

SENATE BILL REPORT

SSB 5002

As Reported By Senate Committee On:
Law & Justice, January 17, 1996

Title: An act relating to assault.

Brief Description: Making the assault of a nurse a felony.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Smith, Haugen, Winsley, McCaslin, Wojahn, C. Anderson, Rasmussen, Moyer, Prentice, Rinehart, Long, Quigley, McAuliffe and Kohl).

Brief History:

Committee Activity: Law & Justice: 1/19/95, 2/1/95 [DPS]; 1/9/96, 1/17/96 [DP2S].
Passed Senate, 2/22/95, 45-2.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Second Substitute Senate Bill No. 5002 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Johnson, Long, McCaslin, Roach and Schow.

Staff: Dick Armstrong (786-7460)

Background: Current law recognizes that some people need greater protection from violence because of their occupation. These include certain types of public-oriented officials, law enforcement officers or employees, fire department employees, or transit operators.

If a person commits what normally constitutes a fourth-degree assault (gross misdemeanor) against these individuals while they are performing their official duties, the crime charged is a third-degree assault (class C felony).

Nurses and other health care workers contend that they are particularly vulnerable to assaults by others while performing their official duties. It is suggested that such health care workers be given added protection under the law to deter assaultive behavior.

Summary of Second Substitute Bill: It is a class C felony, rather than a gross misdemeanor, to commit a simple assault on the following persons while they are performing their official duties: a nurse; a health care provider who works for a hospital; an emergency medical technician or paramedic; and a fire investigator or fire inspector.

Comparison of Second Substitute Bill to Substitute Bill: The substitute bill did not contain provisions relating to emergency medical technicians, paramedics, fire investigators or fire inspectors.

Appropriation: None.

Fiscal Note: Requested on January 12, 1995.

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

Testimony For: Nurses and health care professionals are often intentionally assaulted in the course of their duties. This bill is needed to increase awareness of the problem and to assure health care professionals the protections of the law. Increased penalties are also needed to help deter people from thinking they can assault a health care professional because nothing will happen to them as a result. Paramedics should be covered by this bill because some of their duties are the same as fire fighters.

Testimony Against: None.

Testified: Ann Simons, UFCW/USNU; Ellie Menzies, District 1199NW/SEIU; Jim Rudd, Firefighters.