
HOUSE BILL 2103

State of Washington

53rd Legislature

1993 Regular Session

By Representative Chappell

Read first time 03/11/93. Referred to Committee on Judiciary.

1 AN ACT Relating to arrests by enforcement officers of the
2 Washington state liquor control board; and amending RCW 10.88.330.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 10.88.330 and 1979 ex.s. c 244 s 16 are each amended
5 to read as follows:

6 (1) The arrest of a person may be lawfully made also by any peace
7 officer or a private person, without a warrant upon reasonable
8 information that the accused stands charged in the courts of a state
9 with a crime punishable by death or imprisonment for a term exceeding
10 one year, but when so arrested the accused must be taken before a judge
11 or magistrate with all practicable speed and complaint must be made
12 against him under oath setting forth the ground for the arrest as in
13 RCW 10.88.320; and thereafter his answer shall be heard as if he had
14 been arrested on a warrant.

15 (2) An officer of the United States customs service or the
16 immigration and naturalization service may, without a warrant, arrest
17 a person if:

18 (a) The officer is on duty;

19 (b) One or more of the following situations exists:

1 (i) The person commits an assault or other crime involving physical
2 harm, defined and punishable under chapter 9A.36 RCW, against the
3 officer or against any other person in the presence of the officer;

4 (ii) The person commits an assault or related crime while armed,
5 defined and punishable under chapter 9.41 RCW, against the officer or
6 against any other person in the presence of the officer;

7 (iii) The officer has reasonable cause to believe that a crime as
8 defined in (b) (i) or (ii) of this subsection has been committed and
9 reasonable cause to believe that the person to be arrested has
10 committed it;

11 (iv) The officer has reasonable cause to believe that a felony has
12 been committed and reasonable cause to believe that the person to be
13 arrested has committed it; or

14 (v) The officer has received positive information by written,
15 telegraphic, teletypic, telephonic, radio, or other authoritative
16 source that a peace officer holds a warrant for the person's arrest;
17 and

18 (c) The regional commissioner of customs certifies to the state of
19 Washington that the customs officer has received proper training within
20 the agency to enable that officer to enforce or administer this
21 subsection.

22 (3) An enforcement officer of the Washington state liquor control
23 board may, without a warrant, arrest a person if:

24 (a) The officer is on duty;

25 (b) The officer has received positive information by written,
26 telegraphic, teletypic, telephonic, radio, or other authoritative
27 source that a peace officer holds a warrant for the person's arrest;
28 and

29 (c) The chief liquor enforcement officer certifies to the state
30 that the enforcement officer has received proper training within the
31 agency to enable that officer to enforce or administer this subsection.

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