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## Public Safety Committee

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### SB 5927

**Brief Description:** Concerning the safety and security of retail cannabis outlets.

**Sponsors:** Senators Honeyford and Saldaña.

#### Brief Summary of Bill

- Establishes a special allegation and sentencing enhancement for Robbery in the first or second degree where the perpetrator commits a robbery of a licensed cannabis retail outlet as a premeditated act in concert with another individual or individuals.
- Requires a licensed cannabis retail outlet to report any attempt or incident of Robbery in the first or second degree at the retail outlet to the Washington State Liquor and Cannabis Board (LCB) within 10 days of the attempt or incident.
- Requires the LCB's chief enforcement officer to regularly consult with the Washington State Patrol to provide details of attempts or incidents of Robbery in the first or second degree of licensed cannabis retail outlets and to discuss any evidence that indicates a pattern of, or coordinated effort by, a criminal enterprise.

**Hearing Date:** 2/18/22

**Staff:** Corey Patton (786-7388).

#### **Background:**

##### Classification of Crimes.

Crimes are classified as misdemeanors, gross misdemeanors, or class A, B, or C felonies. While there are exceptions, the classification of a crime generally determines the maximum term of

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confinement and fine for an offense. For each classification, the maximum terms of confinement and maximum fines are as follows:

| Classification    | Maximum Confinement | Maximum Fine |
|-------------------|---------------------|--------------|
| Misdemeanor       | 90 days             | \$1,000      |
| Gross Misdemeanor | 364 days            | \$5,000      |
| Class C Felony    | 5 years             | \$10,000     |
| Class B Felony    | 10 years            | \$20,000     |
| Class A Felony    | Life                | \$50,000     |

For most felony offenses, the Sentencing Reform Act determines a specific sentence range within the statutory maximum according to a sentencing grid. The sentencing grid provides a standard sentence range based on both the severity, or "seriousness level," of the offense and the convicted person's "offender score," which is based on the person's criminal history. Additional sentencing policies, such as sentencing enhancements, may affect a person's standard sentence range. For example, in a criminal case where a person is convicted of Robbery in the first or second degree and there is a special allegation pleaded and proven beyond a reasonable doubt that the person committed a robbery of a pharmacy, the person's standard sentence range must be increased by 12 months.

Criminal Penalties Related to Robbery.

*Robbery in the First Degree.* A person is guilty of Robbery in the first degree if he or she:

- is armed with a deadly weapon during the commission of a robbery or immediate flight therefrom;
- displays what appears to be a firearm or other deadly weapon during the commission of a robbery or immediate flight therefrom;
- inflicts bodily injury during the commission of a robbery or immediate flight therefrom; or
- commits a robbery within and against a financial institution.

Robbery in the first degree is a class A felony.

*Robbery in the Second Degree.* A person is guilty of Robbery in the second degree if he or she commits a robbery in a manner that does not constitute Robbery in the first degree. Robbery in the second degree is a class B felony.

Cannabis Retail Outlets.

The Washington State Liquor and Cannabis Board (LCB) licenses and regulates state marijuana

producers, processors, and retailers. Retail outlets are locations licensed by the LCB for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

**Summary of Bill:**

A special allegation and sentencing enhancement are established for Robbery in the first or second degree where the perpetrator commits a robbery of a licensed cannabis retail outlet as a premeditated act in concert with another individual or individuals. The sentencing enhancement increases the standard sentence range for such crimes by 12 months.

Each licensed cannabis retail outlet is required to report any attempt or incident of Robbery in the first or second degree at the retail outlet to the Washington State Liquor and Cannabis Board (LCB) within 10 days of the attempt or incident. The LCB's chief enforcement officer is required to regularly consult with the Washington State Patrol to provide details of such attempts or incidents and to discuss any evidence that indicates a pattern of, or coordinated effort by, a criminal enterprise.

**Appropriation:** None.

**Fiscal Note:** Available.

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