

OFFICE OF OPERATIONS

NOTICE
11.2

November 20, 2024

TO: All Office of Operations Personnel

FROM: Acting Director, Office of Operations

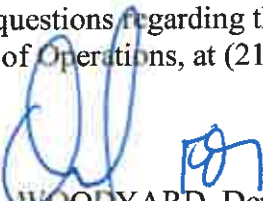
SUBJECT: ASSEMBLY BILL 977 – EMERGENCY DEPARTMENTS: ASSAULT AND BATTERY

Effective January 1, 2025, Assembly Bill (AB) 977 will impose a higher penalty for assault or battery against physicians, nurses, or other healthcare workers in a hospital emergency department, though it will still be considered a misdemeanor. Penalties may include imprisonment in a county jail for up to one year, a fine of up to \$2,000, or both.

The purpose of this Notice is to update the procedures related to Sections 241: Assault and 243: Battery of the California Penal Code (PC). Due to this change, any charge filed in relation to hospital emergency personnel will need to be supported by an investigative report that includes specific facts for each element of the offense. As with all crimes, the report must articulate the elements of the crime. If the investigation concerns a person who knowingly commits an assault or battery on a person working in an emergency department of a hospital, the report should clearly indicate the victim's status and role within that department. Such roles would include a physician, nurse, or healthcare worker. Under this Bill, a healthcare worker is defined as an individual who, within the scope of their employment, carries out tasks directly related to the care and treatment provided by the hospital's emergency department. Reports should include:

- Any signage that indicates that the location of the assault or battery is an emergency department;
- A description of the victim's attire (e.g., laboratory coat or medical scrubs);
- Spontaneous statements made by the suspect that would indicate their knowledge of the victim working as a physician, nurse, or healthcare worker; and,
- Any other information officers deem as identifying factors of the victim's employment.

If you have questions regarding this matter, please contact the Evaluation and Administration Unit, Office of Operations, at (213) 486-6050.


GERALD A. WOODYARD, Deputy Chief
Acting Director, Office of Operations

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