

SENATE BILL REPORT

SB 5785

As of February 18, 1999

Title: An act relating to minors who make threats on school facilities.

Brief Description: Penalizing minors who make threats on school facilities.

Sponsors: Senators Honeyford, Horn, Rossi, Sheahan, McCaslin and Oke.

Brief History:

Committee Activity: Judiciary: 2/22/99.

SENATE COMMITTEE ON JUDICIARY

Staff: Harry Steinmetz (786-7421)

Background: The crime of harassment is accomplished by knowingly threatening to cause bodily injury, physical damage to property, physical confinement or restraint, or any other act which is intended to substantially harm the person or another person with respect to their physical or mental health or safety. The person being threatened must have a reasonable fear that the threat will be carried out.

Generally, the penalty for harassment is a gross misdemeanor punishable by up to one year in county jail. If the offender has previously been convicted of harassment or a similar crime in another state or has threatened to kill the victim, then it is a class C felony punishable by up to five years in state prison.

Summary of Bill: A procedure is established when the crime of harassment is committed by a minor on school grounds, school transportation, school facilities, or is directed at school personnel or volunteers. The minor must be detained 48 hours unless released by a judge on bail. The judge may not consider bail until an assessment has been made by the appropriate mental health professional and that assessment has been transmitted to the court.

Upon arrest, the law enforcement agency is required to refer the minor to the designated mental health professional.

The felony "threats to kill" section is specifically amended to include the publication of a list of persons the offender is going to kill or are designated as deserving to die.

Appropriation: None.

Fiscal Note: Requested on February 16, 1999.

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