

SENATE BILL REPORT

SB 6451

As Reported By Senate Committee On:
Judiciary, February 5, 2002

Title: An act relating to training in furtherance of civil disorders.

Brief Description: Providing criminal penalties for training in furtherance of civil disorders.

Sponsors: Senators Kline, Sheahan, Costa, Horn, Swecker, Kastama and Jacobsen.

Brief History:

Committee Activity: Judiciary: 1/31/02, 2/5/02 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Kastama, Vice Chair; Costa, Hargrove, McCaslin and Poulsen.

Staff: Lisa Ellis (786-7421)

Background: Washington currently does not have a criminal statute relating to civil disorder training. In lieu of the crime of civil disorder training, existing law makes it unlawful for a person to (1) manufacture, possess, store, sell, purchase, transport, or use explosives or blasting agents without a license from the Department of Labor and Industries or (2) associate themselves in an organized body as a military company, organize, or parade in public with firearms unless a person participates in a recognized militia organization of this state, armed forces of the United States, bona fide veterans organization, or is a student in an educational institution where military science is a prescribed part of the course of instruction. Both offenses are misdemeanors and carry maximum terms of confinement of 90 days, \$1,000 fine, or both.

Summary of Bill: A civil disorder is defined as any public disturbance involving acts of violence by groups of three or more people that cause an immediate danger of or result in damage or injury to the person of any other individual.

The crime of training in furtherance of civil disorders is a class B felony and is ranked as a seriousness level VII crime under the Sentencing Reform Act. A person commits civil disorder training if he or she (1) teaches or demonstrates to any other person the use, application, or making of any device or technique capable of causing injury or death to persons while knowing, having reason to know, or intending that the use, application or making of any device or technique capable of causing injury or death to persons is unlawfully employed for use in, or in furtherance of, a civil disorder; or (2) assembles with one or more persons for the purpose of training with, practicing with, or being instructed in the use of any device or technique capable of causing injury or death to persons, intending to unlawfully employ assembling with one or more persons for the purpose of training with, practicing

with, or being instructed in the use of any device or technique capable of causing injury or death to persons for use in, or furtherance of, a civil disorder.

Law enforcement officers engaged in the lawful performance of his or her official duties are not guilty of civil disorder training. Firearms training, target shooting, or other firearms activity does not constitute civil disorder training so long as it is not done for the purpose of furthering a civil disorder.

The standard range of confinement for civil disorder training is 15 to 20 months.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Imposing criminal penalties for civil disorder training will discourage groups from establishing in Washington to engage in hate and violent activities.

Testimony Against: Collecting evidence to prove the crime of civil disorder training will be intrusive on civil rights.

Testified: Brian Goldberg, Anti-Defamation League (pro); Murray Meld, Anti-Defamation League (pro); Rebecca Jacobs, Anti-Defamation League (pro); Dennis Haynes (con).