

# HOUSE BILL REPORT

## HB 1932

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### As Reported By House Committee On: Criminal Justice & Corrections

**Title:** An act relating to including terrorism committed outside of the United States in the definition of criminal act for the purposes of crime victim compensation and assistance.

**Brief Description:** Including foreign terrorism in the definition of criminal act for the purposes of crime victim compensation and assistance.

**Sponsors:** Representatives Costa, Ballasiotes, Sheahan, Scott, O'Brien, Wensman, Blalock, Kessler, Conway, Mason and Tokuda; by request of Department of Labor & Industries.

**Brief History:**

**Committee Activity:**

Criminal Justice & Corrections: 2/28/97 [DP].

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 13 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Blalock; Cairnes; Delvin; Dickerson; Hickel; Mitchell; Robertson and Sullivan.

**Staff:** Yvonne Walker (786-7841).

**Background:** A criminal act includes those actions committed or attempted in Washington which are punishable as a gross misdemeanor or felony. A criminal act also includes those actions committed in states outside of Washington which would be a felony or gross misdemeanor if they took place in the state of Washington.

Washington residents injured by a criminal act in Washington or in a state which does not have a crime victims' compensation program, or their surviving spouses and dependents, are generally eligible to receive benefits under the Crime Victims' Compensation program. The crime victims' compensation act does not provide benefits for citizens of the state who are subjected to acts of foreign terrorism.

**Summary of Bill:** The term criminal act– is expanded to include foreign terrorism committed outside of the United States against a resident of Washington, as it is defined in chapter 18 of the United States Code Section 2331. This will permit those Washington residents experiencing some type of foreign terrorism, inside or outside of the United States, to receive compensation and assistance under the crime victims’ program.

The term foreign terrorism– includes activities that:

- (1) involve violent acts or acts dangerous to human life that are a violation of criminal laws of the United States or of any state, or that would be a criminal violation if committed within the jurisdiction of the United States or of any state;
- (2) appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by assassination or kidnapping; and
- (3) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum.

**Appropriation:** None.

**Fiscal Note:** Requested on February 19, 1997.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** The federal government recently passed the Terrorism Act which defined a number of criminal acts committed against citizens of the United States. As a result many states were required to revise their definition of the term criminal act– so that United States’ citizens would be eligible for benefits under the crime victims’ program. Washington currently receives millions of federal dollars each year for the crime victims’ program and as a result, the state’s noncompliance could mean loss of federal funds. This bill will help Washington to meet federal standards and continue receiving funds for its residents who are injured by a criminal act both within and outside of the United States.

**Testimony Against:** None.

**Testified:** Representative Costa, prime sponsor (pro); and Cletus Nnanabu, Crime Victims’ Compensation and Department of Labor and Industries (pro).