

# SENATE BILL REPORT

## SB 5839

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As of January 27, 2022

**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:** Senators Padden, Van De Wege, Wagoner and Wilson, L..

**Brief History:**

**Committee Activity:** Law & Justice: 1/31/22.

**Brief Summary of Bill**

- Creates a gross misdemeanor crime of interfering with a firefighter or emergency medical services provider.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Joe McKittrick (786-7287)

**Background:** Washington State has enacted various laws aimed at providing a safe and efficient working environment for law enforcement officers and first responders. For instance, a person is guilty of disorderly conduct, a misdemeanor punishable by up to 90 days in jail, a \$1,000 fine, or both, if the person intentionally obstructs vehicular or pedestrian traffic without lawful authority. A person is guilty of the misdemeanor crime of failure to obey if the person willfully fails to stop when requested or signaled to do so by a person reasonably identified as a law enforcement officer. A person is guilty of the misdemeanor crime of failure to disperse if the person is with a group of three or more and the conduct within that group creates a substantial risk of causing injury to any person or harm to property and the person fails to disperse when ordered to by a peace officer or other public servant.

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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 part of the legislation nor does it constitute a statement of legislative intent.*

A person is guilty of obstructing a law enforcement officer, a gross misdemeanor punishable by up to 365 days in jail, a \$5,000 fine, or both, if the person willfully, hinders, delays, or obstructs any law enforcement officer in the discharge of the officer's official powers or duties.

A person is guilty of the class C felony of malicious mischief in the second degree, punishable by up to five years in prison, a \$20,000 fine, or both, if the person creates a substantial risk of interruption or impairment of services rendered to the public by physically damaging or tampering with an emergency vehicle or property of the state. If the person causes an interruption or impairment of services by physically damaging or tampering with an emergency vehicle, this crime is elevated to malicious mischief in the first degree punishable by up to ten years in prison, a \$20,000 fine, or both.

**Summary of Bill:** The gross misdemeanor crime of interfering with a firefighter or emergency medical service provider is created. A person commits this crime if the individual, with knowledge that another person is a firefighter or emergency medical service provider, intentionally prevents or attempts to prevent that firefighter or emergency medical service provider from performing that person's official duties.

The definition of emergency medical service provider includes a paid or volunteer firefighter or other employee of a fire department, county fire marshal's office, county fire prevention bureau, or fire protection district.

**Appropriation:** None.

**Fiscal Note:** Requested on January 24, 2022.

**Creates Committee/Commission/Task Force that includes Legislative members:** Yes.

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