

2013 SESSION: AG Request Legislation

COURTHOUSE PROTECTION BILL

BACKGROUND

In 2011, the Legislature passed HB 1794 (companion measure SB 5046), increasing the penalty for assaulting a court employee or judicial officer in the course of performing their duties from a misdemeanor to a felony. Both chambers of the Legislature passed the bill unanimously and the Governor signed it into law.



Office of the
Attorney General

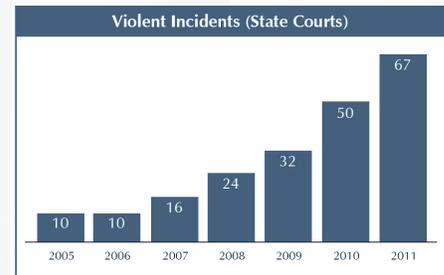
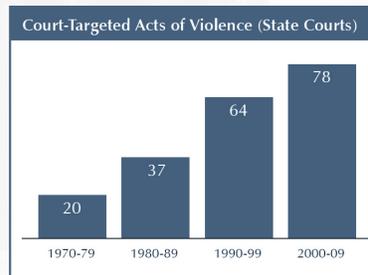
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THE PROBLEM

As the [National Center for State Courts](#) reports, “We live in a time when ...acts of violence in courthouses and courtrooms are occurring throughout the country with greater frequency than ever before... Every working day courthouses are visited by a large number of citizens, many of whom may be disgruntled and angry to the point of becoming lawbreakers.”

In a 2012 article titled “[Courthouse Security Incidents Trending Upward: The Challenges Facing State Courts Today](#),” the Center cited research by the Center for Judicial and Executive Security (CJES) that found acts of courtroom violence have been on the rise, increasing from 20 in the 1970s to 78 from 2000 to 2009. The article includes updated information from the 2011 CJES report “[Disorder in the Courts](#),” chronicling 50 incidences of violence nationally in 2010 and 67 more in 2011—for a combined two-year total higher than any previous decade.



On January 29, 2001, a defendant attacked and choked his ex-wife while she was on the stand testifying in a King County Courtroom. A detective had to tackle the defendant to protect the witness from additional injury. The event was captured on television.¹

In a tragic incident on March 9, 2012, a man entered the Grays Harbor County Courthouse in Montesano, where he stabbed a Superior Court Judge and stabbed and shot a sheriff’s deputy.²

On Jan. 17, 2013, a man assaulted a plainclothes detective in a Kent Courthouse after the detective asked him to stop intimidating witnesses. The assailant claimed he did not know he was assaulting a detective, but thought it was just “some guy in a suit.”³

LEGISLATION

Attorney General Bob Ferguson believes all citizens should have equal protections as they access our courts—victims and defendants, witnesses and jurors alike. Our bill:

- Increases the penalty for misdemeanor assault in and around a courthouse to a felony – regardless of the victim.
- It makes a committing a felony in and around a courthouse – regardless of the victim – an aggravating factor for a judge to consider during sentencing.

The bill applies to any areas in any building used in connection with court proceedings, including courtrooms, jury rooms, judge’s chambers, offices and areas used to conduct court business, waiting areas, corridors adjacent to those areas and common areas of entry to the building used in connection with court proceedings.

1) Witness stand. <http://community.seattletimes.nwsources.com/archive/?date=20010130&slug=dige30m>

2) Grays Harbor. http://seattletimes.com/html/localnews/2017710502_graysharbor10m.html

3) Kent. <http://www.thenewstribune.com/2013/01/17/2438592/man-held-after-court-house-assault.html>