

# Initiative Measure No. 743

filed May 12, 2015

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BILL REQUEST - CODE REVISER'S OFFICE

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BILL REQ. #: I-3002.1/15

ATTY/TYPIST: AI:eab

BRIEF DESCRIPTION:

# Initiative Measure No. 743

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AN ACT Relating to slapping the face; adding a new section to chapter 9A.36 RCW; and creating a new section.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** (1) The people of the state of Washington find that slapping the face may be a useful mode of communication in response to some cases of uninvited touching.

(2) Some persons are reluctant to bring a matter to police when there is uninvited touching and the conduct has been done by someone who is professional, respected in society, or trusted, or when others might doubt his or her story, or when the evidence may be insufficient for conviction. Some persons are reluctant to bring some matters to police for the reason of not damaging another person's life or drawing seemingly unnecessary attention, which includes himself or herself.

(3) At least some persons would appreciate having an option that is intermediate between taking no outward action and bringing things directly to legal authorities, especially if that action brings a small sense of satisfaction and/or is believed to perhaps help the behavior be changed.

NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.36 RCW to read as follows:

It shall be an affirmative defense to a charge of assault if (1) a person slaps another with only one slap or two slaps to the face; (2) the slaps are done with an open hand; (3) the slaps are done without the intent to knock the other person to the ground or floor; (4) no bones are broken and vision is not damaged; (5) the slap or slaps are aimed at the cheek or cheeks and not the nose or eyes; and (6) the person who slaps another has just been or is being touched on his or her buttocks, upper thighs, genitals, or breasts in an unwanted manner or he or she has a reasonable belief that he or she

is or was being touched in that manner by the person he or she slaps.

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