
SENATE BILL 5271

State of Washington

54th Legislature

1995 Regular Session

By Senator Drew

Read first time 01/18/95. Referred to Committee on Natural Resources.

1 AN ACT Relating to arrests by United States forest service and park
2 service special agents without warrant; 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, United States forest service,
17 or national park service may, without a warrant, arrest 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~~) special agent in
19 charge of each federal agency certifies to the state of Washington that
20 the (~~customs~~) officer has received proper training within the agency
21 to enable that officer to enforce or administer this subsection.

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