

# HOUSE BILL REPORT

## HB 1085

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### As Reported by House Committee On:

Community Safety  
Appropriations

**Title:** An act relating to improving school safety by extending penalties for interference by, or intimidation by threat of, force or violence at schools and extracurricular activities and requiring schools to notify the public of such penalties.

**Brief Description:** Improving school safety by extending penalties for interference by, or intimidation by threat of, force or violence at schools and extracurricular activities and requiring schools to notify the public of such penalties.

**Sponsors:** Representatives Schmidt, Timmons, Waters, Leavitt, Ybarra, McClintock, Nance, Low, Volz, McEntire, Griffey, Barkis, Eslick, Couture and Klicker.

### Brief History:

#### Committee Activity:

Community Safety: 1/27/25, 2/11/25 [DPS];

Appropriations: 2/22/25, 2/26/25 [DP2S(w/o sub CS)].

#### Brief Summary of Second Substitute Bill

- Expands the school-related crimes of Interference by Force or Violence and Intimidation by Threat of Force or Violence, and increases the penalties for Interference by Force or Violence.

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### HOUSE COMMITTEE ON COMMUNITY SAFETY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Goodman, Chair; Simmons, Vice Chair; Graham, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Burnett, Davis, Farivar, Fosse and Obras.

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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 part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Lena Langer (786-7192).

**Background:**

Classification of Crimes.

Crimes are classified as misdemeanors, gross misdemeanors, or class A, B, or C felonies. While there are exceptions, the classification of a crime generally determines the maximum term of confinement and fine for an offense. For each classification, the maximum terms of confinement and maximum fines are as follows:

Classification	Maximum Confinement	Maximum Fine
Misdemeanor	90 Days	\$1,000
Gross Misdemeanor	364 Days	\$5,000
Class C Felony	5 Years	\$10,000
Class B Felony	10 Years	\$20,000
Class A Felony	Life	\$50,000

Interference or Intimidation by Force or Violence.

It is a gross misdemeanor for a person to interfere by force or violence with a teacher, administrator, classified employee, contract employee, or student who is in the peaceful discharge or conduct of his or her duties or studies. The penalty for Interference by Force or Violence is a fine of up to \$500, confinement for not more than six months, or both a fine and confinement.

A student who interferes by force or violence with a teacher, administrator, classified employee, contract employee, or student is subject to immediate suspension or expulsion.

It is a gross misdemeanor for a person to intimidate by threat of force or violence a teacher, administrator, classified employee, or student who is in the peaceful discharge or conduct of his or her duties or studies. The penalty for Intimidation by Threat of Force or Violence is a fine of up to \$500, confinement for not more than six months, or both a fine and confinement.

The Office of the Superintendent of Public Instruction.

In addition to the constitutional charge of supervising all matters pertaining to public schools, the Superintendent of Public Instruction and the Superintendent's office (OSPI) have numerous and broad responsibilities prescribed in statute, including:

- making rules and regulations necessary for the administration of public education requirements;
- preparing courses of study and other materials and books for the discharge of

- education duties;
- fulfilling financial responsibilities, including distributing legislatively allocated funds to districts for the operation of the public school system, and awarding numerous state and federally funded grants; and
- satisfying numerous reporting and other duties assigned by the Legislature.

#### Emergency Removal of Students.

Emergency removals must end or be converted to another form of corrective action within 10 school days from the date of the emergency removal from school. The rules of the OSPI provide that a student may be removed from their school placement when the school district has sufficient cause to believe that the student's presence poses either: (1) an immediate and continuing danger to other students or school personnel; or (2) an immediate and continuing threat of material and substantial disruption of the educational process.

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#### **Summary of Substitute Bill:**

The offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence are expanded to include the interference by force or violence with, or intimidation by threat of force or violence of, an employee or contractor of a public or private elementary or secondary school, an elementary or secondary student, or an official or volunteer acting as an official, for extracurricular athletic activities of elementary or secondary students, while that person is in the peaceful discharge or conduct of his or her duties or studies.

A public school student's interference by force or violence is grounds for emergency removal, subject to the statutory process for such removals. If a public or private school student interferes by force or violence during extracurricular athletic activities, the student may be excluded from participating in or attending that activity for up to 12 months.

The penalty for Interference by Force or Violence is a fine of up to \$1,000, rather than \$500, confinement for not more than 364 days, rather than six months, or both a fine and confinement.

A person, other than a student, convicted of Interference by Force or Violence must be excluded from entering the school where the offense was committed, or from attending the extracurricular athletic activities in which the offense was committed, for no less than 12 months and no more than 18 months.

The OSPI must develop a standard signage form notifying the public of the offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence and possible penalties of both offenses. The signage must be displayed at any entrance to a public school gymnasium or auditorium, and wherever public notices are placed at public school athletic fields.

### **Substitute Bill Compared to Original Bill:**

The substitute bill provides that a private school student, in addition to a public school student, may be excluded from an extracurricular athletic activity for up to 12 months if that student committed the offense of Interference by Force or Violence during that activity.

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**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 12, 2025.

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

### **Staff Summary of Public Testimony:**

(In support) Incidents have occurred during sporting events that have greatly harmed the officials or volunteers. Verbal and physical attacks and intimidations of officials at school sports are very common. This is not acceptable behavior. This is a bipartisan bill that would act as a deterrent to this conduct. Students who participate in sports are learning how to be a team member, and how to participate in society. These types of behaviors are setting the wrong example for these students. The decline in sportsmanship has been recognized nationally. Over half of sports officials have reported that they fear for their safety. Sports and extracurricular activities are an integral part of a well-rounded education for all students. Sports officials are critical and must be protected. People have been working on this issue for 30 years, but the issue persists. Twenty-two states have already strengthened their Assault laws, boosting protections for sports officials. This issue is having a tangible effect on student sports.

(Opposed) This bill is well intended, but it will likely fail to achieve its purpose. The bill expands exclusions from extracurricular activities, isolating students from opportunities that are essential for their growth. The bill takes the inconsistencies that are already present in school discipline and puts them on steroids, enabling vague terms like "interference" to be enforced arbitrarily. The bill disproportionately harms vulnerable students.

(Other) There is an increased incidence of violence at extracurricular activities. Signage is important as a deterrent, but there are questions about who will pay for the signage required in the bill. School principals also have questions about whether private schools are included, and about what activities are included in the bill.

**Persons Testifying:** (In support) Representative Suzanne Schmidt, prime sponsor; Robert West; Cindy McMullen, Washington State School Directors' Association; Peyton Coffin, Northwest Baseball Umpires Association; Hugh Birgenheier, Western Washington Wrestling Officials Assoc; Brandi Peetz; and Tyler Trimble.

(Opposed) Max Kauffman, TeamChild.

(Other) Roz Thompson, Association of Washington School Principals.

**Persons Signed In To Testify But Not Testifying:** Jeff Mattson; Cameron Dunlap; Suzanne Ornstein; Pamela Birgenheier; and Albert Merkel.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Safety. Signed by 31 members: Representatives Ormsby, Chair; Gregerson, Vice Chair; Macri, Vice Chair; Couture, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Penner, Assistant Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Berg, Bergquist, Burnett, Caldier, Callan, Corry, Cortes, Doglio, Dye, Fitzgibbon, Keaton, Leavitt, Lekanoff, Manjarrez, Marshall, Peterson, Pollet, Rude, Ryu, Springer, Stonier, Street, Thai and Tharinger.

**Staff:** Jordan Clarke (786-7123).

### **Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Community Safety:**

The Appropriations Committee recommended the following changes:

- Removing the requirement for the Office of the Superintendent of Public Instruction to develop a standard signage form notifying the public of the offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence and possible penalties and removes the requirement for such signage to be displayed at public school gymnasiums, auditoriums, and athletic fields.
- Removing language providing that a public school student's actions that constitute the offense of Interference by Force or Violence are grounds for the student's emergency removal.
- Removing language providing that a public or private school student who commits the offense of Interference by Force or Violence during an extracurricular athletic activity may be excluded from participating in or attending that activity for up to 12 months.

**Appropriation:** None.

**Fiscal Note:** Available.

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

### **Staff Summary of Public Testimony:**

(In support) Sports officials across the country have been hurt and even killed due to conflicts that occur at school sporting events. These injuries can lead to surgeries, early retirement for the sports official, and financial stress for families. There are also student athletes who have been injured by parents at sporting events, and some students have faced gun threats. Recently there have been 508 player and coach ejections, which is nearly double the number of ejections over the last two years. Abusive behavior has led to decreased sportsmanship nationally, and part of that is due to students fearing their own safety. The bill would make sure schools are a safe environment where students can learn and participate in sports without fear or intimidation. Sending a strong message with this bill will help students learn and grow as people.

The Legislature has continued to increase safety for students, staff, and volunteers. However, the existing laws in Washington are not strong enough to protect student athletes, coaches, or sports officials. Over 20 states have passed legislation providing additional protection for sports officials. This bill would reduce the number of negative interactions that could occur, and the signage at schools will help deter violence and has a small cost statewide. Requiring schools to notify the public of these penalties will increase transparency and accountability, allowing families to be more informed and involved with the safety measures taken at their schools.

(Opposed) People should be prosecuted for violent crimes, but this bill will not help deter violent behavior or reduce violent situations. This will just increase bad behavior. In addition, children could be placed in foster care if their parent is jailed due to this bill. This bill could cause more harm than good.

(Other) None.

**Persons Testifying:** (In support) Kristopher Pockell; Sophie Linton; and Brandi Peetz, Daughter of assaulted referee.

(Opposed) Takiyah Ward.

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