

# HOUSE BILL REPORT

## HB 2170

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### As Passed House:

January 23, 2008

**Title:** An act relating to protecting employees, contract staff, and volunteers of a law enforcement agency.

**Brief Description:** Protecting employees, contract staff, and volunteers of a law enforcement agency.

**Sponsors:** By Representatives Ross, O'Brien, Pearson, Newhouse, Curtis, Rodne, McCune, Kelley, Eddy, Goodman, VanDeWege, Hurst, Simpson and Moeller.

### Brief History:

#### Committee Activity:

Public Safety & Emergency Preparedness: 2/21/07 [DP].

#### Floor Activity:

Passed House: 3/7/07, 97-0.

#### Floor Activity:

Passed House: 1/23/08, 97-0.

### Brief Summary of Bill

- Expands the class of people covered under the stalking statute, at the felony level, to include employees and volunteers of a law enforcement agency.

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### HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

**Majority Report:** Do pass. Signed by 6 members: Representatives Hurst, Vice Chair; Pearson, Ranking Minority Member; Ross, Assistant Ranking Minority Member; Ahern, Goodman and Lovick.

**Staff:** Yvonne Walker (786-7841).

### Background:

A person is guilty of stalking if he or she, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

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

- intentionally or repeatedly harasses or repeatedly follows another person;
- places the person being harassed or followed in reasonable fear that the stalker intends to injure the person, another person, or the property of the person or of another; and
- the stalker either: (a) intends to frighten, intimidate, or harass the person; or (b) knows, or reasonably should know, that the person is afraid, intimidated, or harassed.

Stalking is generally a gross misdemeanor. However, the crime is a seriousness level V, class C felony if:

- the offender has a previous conviction for any of several listed crimes, including telephone harassment, harassment against the same victim, members of the victim's family, or persons named in a no-contact or no-harassment order;
- the stalking violates any protective order of the person being stalked;
- the offender has a previous conviction for stalking;
- the offender was armed with a deadly weapon while committing the crime;
- the victim is or was a law enforcement officer, judge, juror, attorney, victim advocate, legislator, or community corrections officer, and the stalking was in retaliation for something done in the victim's official capacity or to influence the victim's actions in his or her official capacity; or
- the victim is a current, former, or prospective witness in an adjudicative proceeding and the offender stalked the victim as a result of the victim's testimony or potential testimony.

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**Summary of Bill:**

The group of victims covered under the stalking statute (punishable at the felony level) is expanded to include a stalker's victim who is or was an employee, contract staff person, or volunteer of a law enforcement agency.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) This bill follows the same bill that this committee passed several days ago to cover employees of a criminal justice agency. This bill will lay the same protective measures around employees and volunteers who work in dangerous roles within a law enforcement agency.

(Opposed) None.

**Persons Testifying:** (In support) Representative Ross, prime sponsor.

**Persons Signed In To Testify But Not Testifying: None.**