

HOUSE BILL REPORT

ESHB 2079

As Passed House:

February 13, 2024

Title: An act relating to improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities.

Brief Description: Improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities.

Sponsors: House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Schmidt, Riccelli, Low, Christian, Klicker, Ormsby, McClintock and Couture).

Brief History:

Committee Activity:

Community Safety, Justice, & Reentry: 1/25/24, 1/30/24 [DPS].

Floor Activity:

Passed House: 2/13/24, 97-0.

Brief Summary of Engrossed Substitute Bill

- Requires the Office of the Superintendent of Public Instruction to develop a standard signage form notifying the public of the offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence and possible penalties, and requires such signage to be displayed at any entrance to a public school gymnasium or auditorium and wherever other public notices are placed at public school athletic fields.

HOUSE COMMITTEE ON COMMUNITY SAFETY, JUSTICE, & REENTRY

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis, Farivar, Fosse, Graham and Ramos.

Staff: Lena Langer (786-7192).

Background:

Classification of Crimes.

Crimes are classified as misdemeanors, gross misdemeanors, or class A, B, or C felonies. While there are exceptions, the classification of a crime generally determines the maximum term of confinement and fine for an offense. For each classification, the maximum terms of confinement and maximum fines are as follows:

Classification	Maximum Confinement	Maximum Fine
Misdemeanor	90 Days	\$1,000
Gross Misdemeanor	364 Days	\$5,000
Class C Felony	5 Years	\$10,000
Class B Felony	10 Years	\$20,000
Class A Felony	Life	\$50,000

Interference or Intimidation by Force or Violence.

It is a gross misdemeanor for a person to interfere by force or violence with a teacher, administrator, classified employee, contract employee, or student who is in the peaceful discharge or conduct of his or her duties or studies. The penalty for Interference by Force or Violence is a fine of up to \$500, confinement for not more than six months, or both.

A student who interferes by force or violence with a teacher, administrator, classified employee, contract employee, or student is subject to immediate suspension or expulsion.

It is a gross misdemeanor for a person to intimidate by threat of force or violence a teacher, administrator, classified employee, or student who is in the peaceful discharge or conduct of his or her duties or studies. The penalty for Intimidation by Threat of Force or Violence is a fine of up to \$500, confinement for not more than six months, or both.

The Office of the Superintendent of Public Instruction.

In addition to its constitutional charge of supervising all matters pertaining to public schools, the Superintendent of Public Instruction and its office have numerous and broad responsibilities prescribed in statute, including:

- making rules and regulations necessary for the administration of public education requirements;

- preparing courses of study and other materials and books for the discharge of education duties;
- fulfilling financial responsibilities, including distributing legislatively allocated funds to districts for the operation of the public school system, and awarding numerous state and federally funded grants; and
- satisfying numerous reporting and other duties assigned by the Legislature.

Summary of Engrossed Substitute Bill:

The Office of the Superintendent of Public Instruction must develop a standard signage form notifying the public of the offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence and possible penalties of both offenses. The signage must be displayed at any entrance to a public school gymnasium or auditorium and wherever other public notices are placed at public school athletic fields.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill increases penalties for fighting on public school grounds, including during after school activities. There are many stories of officials who have been verbally and physically assaulted during school sport activities. People feel free to intimidate and threaten people who are officiating during school sport activities. The officials are in vulnerable positions while they are conducting their duties. This bill makes these offenses class C felonies, instead of gross misdemeanors. There is hope that the increased penalty will serve as a deterrent. Serious injuries have happened to school sport referees. In 2023 the Legislature passed a resolution recognizing the decline in sportsmanship. This bill would act as a deterrent and send a message that the state cares for officials and the power of sports for youth. Officiators are followed and assaulted during school sport events. There is a lack of younger sport officiators. Over 20 states have passed laws to protect sport officials. The state is late on acting on this considering the amount of violence that has been perpetrated on sport officials. Ensuring the safety of students and those that work to give them learning opportunities is paramount. Sports are a core value in our society. It is imperative that passion in sports does not escalate to force or violence. There is a lack of referees that causes events and sports to be cancelled. Team sports have an immense benefit to children and the community. Sports tourism is one of the largest contributors of economic growth in the region. There have been issues of violence around sports all across the state. This bill, if passed, will support the community norm that it is not okay to be violent in any way connected to community or school sports.

(Opposed) There will always be fights at school sporting games. Making these fights criminal offenses will not prevent these incidents. These offenses are already crimes. Injuring someone seriously is already a felony; seriously injuring someone is separate from these type of incidents.

Persons Testifying: (In support) Representative Suzanne Schmidt, prime sponsor; Bob West, Umpires and Referees Stopping Assaults For Ever; Brandi Peetz; Linda Thompson, Washington Association for Substance misuse and Violence Prevention; Wade Harris, Cowlitz County Soccer Officials; Albert Merkel; and Lukas Garcia, Greater Spokane Valley Chamber of Commerce.

(Opposed) David Trieweler, Washington Association of Criminal Defense Lawyers and Washington Defender Association.

Persons Signed In To Testify But Not Testifying: Preston Dvoskin; Keith Smith; and Misty Griffith.