

SENATE BILL REPORT

2SHB 2511

As Reported By Senate Committee On:
Judiciary, February 28, 2002

Title: An act relating to robbery within a financial institution.

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

Sponsors: House Committee on Appropriations (originally sponsored by Representatives O'Brien, Ballasiotes, Schoesler, Kessler, Kirby, Santos, Benson, Edwards, Kenney, Chase, Lovick, Wood and Casada).

Brief History:

Committee Activity: Judiciary: 2/28/02 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Kastama, Vice Chair; Costa, Hargrove, Poulsen and Zarelli.

Staff: Aldo Melchiori (786-7439)

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 class B felony ranked at level IV on the sentencing grid (three to nine months for a first offense).

Robbery in the first degree is committed when someone unlawfully takes property by use or threat of force or fear of injury using a deadly weapon or inflicting bodily injury. First-degree robbery is a class A felony ranked at level IX on the sentencing grid (31 to 41 months for a first offense).

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. 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: Available.

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

Testimony For: There are over 300 bank robberies a year in Washington. Bank robbery has profound effects on bank employees, some of whom suffer the consequences for years.

Testimony Against: Bank tellers are no more traumatized than other victims of robbery. The current robbery crime structure is based upon the potential for harm and that makes sense. It does not make sense to make this special exception for bank robbery without a weapon.

Testified: PRO: Representative O'Brien; Denny Eliason, Washington Banker's Association.
CON: Jennifer Shaw, WDA/WACDL.