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## Public Safety Committee

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### SB 5499

**Brief Description:** Allowing the filing of a special allegation of a nefarious drone enterprise.

**Sponsors:** Senators Roach, Hasegawa, Rivers, Rolfes, Warnick, Dandel, Padden, Angel and Chase.

#### Brief Summary of Bill

- Creates a 12-month sentencing enhancement that must be added to a sentence of a criminal defendant who was proven to have used an unmanned aerial vehicle to facilitate or commit any crime.

**Hearing Date:** 3/13/15

**Staff:** Cassie Jones (786-7303).

#### Background:

Under the Sentencing Reform Act, sentences for typical felony offenses are determined by reference to a sentencing grid. The sentencing grid provides a standard range of months for the sentence, based on both the severity, or "seriousness level," of the offense and the convicted person's "offender score," which is based on the offender's criminal history. A sentencing court must impose imprisonment in addition to the standard sentencing range if specific conditions for sentencing enhancements are met.

Sentencing enhancements may apply under the following circumstances: (1) the offender was armed with a firearm while committing certain felonies; (2) the offender was armed with a deadly weapon while committing certain felonies; (3) the offender committed certain felonies while incarcerated; (4) the offender committed certain drug offenses; (5) the offender committed vehicular homicide while under the influence of alcohol or drugs; or (6) the offender committed a felony crime that was committed with sexual motivation. Sentencing enhancements, other than those that rely upon the fact of a prior conviction, must be proven to a jury beyond a reasonable doubt.

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*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.*

**Summary of Bill:**

A prosecuting attorney may file a special allegation of nefarious drone enterprise in any criminal case where sufficient evidence exists that an unmanned aerial vehicle was used to facilitate or commit a crime. The state must prove the allegation beyond a reasonable doubt. If so proved, an additional 12 months must be added to the standard range sentence for the crime.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.