

SENATE BILL REPORT

SB 5107

AS PASSED SENATE, MARCH 15, 1993

**Brief Description:** Concerning arrest without warrant.

**SPONSORS:** Senators Sutherland and A. Smith

**SENATE COMMITTEE ON EDUCATION**

**Majority Report:** Do pass.

Signed by Senators Pelz, Chairman; McAuliffe, Vice Chairman; Gaspard, McDonald, Moyer, Nelson, M. Rasmussen, Rinehart, Skratek, A. Smith, and Winsley.

**Staff:** Leslie Goldstein (786-7424)

**Hearing Dates:** February 5, 1993; February 15, 1993

**HOUSE COMMITTEE ON JUDICIARY**

**BACKGROUND:**

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 an officer. A student carrying a firearm or dangerous weapon onto school grounds is guilty of a gross misdemeanor.

**SUMMARY:**

A police officer may make a warrantless arrest if the officer has probable cause to believe that a person unlawfully possesses or unlawfully possessed a firearm or dangerous weapon on public or private school premises.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

This bill was introduced last year and was unopposed. This doesn't change current penalties. It permits law enforcement officers to do their work. Probable cause is still required.

**TESTIMONY AGAINST:**

This bill should only apply to students, not all persons.

**TESTIFIED:** Senator Sutherland, prime sponsor (pro); Jack Paul, Tacoma Schools (pro); George Aiton, Washington Arms Collectors (con); Jeretha Harris (con)

**HOUSE AMENDMENT(S):**

A cross reference is added to existing definitions of firearms and dangerous weapons including those weapons that students may not carry onto school grounds.