

# SENATE BILL REPORT

## SB 6554

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As of January 26, 2016

**Title:** An act relating to providing an aggravating circumstance for assault against a utility worker.

**Brief Description:** Providing an aggravating circumstance for assault against a utility worker.

**Sponsors:** Senators Benton, Pedersen, Padden, Darneille and Miloscia.

**Brief History:**

**Committee Activity:** Law & Justice: 1/26/2016.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** In 1981, the Washington State Legislature enacted the Sentencing Reform Act (SRA), establishing the Sentencing Guidelines Commission and directing the Commission to recommend a determinate sentencing system for adult felonies. The sentencing guidelines system ensures that offenders who commit similar crimes and have similar criminal histories receive equivalent sentences. Sentences are determined by the seriousness of the offense and by the criminal record of the offender. A sentencing grid is used to identify a sentencing range for each felony. In specific circumstances, a judge may impose a sentence outside the standard sentencing range for conviction of the crime by considering statutory, mitigating, or aggravating factors.

**Summary of Bill:** A court may consider a sentence outside the standard sentencing range for assault as an aggravating factor when the victim is a public or private utility worker performing official duties. Official duties include maintenance work on utility poles, utility meters, or other utility infrastructure.

**Appropriation:** None.

**Fiscal Note:** Requested on January 15, 2016.

**Committee/Commission/Task Force Created:** No.

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

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff Summary of Public Testimony:** PRO: Working on utilities, including high voltage electrical lines, is already dangerous. In recent years, there have been increasing incidents of threatening behavior and assaults against utility workers. Other jurisdictions in the Southeast and Northeast have similar laws. As examples of the behavior experienced, utility workers have been robbed at gunpoint, attacked by dogs, and shot while working on the utility pole. Utility workers run into members of society who are very stressed and behave poorly. For example, utility office workers have been threatened with guns and drivers try to run over flaggers. This bill will protect any employee of a private or public utility who is assaulted while performing official duties.

**Persons Testifying:** PRO: Bob Guenther, IBEW 77, John Cunningham, IBEW 77, Shaunie Wheeler, IBEW 77.

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