

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5047**

Chapter 11, Laws of 2001

57th Legislature  
2001 Regular Session

CORRECTIONS--AUTHORITY OVER PERSONS AT CORRECTIONAL FACILITIES

EFFECTIVE DATE: 4/13/01

Passed by the Senate March 6, 2001  
YEAS 45 NAYS 1

ROSA FRANKLIN  
**President of the Senate**

Passed by the House April 4, 2001  
YEAS 91 NAYS 0

FRANK CHOPP  
**Speaker of the  
House of Representatives**

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Approved April 13, 2001

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5047** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK  
**Secretary**

FILED

April 13, 2001 - 10:07 a.m.

**Secretary of State  
State of Washington**

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**SENATE BILL 5047**

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Passed Legislature - 2001 Regular Session

**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senators Long, Costa, Hargrove and Carlson; by request of Department of Corrections

Read first time 01/09/2001. Referred to Committee on Human Services & Corrections.

1       AN ACT Relating to the authority of the department of corrections  
2 to detain, search, or remove persons who enter correctional facilities  
3 or institutional grounds; adding a new section to chapter 72.09 RCW;  
4 and declaring an emergency.

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

6       NEW SECTION.   **Sec. 1.** A new section is added to chapter 72.09 RCW  
7 to read as follows:

8       (1) An employee of the department who is a limited authority  
9 Washington peace officer under RCW 10.93.020 may use reasonable force  
10 to detain, search, or remove persons who enter or remain without  
11 permission within a correctional facility or institutional grounds or  
12 whenever, upon probable cause, it appears to such employee that a  
13 person has committed or is attempting to commit a crime, or possesses  
14 contraband within a correctional facility or institutional grounds.  
15 Should any person be detained, the department shall immediately notify  
16 a local law enforcement agency having jurisdiction over the  
17 correctional facility or institutional grounds of the detainment. The  
18 department is authorized to detain the person for a reasonable time to  
19 search the person and confiscate any contraband, and until custody of

1 the person and any illegal contraband can be transferred to a law  
2 enforcement officer when appropriate. An employee of the department  
3 who is a limited authority Washington peace officer under RCW 10.93.020  
4 may use that force necessary in the protection of persons and  
5 properties located within the confines of the correctional facility or  
6 institutional grounds.

7 (2) The rights granted in subsection (1) of this section are in  
8 addition to any others that may exist by law including, but not limited  
9 to, the rights granted in RCW 9A.16.020.

10 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and takes effect  
13 immediately.

Passed the Senate March 6, 2001.

Passed the House April 4, 2001.

Approved by the Governor April 13, 2001.

Filed in Office of Secretary of State April 13, 2001.