

SENATE BILL REPORT

SHB 1203

As of February 8, 2010

Title: An act relating to the definition of relative for purposes of the crime of rendering criminal assistance.

Brief Description: Modifying the definition of relative for purposes of the crime of rendering criminal assistance.

Sponsors: House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives O'Brien and Chase).

Brief History: Passed House: 2/03/10, 96-0.

Committee Activity: Judiciary:

SENATE COMMITTEE ON JUDICIARY

Staff: Lidia Mori (786-7755)

Background: A person commits the crime of rendering criminal assistance if the person, in any of a variety of ways, tries to hinder the apprehension or prosecution of a person who has committed an offense. The ways in which a person may commit the crime include the following: harboring or concealing the offender; warning the offender of impending apprehension; giving the offender money, transportation, or disguise; committing an act of force, threat, or deception to prevent apprehension; concealing, altering, or destroying physical evidence; and giving the offender a weapon.

Rendering criminal assistance in the first degree is a seriousness Level V, Class C felony offense if the person is not related to the offender and the crime the offender committed, or is being sought for, is a Class A felony. The crime is a gross misdemeanor when the person is related to the offender.

Rendering criminal assistance in the second degree is a gross misdemeanor offense if the person is not related to the offender and the crime the offender committed, or is being sought for, is a Class B or C felony offense or a violation of parole, probation, or community supervision. If the person is a relative of the offender, then the crime of rendering criminal assistance is a misdemeanor 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.

Rendering criminal assistance in the third degree is a misdemeanor offense if the person renders the assistance to a person who has committed a gross misdemeanor or misdemeanor offense.

A relative is defined as a person who is related as: husband, wife, brother, sister, parent, grandparent, child, grandchild, step-child, or step-parent to the person to whom criminal assistance is rendered.

Summary of Bill: The definition of relative is amended for purposes of determining the penalty of a person found guilty of rendering criminal assistance. With the exception of an adult relative that provides emergency medical assistance to an offender, any person over the age of 18 years old found guilty of rendering criminal assistance to an offender, whether or not the person is a relative of the offender, must be penalized at the higher offense category.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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