
Public Safety & Emergency Preparedness Committee

HB 1206

Brief Description: Making harassment against criminal justice participants a crime under certain circumstances.

Sponsors: Representatives Dahlquist, Hurst, Pearson, Harris, Parker, Lytton, Rivers, Johnson, Taylor, Wilcox, Ross, Kelley, Ladenburg, Armstrong, Dammeier, Frockt and Schmick.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Makes harassment of a criminal justice participant a seriousness level III, class C felony offense.

Hearing Date: 1/26/11

Staff: Yvonne Walker (786-7841).

Background:

A person commits the crime of harassment if he or she:

- without lawful authority knowingly threatens to: (a) cause bodily injury immediately or in the future to the person threatened or to any other person; (b) cause physical damage to the property of a person other than the actor; (c) subject the person threatened or any other person to physical confinement or restraint; or (d) maliciously do any other act that is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and
- the person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes the sending of an electronic communication.

Criminal harassment is generally a gross misdemeanor. However, the crime is a seriousness level III, class C felony offense if:

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- the offender has a previous conviction for harassment or a harassment related offense against the same victim, members of the victim's family, or persons named in a no-contact or no-harassment order; or
- the offender committed the crime by threatening to kill that person or another person.

Summary of Bill:

A person guilty of harassment, if he or she harasses:

- a criminal justice participant who is performing his or her official duties at the time of the offense; or
- a criminal justice participant because of an action taken or decision made by the criminal justice participant during the performance of his or her duties.

Harassment of a criminal justice participant is a seriousness level III, class C felony offense (a sentence of one to three months for a first-time offender).

A criminal justice participant includes: peace officers, prosecuting attorneys, deputy prosecuting attorneys, defense attorneys, members of the Indeterminate Sentence Review Board, community corrections officers, probation or parole officers, employees of any juvenile corrections institution or local juvenile detention facility, and employees of any adult corrections institution or local adult detention facility.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.