
Criminal Justice & Corrections Committee

HB 2511

Brief Description: Making any robbery within a financial institution a first degree robbery.

Sponsors: Representatives O'Brien, Ballasiotes, Schoesler, Kessler, Kirby, Santos, Benson, Edwards, Kenney, Chase, Lovick, Wood and Casada.

Brief Summary of Bill
<ul style="list-style-type: none">· Classifies robbery of a financial institution (with or without a deadly weapon) as first degree robbery, a class A felony.

Hearing Date: 1/29/02

Staff: Yvonne Walker (786-7841).

Background:

The state does not have a specific criminal statute relating to financial institution robberies with a "note-only." However, most cases of this nature, when charged in state court, are prosecuted as second-degree robbery, whereby an offender unlawfully takes property by use or threat of force or fear of injury. Robbery in the second degree is a seriousness level IV, class B felony. A person with no criminal history would receive a presumptive sentencing range of three to nine months in jail.

Robbery in the first degree is when someone unlawfully takes property by use or threat of force or fear of injury using a deadly weapon or bodily injury. First-degree robbery is a seriousness level IX, class A felony. A person with no criminal history would receive a presumptive range of 31 to 41 months in prison.

Most crimes involving financial institutions are federal crimes. Under the federal sentencing guidelines, a crime such as bank robbery would carry a maximum penalty of 20 years of incarceration or a fine ranging up to a maximum of \$60,000 (excluding any exceptional circumstances or criminal offense enhancements).

Summary of Bill:

Robbery of a financial institution (with or without a deadly weapon) is classified as robbery in the first degree, a seriousness level IX, class A felony. A person with no criminal history would receive a presumptive range of 31 to 41 months in prison.

Financial institution means any bank, branch of a bank, state bank, trust company, national banking association, stock savings bank, mutual savings bank, savings and loan association, or credit union, authorized by federal or state law to accept deposits in the state.

Appropriation: None.

Fiscal Note: Requested on January 28, 2002.

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