

SENATE BILL REPORT

SB 6106

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, JANUARY 29, 1992

Brief Description: Regulating weapons in restricted areas.

SPONSORS: Senators Nelson and Rasmussen

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6106 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Hayner, M. Kreidler, Madsen, Newhouse, and Rasmussen.

Staff: Jon Carlson (786-7459)

Hearing Dates: January 27, 1992; January 29, 1992

BACKGROUND:

Current law prohibits the possession of a firearm in a courtroom or judge's chamber while either is being used for any judicial proceeding. Judges or court employees are not subject to this prohibition if they obtain written permission from the court administrator to possess the firearm before entering the restricted area.

The Seattle King-County Bar Association issued a Courthouse Security Task Force Report in 1991 which cited general concern with the increased number of security incidents and calls that are occurring throughout county courthouses in the state. In addition, some jurisdictions have areas in which opposing parties have to sit and wait together until their case is heard. This creates a potentially dangerous situation, and confrontations and fights have occurred in areas outside the courtroom. It is recommended that further restrictions be placed on the possession of firearms and other weapons within the courthouse setting.

SUMMARY:

The current prohibition against possessing a firearm in a courtroom or judge's chamber while either is being used for judicial proceedings is expanded to include weapons.

The weapons prohibition also includes the waiting area adjacent to a courtroom used by participants in court proceedings. The restricted areas do not include common areas of egress or ingress of the courthouse or any building used as a courthouse. The court administrator may use weapon detection devices in common areas adjacent to restricted areas.

Restricted areas must be designated and marked by the court administrator. A sign must also be posted at the entrance to a courthouse which explains the prohibition against weapons in restricted areas.

The weapons prohibition does not apply to judges, attorneys, or courthouse employees who have obtained written permission from the court administrator to possess a firearm. Any other person who lawfully possesses a firearm by virtue of a concealed pistol license must check the firearm with the court administrator before entering the restricted area.

A person who violates the prohibition against possession of a weapon in a restricted area is guilty of a class C felony.

EFFECT OF PROPOSED SUBSTITUTE:

Jury rooms are added to the list of areas where weapon possession is restricted. Language is deleted which requires forfeiture of a firearm for possession of the firearm in a restricted area.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

An increasing number of security incidents in courthouses has necessitated stricter regulation of firearms and other weapons.

TESTIMONY AGAINST: None

TESTIFIED: Ted Cowan, King County Outdoor Sports Council (pro); Howard Risdon, Washington Arms Collectors (pro); Ted Kolbaba, Superior Court Judges Association (pro); John Hosford, Citizens Committee for the Right to Keep and Bear Arms (pro); Bruce Turner, Washington Arms Collectors (pro); Dick Dorsett, Pierce County (pro); Al Woodbridge, Washington Rifle and Pistol Association