

SENATE BILL REPORT

SSB 5323

As Passed Senate, February 12, 2025

Title: An act relating to the penalties for theft and possession of stolen property from first responders.

Brief Description: Concerning the penalties for theft and possession of stolen property from first responders.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Warnick, Lovick, Fortunato, Holy, Boehnke, Wilson, J., Schoesler, Muzzall, Dozier, Christian, Torres, Wagoner, Goehner, King, Braun, Chapman and Hasegawa).

Brief History:

Committee Activity: Law & Justice: 1/28/25, 1/30/25 [DPS].

Floor Activity: Passed Senate: 2/12/25, 47-2.

Brief Summary of First Substitute Bill

- Makes stealing or possessing stolen property that is used in firefighting or emergency medical service a first-degree felony when stolen from a fire station or emergency medical service building or vehicle.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5323 be substituted therefor, and the substitute bill do pass.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Holy, Ranking Member; Fortunato, Lovick, Salomon, Torres and Wagoner.

Staff: Patrick Moore (786-7535)

Background: Theft and possession of stolen property are both crimes with three degrees of

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severity based on the underlying conduct. First-degree theft and first-degree possession of stolen property are the most severe of the three categories, constituting class B felonies which are punishable by up to ten years in a state prison, or a fine up to \$20,000, or both.

Summary of First Substitute Bill: The crimes of first-degree theft and first-degree possession of stolen property are expanded to include stealing or possessing stolen property that is used by firefighters or emergency medical service providers in the course of their duties when that property is stolen from a fire station or emergency medical service facility or vehicle.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Firefighters have had their fire engines fail to start because parts were stolen from them. There have been instances of people using Jaws of Life to break into ATMs. Raising the penalty might make people think twice about stealing from fire stations and emergency medical services.

CON: Criminal defense attorneys do not support this bill. There are dollar values for degrees of theft. Under this bill, stealing Band-Aids, gloves, and tongue depressors would be first degree theft which is a felony. Items like Jaws of Life already cost thousands of dollars and would be punishable as first degree theft without this bill. There should be a minimum required value in this bill if it passes so that theft of Band-Aids is not a felony.

Persons Testifying: PRO: Senator Judy Warnick, Prime Sponsor.

CON: Ramona Brandes, Washington Defender Association/Washington Association of Criminal Defense Lawyers.

Persons Signed In To Testify But Not Testifying: No one.