

# SENATE BILL REPORT

## HB 1117

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As Reported By Senate Committee On:  
Human Services & Corrections, March 30, 1995

**Title:** An act relating to penal institutions.

**Brief Description:** Providing a deterrence for crimes committed at county or local penal institutions.

**Sponsors:** Representatives Lambert, Costa, Blanton, Silver, Ballasiotes, Backlund, Robertson, Boldt, Buck, Thompson, Hargrove and Huff.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 3/23/95, 3/30/95 [DPA].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Fairley, Kohl, Long, Palmer, Prentice, Schow and Strannigan.

**Staff:** Andrea McNamara (786-7483)

**Background:** A number of felony offenses apply only to offenders incarcerated in state penal institutions. For example, state inmates may be guilty of "prison riot," which is a class B felony, while people not in state institutions who commit generally the same actions, may be guilty of the crime of "riot," which may be either a gross misdemeanor or a class C felony.

Other crimes that apply only to offenders in state penal institutions include the following class B felonies: holding a hostage, preventing an officer from performing duties, and possessing any weapon. Possession of a controlled substance by an offender in a state prison is a class C felony.

**Summary of Amended Bill:** Felony crimes that apply to offenders confined in state penal institutions are extended to apply to inmates confined in local jails. These crimes include prison riot, holding a hostage, preventing an officer from performing duties, possessing a weapon, and possessing any controlled substance.

A distinction is made between state prisons and local jails for the purpose of what constitutes the crime of possession of a weapon and possession of a controlled substance.

A definition of correctional institution is added and technical changes are made to increase consistency in terminology.

**Amended Bill Compared to Original Bill:** The amendment adds the distinction between prisons and local jails for possession of a weapon and possession of a controlled substance. It also adds the definition of correctional institution and makes technical changes for consistency in language.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Possession of a weapon in a local jail is only an infraction, not a crime. King County has experienced an increase in the amount of contraband in its jail and an increasing number of assaults on correctional officers. Jail officers deserve the same protection as prison officers.

**Testimony Against:** None.

**Testified:** J. Pat Thompson, County & City Employees (pro); John King, Pierce County Sheriff's Office (pro); Nick Dausey, King County Jail (pro); Randy Parr, SEIU (pro).