
Public Safety Committee

SB 6022

Brief Description: Protecting state hospital workers.

Sponsors: Senators O'Ban, Keiser and Conway.

Brief Summary of Bill
<ul style="list-style-type: none">Makes assault of an employee of a state hospital an Assault in the third degree offense.

Hearing Date: 2/21/14

Staff: Jenna Zwang (786-7290) and Yvonne Walker (786-7841).

Background:

Assault.

Assault is the threat or use of force on another that causes that person to have a reasonable apprehension of imminent harm or offensive contact.

In Washington, the crime is divided into four degrees depending on the manner in which it is committed or the amount of harm caused to the victim. An assault that would normally be Assault in the fourth degree (a gross misdemeanor), may be elevated to Assault in the third degree (a class C felony) if the assault:

- was intended to prevent or resist the execution of any lawful process or mandate of any court officer;
- with criminal negligence causes bodily harm: (a) to another person by means of an instrument or weapon likely to produce bodily harm; or (b) accompanied by substantial pain that extends for a period sufficient to cause considerable suffering;
- occurs against a certain class of persons during the course of their official duties, such as transit operators, school bus drivers, law enforcement officers, health care providers, and court-related employees; or

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- the assault occurs in a courtroom or area immediately adjacent to a courtroom while it is being used for judicial purposes.

An offender convicted of Assault in the third degree, a class C felony offense, would receive a maximum sentence of five years in prison, a maximum fine of \$10,000, or both imprisonment and a fine. The maximum punishment for Assault in the fourth degree, a gross misdemeanor offense, is one year in jail and a \$5,000 fine.

Hospitals.

Hospital means any institution, place, building, or agency which provides accommodations for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from any condition for which medical services would be appropriate care or diagnosis. The definition of hospitals explicitly excludes psychiatric hospitals or institutions specifically intended for use in the diagnosis and care of those suffering from mental illness, intellectual disability, convulsive disorders, or other abnormal mental conditions.

State hospital means any hospital, including a child study and treatment center, operated and maintained by the State of Washington for the care of the mentally ill.

The State of Washington currently operates three state hospitals for the care of adults and children with mental illness. These include the Western State Hospital in Lakewood, the Child Study and Treatment Center in Lakewood, and Eastern State Hospital in Medical Lake.

Summary of Bill:

An assault that would normally be Assault in the fourth degree is elevated to Assault in the third degree (a class C felony) if the assault occurs against an employee, contractor, intern, or volunteer of a state hospital who is engaged in official duties at the time of the assault.

Appropriation: None.

Fiscal Note: Available.

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