

SENATE BILL REPORT

SB 5140

As Reported By Senate Committee On:
Law & Justice, February 1, 1995

Title: An act relating to drug-free zones in public places used primarily for recreation.

Brief Description: Authorizing municipalities to declare certain public places drug-free zones.

Sponsors: Senators Kohl, Smith, Winsley, Pelz, Roach, Prentice, Schow, Heavey, McAuliffe, C. Anderson, Fairley, Sheldon, Prince, West, Haugen, Bauer, Oke and Palmer.

Brief History:

Committee Activity: Law & Justice: 1/24/95, 2/1/95 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5140 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Hargrove, Haugen, Johnson, Long, McCaslin, Quigley, Roach and Schow.

Staff: Martin Lovinger (786-7443)

Background: Current law declares a number of locations to be drug-free zones. In these zones the penalties for drug-related crimes are doubled. The locations covered by this law are schools, school bus stops, public parks, and public transit vehicles and shelters.

A number of publicly-owned and publicly-operated places are used primarily for recreational, educational or cultural purposes. However, some of these facilities are neither schools nor public parks. As a result, they are not eligible for designation as drug-free zones.

Summary of Substitute Bill: Publicly-owned and publicly-operated civic centers designated by a local governing authority as drug-free zones are added as a new category to the current list of places where the penalties for drug-related crimes are doubled. Local governing authorities may also designate a 1,000 foot perimeter around such facilities as drug-free zones.

Civic centers are defined for this act as publicly-owned or publicly-operated places and facilities used primarily for recreational, educational or cultural purposes.

Substitute Bill Compared to Original Bill: The substitute measure establishes a new category of drug-free zones instead of revising the definition of public park.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Drug crimes are leading to the decay of neighborhoods as the quality of life worsens and the level of fear rises. The facilities covered by this bill deserve the same protection as public parks. Drug-free zones have been effective in reducing drug dealing near children. The Seattle Center, which would be eligible for drug-free zone status under this bill, attracts 8 million visitors each year. Large crowds attract drug dealers looking for customers.

Testimony Against: This bill represents a considerable increase in jail population. This bill could result in disparate treatment for criminals from local governments. Increased penalties will result in fewer guilty pleas and higher prosecution costs.

Testified: Senator Kohl, prime sponsor; Jody McDonald, community activist (pro); Dan Satterberg, King County Prosecutor's office (pro); Maury Bell, Seattle Police (pro); Clark Kimerer, Seattle Police (pro); Larry Taylor, Director of Operations, Seattle Center (pro); Kirk Robbins, Queen Anne Community Council (pro); Kym Allen, staff for Seattle City Councilmember Sue Donaldson (pro); Chris Bihary, President, Queen Anne Chamber of Commerce (pro); Rev. Doug Heck, Pastor, City Foursquare Church (pro); Tom Rolfs, Department of Corrections (con).