
SENATE BILL 6011

State of Washington

63rd Legislature

2014 Regular Session

By Senators Padden, Pearson, Hewitt, Brown, and O'Ban

Read first time 01/13/14. Referred to Committee on Law & Justice.

1 AN ACT Relating to random assaults; amending RCW 9A.36.031;
2 creating a new section; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that a disturbing
5 national trend has emerged that is commonly referred to in media
6 reports as the "knockout game." Although the precise circumstances of
7 the particular versions and motivations of the game may vary, generally
8 speaking, the knockout game is played by a group of persons who walk
9 behind or by a random person on the street and one of the group strikes
10 the person in the head with force sufficient to cause the person to
11 lose consciousness with one hit. These crimes may be difficult to
12 prosecute under current law because of the random and anonymous nature
13 of the attacks and the fact that they are instigated by groups which
14 make identification of the actual assailant difficult. Dozens of these
15 heinous attacks have been carried out nationwide in recent months,
16 including in our own state.

17 **Sec. 2.** RCW 9A.36.031 and 2013 c 256 s 1 are each amended to read
18 as follows:

1 (1) A person is guilty of assault in the third degree if he or she,
2 under circumstances not amounting to assault in the first or second
3 degree:

4 (a) With intent to prevent or resist the execution of any lawful
5 process or mandate of any court officer or the lawful apprehension or
6 detention of himself, herself, or another person, assaults another; or

7 (b) Assaults a person employed as a transit operator or driver, the
8 immediate supervisor of a transit operator or driver, a mechanic, or a
9 security officer, by a public or private transit company or a
10 contracted transit service provider, while that person is performing
11 his or her official duties at the time of the assault; or

12 (c) Assaults a school bus driver, the immediate supervisor of a
13 driver, a mechanic, or a security officer, employed by a school
14 district transportation service or a private company under contract for
15 transportation services with a school district, while the person is
16 performing his or her official duties at the time of the assault; or

17 (d) With criminal negligence, causes bodily harm to another person
18 by means of a weapon or other instrument or thing likely to produce
19 bodily harm; or

20 (e) Assaults a firefighter or other employee of a fire department,
21 county fire marshal's office, county fire prevention bureau, or fire
22 protection district who was performing his or her official duties at
23 the time of the assault; or

24 (f) With criminal negligence, causes bodily harm accompanied by
25 substantial pain that extends for a period sufficient to cause
26 considerable suffering; or

27 (g) Assaults a law enforcement officer or other employee of a law
28 enforcement agency who was performing his or her official duties at the
29 time of the assault; or

30 (h) Assaults a peace officer with a projectile stun gun; or

31 (i) Assaults a nurse, physician, or health care provider who was
32 performing his or her nursing or health care duties at the time of the
33 assault. For purposes of this subsection: "Nurse" means a person
34 licensed under chapter 18.79 RCW; "physician" means a person licensed
35 under chapter 18.57 or 18.71 RCW; and "health care provider" means a
36 person certified under chapter 18.71 or 18.73 RCW who performs
37 emergency medical services or a person regulated under Title 18 RCW and

1 employed by, or contracting with, a hospital licensed under chapter
2 70.41 RCW; or

3 (j) Assaults a judicial officer, court-related employee, county
4 clerk, or county clerk's employee, while that person is performing his
5 or her official duties at the time of the assault or as a result of
6 that person's employment within the judicial system. For purposes of
7 this subsection, "court-related employee" includes bailiffs, court
8 reporters, judicial assistants, court managers, court managers'
9 employees, and any other employee, regardless of title, who is engaged
10 in equivalent functions; or

11 (k) Assaults a person located in a courtroom, jury room, judge's
12 chamber, or any waiting area or corridor immediately adjacent to a
13 courtroom, jury room, or judge's chamber. This section shall apply
14 only: (i) During the times when a courtroom, jury room, or judge's
15 chamber is being used for judicial purposes during court proceedings;
16 and (ii) if signage was posted in compliance with RCW 2.28.200 at the
17 time of the assault; or

18 (1) Assaults a person randomly without any prior physical or verbal
19 contact in a public place.

20 (2) Assault in the third degree is a class C felony.

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