

# SENATE BILL REPORT

## SB 5072

---

---

As Reported by Senate Committee On:  
Law & Justice, February 5, 2015

**Title:** An act relating to the crime of failing to summon assistance.

**Brief Description:** Modifying the crime of failing to summon assistance.

**Sponsors:** Senator Honeyford.

**Brief History:**

**Committee Activity:** Law & Justice: 1/26/15, 2/05/15 [DPS].

---

### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 5072 be substituted therefor, and the substitute bill do pass.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille, Kohl-Welles and Pearson.

**Staff:** Aldo Melchiori (786-7439)

**Background:** A person is guilty of the crime of failing to summon assistance if that person fails to summon assistance and (1) was present when a crime was committed against another person; (2) knew the other person suffered substantial bodily harm as a result of a crime committed against that person and that person is in need of assistance; and (3) could reasonably summon assistance for the person in need without danger to himself or herself and without interference with an important duty owed to a third party. This is a misdemeanor. If a third person is or has already summoned assistance for the person in need, there is no further duty to summon.

**Summary of Bill (Recommended Substitute):** A person is guilty of failing to summon assistance if the person fails to summon assistance when the person was present at the time a crime was committed against another person or the other person was injured. The injury does not need to result from a crime committed against the other person. It is clarified that the crime remains a misdemeanor.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**EFFECT OF CHANGES MADE BY LAW & JUSTICE COMMITTEE (Recommended Substitute):** To be held liable for the offense, the person must be present at the time the crime was committed against the other person or the other person was injured.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Original Bill:** PRO: People should be required to report to law enforcement when they see another person injured. Our only child drowned in a canal and was not found for 16 days. Friends were present when this happened and they could have reported that our son fell in the canal. Instead, they went home. They could easily have called without any risk to themselves.

**Persons Testifying:** PRO: Senator Honeyford, prime sponsor; Brenda Shreusberry, citizen.