

SENATE BILL REPORT

SB 5149

As of January 31, 2013

Title: An act relating to crimes against pharmacies.

Brief Description: Concerning crimes against pharmacies.

Sponsors: Senators Carrell, Conway, Padden, Pearson, Braun, Dammeier and Parlette.

Brief History:

Committee Activity: Law & Justice: 1/30/13.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Aldo Melchiori (786-7439)

Background: Robbery is committed when a person unlawfully takes personal property from, or in the presence of, another person against that person's will by use or threatened use of immediate force, violence, or fear of injury to a person or property. A person is guilty of robbery in the first degree if:

- the person is armed with a deadly weapon, displays an apparent firearm or deadly weapon, or inflicts bodily injury during the robbery or immediate flight from the robbery; or
- the person commits robbery within and against a financial institution.

Robbery in the first degree is a class A felony, ranked at level of IX on the sentencing grid. The definition of most serious offense includes robbery in the first and second degree. A person who has been convicted of three most serious offenses is a persistent offender and may be sentenced to life in prison without the possibility of release.

A pharmacy is defined as every place licensed by the Board of Pharmacy where the practice of pharmacy is conducted, including dispensing drugs, monitoring drug therapy and use, and providing information on legend drugs.

Summary of Bill: A special allegation may be brought against a person who commits robbery in the first degree, if the person commits the robbery of a pharmacy. If the person is convicted and the allegation is proven beyond a reasonable doubt to the finder of fact, an additional 12 months must be added to the standard sentence range.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Pharmacies in the back of grocery stores are being targeted for robberies. This is a serious crime that endangers everybody in the store. This is a customer and pharmacist safety act. The crime rate for robbery is rising in Washington while other crime rates are decreasing. Only the area licensed as a pharmacy is covered. The level of intensity and aggressiveness during these crimes has increased. A bottle of 100 OxyContin pills is worth \$8,000.

Persons Testifying: Senator Carrell, prime sponsor; Tom McBride, WA Assn. of Prosecuting Attorneys; Dedi Hitchens, WA Pharmacy Assn.