

FINAL BILL REPORT

SSB 5242

C 361 L 05

Synopsis as Enacted

Brief Description: Changing penalties for possession of weapons by inmates.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Doumit, Brandland, Hargrove, Pridemore, Kohl-Welles and Rasmussen).

Senate Committee on Human Services & Corrections
House Committee on Criminal Justice & Corrections

Background: The sentencing reform act defines a deadly weapon to mean "an implement or instrument which has the capacity to inflict death and from the manner in which it is used, is likely to produce or may easily and readily produce death. The following instruments are included in the term deadly weapon: Blackjack, sling shot, billy, sand club, sandbag, metal knuckles, any dirk, dagger, pistol, revolver, or any other firearm, any knife having a blade longer than three inches, any razor with an unguarded blade, any metal pipe or bar used or intended to be used as a club, any explosive, and any weapon containing poisonous or injurious gas." Persons in prisons and jails create weapons out of materials at hand and many of these weapons do not come within the list of deadly weapons in the definition.

The existing statute that prohibits inmates from possessing weapons contains differing prohibitions for prison and jail inmates. Jail inmates may not possess any deadly weapon. Prison inmates may not possess any weapon, firearm, or any instrument that, if used, could produce serious bodily injury. The prison language is a much broader prohibition. Prison inmates who violate the provision are guilty of a class B felony.

Summary: Jail inmates may not possess any weapon, firearm, or any instrument that, if used, could produce serious bodily injury. Jail inmates who violate this provision are guilty of a class C felony.

Votes on Final Passage:

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| Senate | 47 | 0 |
| House | 95 | 0 |

Effective: July 24, 2005