

SENATE BILL REPORT

SB 6687

As Reported By Senate Committee On:
Judiciary, February 7, 2002

Title: An act relating to attempting to elude a pursuing police vehicle.

Brief Description: Increasing penalties for attempting to elude a pursuing police vehicle.

Sponsors: Senators Sheahan, Long, T. Sheldon, Kohl-Welles, Oke, Keiser, Shin and Johnson.

Brief History:

Committee Activity: Judiciary: 1/31/02, 2/7/02 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Kastama, Vice Chair; Costa, Johnson, Long, McCaslin, Poulsen, Roach and Zarelli.

Staff: Lidia Mori (786-7755)

Background: A driver commits the crime of attempting to elude a pursuing police vehicle when the driver willfully fails or refuses to immediately stop his or her car and drives with wanton or willful disregard for the lives or property of others. The driver must have been given a visual or audible signal to stop. The signal given by the police officer may be by hand, voice, emergency light, or siren. The officer giving the signal must be in uniform and in a vehicle appropriately marked showing it to be an official police vehicle.

The crime of attempting to elude a pursuing police vehicle is a class C felony and is ranked at seriousness level I on the sentencing grid. A person with no prior felony convictions who is convicted of a crime with seriousness level I will receive a standard range sentence of 0-60 days. In addition, a person convicted of attempting to elude a police vehicle will have his or her driver's license revoked for one year.

Summary of Bill: The crime of attempting to elude a police vehicle is changed from a class C felony to a class B felony and is raised from a seriousness level I to a seriousness level IV on the sentencing grid. The officer giving the signal to stop must be driving an official police vehicle. An official police vehicle is any municipal, county, or state police vehicle appropriately equipped with emergency lights and siren.

A person convicted of attempting to elude a police vehicle has his or her driver's license revoked for two years.

Appropriation: None.

Fiscal Note: Requested on January 28, 2002.

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

Testimony For: Eluding a pursuing police vehicle should be a seriousness level IV. Assault in the second degree is a level IV and almost none are as serious as eluding cases. There are many motor vehicle thefts but it is the eluding that causes the danger. Since it is currently only a class C felony and a level I, prosecutors just plead that charge out in exchange for a guilty to possession of stolen property charge. Since we are really not punishing this offense, people know they should go ahead and try to elude the police on the chance they'll be successful.

Testimony Against: None.

Testified: Lieutenant Jerry Ross, Snohomish County Sheriff's Office; Tom McBride, WA Assn. of Prosecuting Attorneys.