

SENATE BILL REPORT

SSB 5199

AS PASSED SENATE, MARCH 12, 1991

Brief Description: Making assaults on staff at state hospitals for the mentally ill a class C felony.

SPONSORS: Senate Committee on Law & Justice (originally sponsored by Senators West, Roach, Johnson and Madsen).

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5199 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Erwin, Hayner, L. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Jon Carlson (786-7459)

Hearing Dates: February 20, 1991; February 22, 1991

BACKGROUND:

Custodial assault is a category of assault which is determined by the identity of the victim. Custodial assault is an assault, other than in the first or second degree, on staff or various personnel who are performing official duties at juvenile corrections institutions or adult corrections facilities. An assault upon a community correction officer performing official duties is also a custodial assault. Custodial assault is a class C felony.

SUMMARY:

The custodial assault statute is amended to include assaults on staff, educational personnel, personal service providers, or vendors when they are performing official duties at any state hospital for the mentally ill.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The incidents of assaults on staff at hospitals for the mentally ill are increasing. Staff and other personnel performing official duties should be placed in the same protected category as adult and juvenile corrections officers.

TESTIMONY AGAINST:

The problem lies more in the lack of proper staff training, and the inappropriate administration of medicine.

TESTIFIED: Senator West, sponsor; Sharon Stewart-Johnson, DSHS, Division of Mental Health; Joseph Polikat, registered nurse (pro); Patricia DeBoer, WA State Assoc. for the Mentally Ill (con)