

SENATE BILL REPORT

SHB 1319

As Reported By Senate Committee On:
Human Services & Corrections, March 29, 2007

Title: An act relating to the protection of employees, contract staff, and volunteers of a correctional agency from stalking.

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

Sponsors: 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).

Brief History: Passed House: 2/21/07, 96-0.

Committee Activity: Human Services & Corrections: 3/15/07, 3/29/07 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Kiki Keizer (786-7430)

Background: Unless certain aggravating factors exist, the crime of stalking is classified as a gross misdemeanor, for which a person may receive up to a year in jail and a fine of up to \$5,000. The status of the victim may be an aggravating factor that would increase the seriousness of the crime of stalking to a Class C felony, for which a person may receive up to five years in prison or a fine of up to \$10,000. For example, if a stalker's victim were a law enforcement officer or community corrections officer, the crime would be considered a class C felony.

Summary of Substitute Bill: Employees, contract staff, and volunteers of correctional agencies are included in the list of victims that would aggravate the crime of stalking from a gross misdemeanor to a Class C felony. "Correctional agency" is defined as any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement. The definition includes but is not limited to the Department of Corrections, the Indeterminate Sentence Review Board, and the Department of Social and Health Services.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

EFFECT OF CHANGES MADE BY RECOMMENDED STRIKING AMENDMENT(S) AS PASSED COMMITTEE (Human Services & Corrections): Adds persons who work for the Department of Natural Resources in a correctional setting to the definition of "correctional agency" for purposes of the section of law related to stalking.

Corrects punctuation in the stalking statute.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: The Senate companion was amended to include persons who work with prisoners through the Department of Natural Resources. The Department of Corrections supports that change, whether the Senate language is added to the House bill or the definition of "correctional agency" is amended to contemplate those workers.

Persons Testifying: PRO: Jeralita Costa, Indeterminate Sentence Review Board; Steve Eckstrom, Department of Corrections.