
SENATE BILL 5119

State of Washington 58th Legislature 2003 Regular Session

By Senators Eide, Keiser and Reardon

Read first time 01/15/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to criminal law; amending RCW 9A.76.050, 9A.76.070,
2 and 9A.76.080; adding a new section to chapter 9A.36 RCW; creating a
3 new section; repealing RCW 9A.76.060; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.36 RCW
6 to read as follows:

7 (1) A person is guilty of the crime of failing to summon assistance
8 if:

9 (a) He or she knows that another person has suffered substantial
10 bodily harm and is in need of assistance;

11 (b) He or she could reasonably summon assistance for the person in
12 need without danger to himself or herself and without interference with
13 an important duty owed to a third party;

14 (c) He or she fails to summon assistance for the person in need;
15 and

16 (d) Another person is not summoning assistance for the person in
17 need.

1 (2) The duty to summon assistance is satisfied by making reasonable
2 efforts to summon emergency police, fire, or medical assistance that
3 identifies the location of the victim.

4 (3) Except as provided in RCW 9A.76.050, failing to summon
5 assistance is a misdemeanor.

6 **Sec. 2.** RCW 9A.76.050 and 1982 1st ex.s. c 47 s 20 are each
7 amended to read as follows:

8 As used in RCW 9A.76.070, 9A.76.080, and 9A.76.090, a person
9 "renders criminal assistance" if, with intent to prevent, hinder, or
10 delay the apprehension or prosecution of another person who he or she
11 knows has committed a crime or juvenile offense or is being sought by
12 law enforcement officials for the commission of a crime or juvenile
13 offense or has escaped from a detention facility, he or she:

14 (1) Harbors or conceals such person; or

15 (2) Warns such person of impending discovery or apprehension; or

16 (3) Provides such person with money, transportation, disguise, or
17 other means of avoiding discovery or apprehension; or

18 (4) Prevents or obstructs, by use of force, deception, or threat,
19 anyone from performing an act that might aid in the discovery or
20 apprehension of such person; or

21 (5) Conceals, alters, or destroys any physical evidence that might
22 aid in the discovery or apprehension of such person; or

23 (6) Provides such person with a weapon; or

24 (7) Violates section 1 of this act by failing to summon assistance
25 for a victim of such person's crime or juvenile offense.

26 **Sec. 3.** RCW 9A.76.070 and 1982 1st ex.s. c 47 s 21 are each
27 amended to read as follows:

28 (1) A person is guilty of rendering criminal assistance in the
29 first degree if he or she renders criminal assistance to a person who
30 has committed or is being sought for murder in the first degree or any
31 class A felony or equivalent juvenile offense.

32 (2) Rendering criminal assistance in the first degree is((÷

33 ~~(a) A gross misdemeanor if it is established by a preponderance of~~
34 ~~the evidence that the actor is a relative as defined in RCW 9A.76.060;~~

35 ~~(b)) a class C felony ((in all other cases)).~~

1 **Sec. 4.** RCW 9A.76.080 and 1982 1st ex.s. c 47 s 22 are each
2 amended to read as follows:

3 (1) A person is guilty of rendering criminal assistance in the
4 second degree if he or she renders criminal assistance to a person who
5 has committed or is being sought for a class B or class C felony or an
6 equivalent juvenile offense or to someone being sought for violation of
7 parole, probation, or community supervision.

8 (2) Rendering criminal assistance in the second degree is((÷

9 ~~(a) A misdemeanor if it is established by a preponderance of the~~
10 ~~evidence that the actor is a relative as defined in RCW 9A.76.060;~~

11 ~~(b))~~ a gross misdemeanor ((~~in all other cases~~)).

12 NEW SECTION. **Sec. 5.** RCW 9A.76.060 (Relative defined) and 1975
13 1st ex.s. c 260 s 9A.76.060 are each repealed.

14 NEW SECTION. **Sec. 6.** This act may be known and cited as the Joey
15 Levick Act.

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