
HOUSE BILL 1206

State of Washington

62nd Legislature

2011 Regular Session

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

Read first time 01/14/11. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to harassment against criminal justice
2 participants; amending RCW 9A.46.020; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9A.46.020 and 2003 c 53 s 69 are each amended to read
5 as follows:

6 (1) A person is guilty of harassment if:

7 (a) Without lawful authority, the person knowingly threatens:

8 (i) To cause bodily injury immediately or in the future to the
9 person threatened or to any other person; or

10 (ii) To cause physical damage to the property of a person other
11 than the actor; or

12 (iii) To subject the person threatened or any other person to
13 physical confinement or restraint; or

14 (iv) Maliciously to do any other act which is intended to
15 substantially harm the person threatened or another with respect to his
16 or her physical or mental health or safety; and

17 (b) The person by words or conduct places the person threatened in
18 reasonable fear that the threat will be carried out. "Words or

1 conduct" includes, in addition to any other form of communication or
2 conduct, the sending of an electronic communication.

3 (2)(a) Except as provided in (b) of this subsection, a person who
4 harasses another is guilty of a gross misdemeanor.

5 (b) A person who harasses another is guilty of a class C felony if
6 either of the following applies: (i) The person has previously been
7 convicted in this or any other state of any crime of harassment, as
8 defined in RCW 9A.46.060, of the same victim or members of the victim's
9 family or household or any person specifically named in a no-contact or
10 no-harassment order; ~~((or))~~ (ii) the person harasses another person
11 under subsection (1)(a)(i) of this section by threatening to kill the
12 person threatened or any other person; (iii) the person harasses a
13 criminal justice participant who is performing his or her official
14 duties at the time the threat is made; or (iv) the person harasses a
15 criminal justice participant because of an action taken or decision
16 made by the criminal justice participant during the performance of his
17 or her official duties.

18 (3) For purposes of this section, a criminal justice participant
19 includes a peace officer, a prosecuting attorney, a deputy prosecuting
20 attorney, a defense attorney, a member of the indeterminate sentence
21 review board, a community corrections officer, a probation or parole
22 officer, a full-time or part-time staff member of any juvenile
23 corrections institution or local juvenile detention facilities, or a
24 full-time or part-time staff member of any adult corrections
25 institution or local adult detention facilities.

26 (4) The penalties provided in this section for harassment do not
27 preclude the victim from seeking any other remedy otherwise available
28 under law.

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