

HB 1030-S.E - DIGEST

(DIGEST AS ENACTED)

Provides that the prosecuting attorney may file a special allegation of endangerment by eluding in every criminal case involving a charge of attempting to elude a police vehicle under RCW 46.61.024, when sufficient admissible evidence exists, to show that another person was threatened with physical injury or harm by the actions of the person committing the crime of attempting to elude a police vehicle.

Provides that, in a criminal case in which there has been a special allegation the state shall prove beyond a reasonable doubt that the accused committed the crime while endangering another person. The court shall make a finding of fact of whether or not another person was endangered at the time of the commission of the crime, or if a jury trial is had, the jury shall, if it finds the defendant guilty, also find a special verdict as to whether or not another person was endangered during the commission of the crime.

Provides that an additional twelve months and one day shall be added to the standard sentence range for a conviction of attempting to elude a police vehicle as defined by RCW 46.61.024, if the conviction included a finding by special allegation of endangering another person under this act.