

# HOUSE BILL REPORT

## HB 1108

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### As Reported by House Committee On:

Criminal Justice & Corrections

**Title:** An act relating to establishing penalties for harming a police horse.

**Brief Description:** Establishing penalties for harming a police horse.

**Sponsors:** Representatives Chase, DeBolt, Lovick, Ahern, Moeller, Blake, McCoy, Eickmeyer, Sump, O'Brien, Mielke and Haigh.

### Brief History:

#### Committee Activity:

Criminal Justice & Corrections: 1/28/03, 2/7/03 [DP].

#### Brief Summary of Bill

- Establishes the crime of harming a police horse as an unranked class C felony.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 7 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Mielke, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kagi, Lovick and Pearson.

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

### Background:

Police horses are generally selected based on their friendliness and calmness to be able to stand firm through gunfire, riots, smoke, flares, parades, funerals, bottle rockets, squealing children, speeding traffic, and other obstacles. They are often used by law enforcement officers for crowd control, spotting impending crimes from far away distances, and for search and rescue missions. They are also found to patrol more effectively than officers on foot or motorized vehicles in certain situations.

Unlike dogs which are often used for law enforcement purposes, to help police investigate crimes and apprehend suspects, police horses are not protected by a criminal statute which prohibits the injuring or killing of a police or accelerant dog. A person is

guilty of harming a police or accelerant dog if the person maliciously injures, disables, shoots, or kills a dog that the person knows or has reason to know is a police or accelerant dog. The dog does not have to be engaged in police or accelerant detection work when the person injures or kills the dog. Harming a police dog is an unranked class C felony. The maximum sentence for unranked felonies is one year of confinement, along with possible community service, legal financial obligations, community supervision, and a fine.

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**Summary of Bill:**

Police horses used by law enforcement officers are protected by the criminal statute which prohibits the injuring or killing of police and accelerant dogs. If a person maliciously injures, disables, shoots, or kills a police horse when the person knows or has reason to know the horse is a police horse, the person is guilty of an unranked class C felony. The horse does not have to be engaged in police work when the person injures or kills the horse.

"Police horse" is defined as any horse used or kept for use by a law enforcement officer in discharging any legal duty or power of his or her office.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Police horses are important to law enforcement agencies for crowd control, search and rescue type missions, presidential and dignitary protection, and other kinds of operations around the state that are often not accessible by motorize vehicles. However, during their duties police horses have been injured by razor blades, rocks and bottles have been thrown at them, and even dogs owned by private owners have tried to bite them. The problem is that police horses are not covered by state statute.

There are currently three mounted police units in the state located in Seattle, Vancouver, and Snohomish county. More and more law enforcement agencies within Washington are adding mounted units as an important piece of their services that they offer. This law would provide Washington law enforcement agencies with a strong consistent tool that would allow for the protection of their police horses as well as the riders themselves. This bill will help to prosecute those individuals who intentionally try to harm a police horse by giving law enforcement agencies a consistent legal platform for dealing with crimes against police horses statewide.

**Testimony Against:** None.

**Testified:** Representative Chase, prime sponsor; Keith Hyde, City of Vancouver; and Kenneth Shefveland, Snohomish County Sheriff.