

SENATE BILL REPORT

SB 5060

As Reported By Senate Committee On:
Judiciary, February 9, 2007

Title: An act relating to attempting to elude a pursuing police vehicle.

Brief Description: Changing the seriousness level for attempting to elude a pursuing police vehicle.

Sponsors: Senators Honeyford, Schoesler and Sheldon.

Brief History:

Committee Activity: Judiciary: 1/31/07, 2/9/07 [DPS].
Ways & Means: 2/20/07.

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5060 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell, Hargrove and Murray.

Staff: Juliana Roe (786-7405)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Richard Ramsey (786-7412)

Background: The crime of Attempting to Elude a Pursuing Police Vehicle is classified as a serious level I offense. This crime is defined as any driver of a motor vehicle who willfully fails or refuses to immediately bring his or her vehicle to a stop and who drives the vehicle in a reckless manner while attempting to elude a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop. The signal, given by an uniformed police officer, can be by hand, voice, emergency light, or siren. This crime is categorized as a class C felony, punishable by up to 29 months, depending on the offender's score. An individual with no history is punishable by up to 60 days in custody.

There is concern that this crime leads to serious consequences involving innocent bystanders.

Summary of Bill: The crime of Attempting to Elude a Pursuing Police Vehicle is classified as a serious level VI offense.

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 SUBSTITUTE AS PASSED COMMITTEE (Judiciary): The crime of eluding is raised from serious level I to II, rather than I to VI.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: July 1, 2007.

Staff Summary of Public Testimony: PRO: Recently there have been incidents involving death and serious injury to innocent bystanders, as well as police officers, due to individuals eluding police in their vehicles. So that the counties do not have to bear the financial burden of more people being incarcerated in local jails, it is necessary to increase the seriousness level to a point that an offender would receive a sentence of a year and a day and therefore spend the incarcerated period in a state prison. Therefore, under this bill, the crime is increased from a serious level I to VI. In doing so, the burden is shifted from the county and local government to the state. While this is a costly increase, the consequences caused by one person committing this crime are greater.

We need this bill desperately. The current penalties for eluding do nothing to deter this crime from occurring. By increasing the penalty, the crime will be driven down. We need to step up and show that this dog has some teeth.

Persons Testifying: PRO: Senator Honeyford, prime sponsor; Sheriff Ken Irwin, Yakima County Sheriff's Department, Washington Association of Sheriffs and Police Chiefs.