

HOUSE BILL REPORT

HB 1826

As Reported by House Committee On:
Public Safety

Title: An act relating to creating the crime of interfering with a firefighter or emergency medical services provider.

Brief Description: Creating the crime of interfering with a firefighter or emergency medical services provider.

Sponsors: Representatives Young and Graham.

Brief History:

Committee Activity:

Public Safety: 1/21/22, 1/27/22 [DPS].

Brief Summary of Substitute Bill

- Creates a gross misdemeanor that applies when a person, knowing that another person is a firefighter or emergency medical services provider, intentionally prevents or attempts to prevent that firefighter or emergency medical services provider from performing his or her official duties.

HOUSE COMMITTEE ON PUBLIC SAFETY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Goodman, Chair; Johnson, J., Vice Chair; Mosbrucker, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Davis, Graham, Griffey, Hackney, Orwall, Ramos, Simmons, Thai and Young.

Staff: Omeara Harrington (786-7136).

Background:

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

Various crimes may apply when a person's conduct interrupts government operations or creates a danger or disturbance to the public. For example, a person is guilty of Obstructing a Law Enforcement Officer, a gross misdemeanor, if the person willfully hinders, delays, or obstructs any law enforcement officer in the discharge of his or her official powers or duties. Among other means, a person commits Malicious Mischief in the first or second degree, a class B or C felony, respectively, if he or she causes or risks an interruption or impairment of service to the public by damaging or tampering with an emergency vehicle. It is also misdemeanor to refuse to comply with any lawful order or direction of a flagger, police officer, or firefighter who is regulating traffic.

Additionally, there are laws requiring drivers to yield to emergency vehicles, and prohibiting following within 500 feet of a firetruck or driving over an unprotected firehose.

Summary of Substitute Bill:

The gross misdemeanor crime of Interfering with a Firefighter or Emergency Medical Services Provider is created. A person commits the crime if he or she, with knowledge that another person is a firefighter or emergency medical services provider, intentionally prevents or attempts to prevent that firefighter or emergency medical services provider from performing his or her official duties.

Emergency medical services providers include emergency medical technicians, first responders, and physician's trained advanced emergency medical technicians and paramedics. A firefighter is any paid or volunteer firefighter or other employee of a fire department, county fire marshal's office, county fire prevention bureau, or fire protection district.

Substitute Bill Compared to Original Bill:

Physician's trained advanced emergency medical technicians and paramedics are included in the definition of "emergency medical services provider."

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is based on an Oregon law, and it is surprising that it does not already exist in Washington. Firefighters do not have the authority to enforce laws or detain people. People sometimes try to interfere with firefighters, which delays their response to emergency situations. Incidents have involved illegal burning, alcohol and crowds, and assault of firefighters. Emergency medical workers frequently deal with highly emotional situations and have also faced interference. Often situations fall into a gray area where there are no criminal laws being broken. For example, firefighters have had to respond to situations where there are mobs of people on the beach starting pallet fires. While there may not be any criminal law violation, it creates a hazardous situation that can lead to burns and smoky conditions for neighbors. With the recent restrictions on law enforcement, officers are reluctant to engage, not knowing if they have the authority to do so. It can be hard to perform this work without the assistance of law enforcement. This change will give law enforcement the needed authority to intervene and assist in clearing the way for firefighters and emergency medical providers who are trying to do their jobs.

(Opposed) None.

Persons Testifying: Representative Jesse Young, prime sponsor; John Cizin; Daniel Olson; Dennis Doan, Gig Harbor Fire and Medic One; and Mike Battis, Washington Ambulance Association.

Persons Signed In To Testify But Not Testifying: None.