

HOUSE BILL REPORT

SSB 5987

As Passed House - Amended:

April 3, 2007

Title: An act relating to gang-related offenses.

Brief Description: Increasing penalties for gang-related offenses.

Sponsors: By Senate Committee on Judiciary (originally sponsored by Senators Clements, Carrell, Marr, Holmquist, Schoesler and Rasmussen; by request of Attorney General).

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 3/22/07, 3/28/07 [DPA].

Floor Activity:

Passed House - Amended: 4/3/07, 95-1.

Brief Summary of Substitute Bill
(As Amended by House)

- Establishes a workgroup to evaluate the problem of gang-related crime.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: Do pass as amended. Signed by 7 members: Representatives O'Brien, Chair; Hurst, Vice Chair; Pearson, Ranking Minority Member; Ross, Assistant Ranking Minority Member; Ahern, Goodman and Lovick.

Staff: Jim Morishima (786-7191).

Background:

A variety of statutory provisions exist with respect to criminal gang activity. For example, a person is guilty of Criminal Gang Intimidation if he or she threatens another person because he or she refused to join a gang. Also, landlords may evict tenants under certain circumstances for gang-related activity.

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.

Summary of Amended Bill:

The Washington Association of Sheriffs and Police Chiefs (WASPC) must establish a workgroup to evaluate the problem of gang-related crime in Washington. The workgroup must include one member from each of the two largest caucuses in the House of Representatives, appointed by the Speaker of the House; one member from each of the two largest caucuses in the Senate, appointed by the President of the Senate; and representatives from the following groups, appointed jointly by the Speaker of the House and the President of the Senate: the Office of the Attorney General, local law enforcement, prosecutors and municipal attorneys, criminal defense attorneys, court administrators, prison or detention administrators and probation officers, and experts in gang or delinquency prevention.

The workgroup must evaluate and make recommendations regarding additional legislative measures to combat gang-related crime, the creation of a statewide gang information database, possible reforms to the juvenile justice system for gang-related juvenile offenses, best practices for prevention and intervention of youth gang membership, and the adoption of legislation authorizing a civil anti-gang injunction. The WASPC must report back to the Legislature on its findings and recommendations on or before January 1, 2008.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill will give a statewide comprehensive look at a problem that is not going away. Criminal gang activity is truly a problem that affects communities throughout the state, in both urban and rural areas. Local police departments bear the brunt of dealing with criminal gang activity; at the same time that gang activity is increasing, funding for local law enforcement is decreasing. Local police departments need the tools to deal with the problem before it gets worse. This problem needs to be dealt with in a comprehensive manner through increased criminal penalties, civil injunctions, and interventions for juveniles. Gang violence can be difficult to prosecute because of issues of self-defense and because juries often cannot be informed that a defendant is a gang member. Graffiti is the most visible gang-related crime; it affects local businesses and the economy and leads to an increase in gang-related crime. Local governments have spent a great deal of money to combat graffiti and some local governments have started to place the burden of cleaning graffiti on property owners. Some graffiti, such as acid etching, can be almost impossible to remove. There is a strong correlation between graffiti and drug trafficking. Community members have started to form neighborhood groups to help address the issue of gang-related crime.

(Opposed) None.

Persons Testifying: Senator Clements, prime sponsor; Representative Ross; Sam Costello, Olympia Police Department; Chris Johnson, Office of the Attorney General; David Miller, Lacey Police Department; Ken Irwin, Yakima County Sheriff's Office; Tarin Miller, Yakima Police Department; Pam Wickershan, Judy Lydin, and Sharon Morrow, Glead-Naches Blockwatch; Julie Schillings, Westside Merchants; and Phil Sorenson, Pierce County Prosecutors Office.

Persons Signed In To Testify But Not Testifying: None.