

6704-S

Sponsor(s): Senate Committee on Judiciary (originally sponsored by Senators Kline, Hargrove, Kastama, Winsley, Oke, Keiser and Johnson)

Brief Description: Increasing penalties for terrorist acts.

SB 6704-S.E - DIGEST

(AS OF SENATE 2ND READING 2/18/02)

Declares an intent to provide law enforcement and judicial agencies with the capacity to prevent and prosecute acts committed with terrorist intent.

Declares that the statutes creating crimes in this act are to be construed with lenity and in all respects to be done with deference to each person's state and federal constitutional guarantees.

Declares that a person is guilty of a hoax terrorist act if he or she knowingly and falsely: (1) Claims to have committed a felony with terrorist intent; or

(2) Makes any statement or takes any other action that causes or is intended to cause a reasonable belief that a felony with terrorist intent has been or will be committed.

Declares that a hoax terrorist act is a class A felony.

Declares that a person is guilty of aggravated murder in the first degree if he or she is a terrorist offender and shall be punished in accordance with the provisions of this chapter. For the purposes of this section, "terrorist offender" means an offender who commits a felony that results in the death of one or more persons and for which a special allegation of terrorist intent has been filed and proven beyond a reasonable doubt under this act.

Declares that a person is guilty of releasing radioactive material with terrorist intent if the person releases, broadcasts, or disseminates ionizing radiation with terrorist intent.

Declares that a person is guilty of possession of radioactive material with terrorist intent if the person knowingly possesses a source of ionizing radiation with terrorist intent.

Provides that releasing radioactive material with terrorist intent is a class A felony.

Provides that possession of radioactive material with terrorist intent is a class A felony.

Provides that, notwithstanding the provisions of RCW 9A.20.021, no person convicted of a classified felony with a finding of terrorist intent as provided under this act shall be punished by confinement or fine exceeding the following: (1) For a class B felony, by confinement in a state correctional institution for a term of life imprisonment, or by a fine in an amount fixed by the court of fifty thousand dollars, or by both such confinement and fine; or

(2) For a class C felony, by confinement in a state correctional institution for a term of ten years, or by a fine in an amount fixed by the court of ten thousand dollars, or by both such confinement and fine.

Applies to only those crimes committed on or after the effective date of this act.