

SENATE BILL REPORT

SB 5053

As Passed Senate, January 14, 2000

Title: An act relating to assaults against children.

Brief Description: Including parents under the age of eighteen in the crime of assault against a child.

Sponsors: Senators Fairley, Goings, Oke and Costa.

Brief History:

Committee Activity: Judiciary: 1/27/99, 2/3/99 [DP].
Passed Senate, 2/12/99, 47-0; 1/14/00, 45-0.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Hargrove, Johnson, Long, McCaslin and Roach.

Staff: Aldo Melchiori (786-7439)

Background: Under current law, persons under the age of 18 cannot be charged with the crime of assault of a child. It has been suggested that the present law was drafted so as to avoid including school yard fights.

Presently, a minor parent of a child who assaults a child may be charged with assault in the first, second, third or fourth degree.

Summary of Bill: Persons under the age of 18 are included in the crime of assault on a child, if the person committing the assault is the parent of the child. This applies to assault of a child in the first, second and third degree. The varying degrees are class A, B and C felonies respectively and are ranked on the juvenile sentencing grid consistent with the same degree of assault.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: If you assault your child, you should be charged with the same crime regardless of your age. This is simply a matter of fairness. The charge should not be determined by age of the perpetrator.

Testimony Against: None.

Testified: PRO: Senator Fairley, prime sponsor.