportunity, but in no
7 case longer than seventy-two hours after there is reasonable cause to
8 believe that a drug offense or severe injury has occurred. The report
9 must include the identity of the accused, if known.

10 (2) A principal or the principal's designee who, in good faith and
11 without gross negligence, cooperates in an investigation arising as a
12 result of a report made pursuant to this section shall not be subject
13 to civil liability arising out of his or her cooperation. This
14 subsection does not apply to a person who committed the acts reported
15 pursuant to this section."

16 Correct the title.

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