

FINAL BILL REPORT

SHB 1319

C 201 L 07

Synopsis as Enacted

Brief Description: Protecting employees, contract staff, and volunteers of a correctional agency from stalking.

Sponsors: By House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives O'Brien, Pearson, Dickerson, Blake, Kenney and Ormsby; by request of Department of Corrections).

House Committee on Public Safety & Emergency Preparedness
Senate Committee on Human Services & Corrections

Background:

A person is guilty of stalking if:

- without lawful authority and under circumstances not amounting to a felony attempt of another crime, he or she intentionally or repeatedly harasses or repeatedly follows another person;
- the person being harassed or followed is placed in reasonable fear that the stalker intends to injure the person, another person, or the property of the person or of another; and
- the stalker either: (1) intends to frighten, intimidate, or harass the person; or (2) knows, or reasonably should know, that the person is afraid, intimidated, or harassed.

Stalking is generally a gross misdemeanor. However, the crime is a seriousness level V, class C felony if:

- the offender has a previous conviction for any of several listed crimes, including telephone harassment and harassment against the same victim, members of the victim's family, or persons named in a no-contact or no-harassment order;
- the stalking violates any protective order of the person being stalked;
- the offender has a previous conviction for stalking;
- the offender was armed with a deadly weapon while committing the crime;
- the victim is or was a law enforcement officer, judge, juror, attorney, victim advocate, legislator, or community corrections officer, and the stalking was in retaliation for something done in the victim's official capacity or to influence the victim's actions in his or her official capacity; or
- the victim is a current, former, or prospective witness in an adjudicative proceeding and the offender stalked the victim as a result of the victim's testimony or potential testimony.

Summary:

The group of victims covered under the felony stalking statute is expanded. A person is guilty of felony stalking if the stalker's victim is or was an employee, contract staff person, or volunteer of a correctional agency. "Correctional agency" is defined to include Department of Natural Resources' employees working in a correctional setting, as well as all state and locally operated agencies having direct authority to release an offender serving an incarceration sentence, including, but not limited to: the Department of Corrections, the Indeterminate Sentence Review Board, and the Department of Social and Health Services.

Votes on Final Passage:

House	96	0	
Senate	48	0	(Senate amended)
House	93	0	(House concurred)

Effective: July 22, 2007