

SENATE BILL REPORT

SB 5307

As Reported By Senate Committee On:
Human Services & Corrections, February 9, 2007

Title: An act relating to increasing penalties for stalking persons who work with prisoners.

Brief Description: Increasing penalties for stalking persons who work with prisoners.

Sponsors: Senators Hargrove, Stevens, Regala, Hatfield and Kohl-Welles; by request of Department of Corrections.

Brief History:

Committee Activity: Human Services & Corrections: 2/02/07, 2/09/07 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5307 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Kiki Keizer (786-7430)

Background: Unless certain aggravating factors exist, the crime of stalking is classified as a gross misdemeanor, for which a person may receive up to a year in jail and a fine of up to \$5,000. The status of the victim may be an aggravating factor that would increase the seriousness of the crime of stalking to a class C felony, for which a person may receive up to five years in prison or a fine of up to \$10,000. For example, if a stalker's victim were a law enforcement officer or community corrections officer, the crime would be considered a class C felony.

Summary of Bill: Employees, contract staff persons, and volunteers of correctional agencies are included in the list of victims that would aggravate the crime of stalking from a gross misdemeanor to a Class C felony.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Human Services & Corrections): The Department of Natural Resources workers in a correctional setting and members and employees of the Indeterminate Sentence Review Board are added to the class of victims aggravating the crime of stalking from a gross misdemeanor to a Class C felony.

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.

Punctuation is corrected to clarify that the element of retaliation applies to all victims identified in the subsection, not just the last in the series.

Punctuation is corrected to clarify that the phrase "of a correctional agency" applies to "an employee, contract staff person, or volunteer," not just to volunteers.

The title is amended.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This tool is needed to keep staff in correctional facilities safe and to ensure that their work is at the highest professional standards. It will help to prevent inmates from trying to coerce Department of Corrections workers into bringing contraband into the prisons. State employees who work with inmates through the Department of Natural Resources have the same risks as Department of Corrections employees, and the bill should be amended to add them.

Persons Testifying: PRO: Howard Thronson, Department of Natural Resources; Mike Ryherd, Teamsters Local 117; Steve Eckstrom, Department of Corrections; Amber Lewis, Washington Federation of State Employees.