

SENATE BILL REPORT

SB 6122

AS PASSED SENATE, FEBRUARY 3, 1992

Brief Description: Concerning arrest without warrant.

SPONSORS: Senators Sutherland, L. Smith, Bauer, Rasmussen and Gaspard

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, M. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Jon Carlson (786-7459)

Hearing Dates: January 27, 1992; January 29, 1992

BACKGROUND:

Under current law, it is unlawful for an elementary or secondary school student under the age of 21 to possess a firearm or dangerous weapon on public or private school premises. A violation of this law is a gross misdemeanor. On occasion, principals or other school officials confiscate firearms and dangerous weapons that students bring into schools or onto school grounds. However, police are unable to make a subsequent arrest because they are not authorized to arrest a person committing a misdemeanor or a gross misdemeanor unless the offense is committed in the presence of the officer.

SUMMARY:

A police officer may make a warrantless arrest if he or she has probable cause to believe that a person unlawfully possesses firearms or dangerous weapons on school premises.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

This measure assists law enforcement who cannot arrest for a misdemeanor or gross misdemeanor offense unless the offense is committed in the officer's presence. With this measure, an officer may arrest the student even after the firearm has been confiscated by school officials.

TESTIMONY AGAINST: None

TESTIFIED: PRO: John Hosford, Citizens Committee for the Right to Keep and Bear Arms; Garry Lucas, Clark County Sheriff; Al Woodbridge, Washington State Rifle and Pistol Association