

SENATE BILL REPORT

HB 1388

As Reported By Senate Committee On:
Judiciary, March 29, 1999

Title: An act relating to state criminal jurisdiction.

Brief Description: Clarifying the state's jurisdiction over crimes committed in the airspace over the state.

Sponsors: Representatives Keiser, Ballasiotes, Schual-Berke, Mitchell, Hurst, O'Brien, Lovick and Delvin.

Brief History: Passed House 3/8/99, 97-0.

Committee Activity: Judiciary: 3/24/99, 3/29/99 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Roach and Thibaudeau.

Staff: Penny Nerup (786-7484)

Background: The Washington criminal code describes the circumstances in which the state can take jurisdiction over persons who may be liable for criminal punishment under Washington law. These circumstances include committing any crime in the state, being found with stolen property within the state (even if the theft occurred out of state), causing someone else to commit a crime in the state, bringing a kidnaped person into the state, committing a crime which affects persons or property within the state (even if the crime occurred out of state), and making a statement which would be perjury if made within the state.

Summary of Bill: The criminal jurisdiction of Washington State is expanded to include persons who commit any act that would be a crime in Washington while onboard any conveyance within Washington, including airplanes flying over the state of Washington, that subsequently has to land, dock or stop within the state.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a public safety issue because there are many problems in air space and these problems are increasing. Assault is the typical crime, although there are some cases of domestic violence. Although the federal government usually has primary

jurisdiction in the air, the FBI and DOJ don't usually take these cases on so the offender usually walks away with no punishment. There were 283 calls at SeaTac last year because of misbehavior aboard aircraft.

Testimony Against: None.

Testified: PRO: Representative Karen Keiser, prime sponsor; Anthony Anderson, Port of Seattle Police Department; Mike Patrick, WACOP; Tom McBride, Washington Association of Prosecuting Attorneys.