

Criminal Laws Common to Health Care Workers or Facilities as Victims

Statute	Crime	Primary Elements	Sentencing Severity
K.S.A. 21-5412 Subsection (a)	Assault	Knowingly placing another person in reasonable apprehension of immediate bodily harm.	C Misdemeanor
K.S.A. 21-5413 Subsection (a)	Battery	1) Knowingly or recklessly causing bodily harm to another person; or 2) Knowingly causing physical contact when done in a rude, insulting or angry manner.	Generally: B Misd Health Care: A Misd
K.S.A. 21-5412 Subsection (b)	Agg Assault	An assault committed (1) With a deadly weapon (2) while disguised in any manner designed to conceal identity; or (3) with intent to commit any felony.	Felony
K.S.A. 21-5413 Subsection (b)(1)	Agg Battery Intentional	A battery committed (A) Knowingly causing great bodily harm to another person or disfigurement of another person; (B) knowingly cause bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or (C) knowingly cause physical contact with another person in a rude, insulting or angry manner with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted.	Felony Felony
K.S.A. 21-5413 Subsection (b)(2)	Agg Battery Reckless	A battery committed (A) recklessly cause great bodily harm or disfigurement to another person; (B) recklessly cause bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted.	Felony Felony
K.S.A. 21-5415 Subsection (a)(1)	Criminal Threat	A threat to commit violence communicated with intent to place another in fear, or to cause the evacuation, lock down or disruption in regular, on-going activities of any building, place of assembly or facility of transportation.	Felony
K.S.A. 21-5808 Subsection (a)	Criminal Trespass	Knowingly enter or remain public or private land or structure (1)(A) in defiance of an order not to enter or to leave such premises or property personally communicated to such person by the owner thereof or other authorized person; (2) in a manner that interferes with access to or from any health care facility by a person who knows such person is not authorized or privileged to do so and such person enters or remains thereon or therein in defiance of an order not to enter or to leave such land or structure personally communicated to such person by the owner of the health care facility or other authorized person.	B Misdemeanor

NOTE: Misdemeanor crimes may be charged in Municipal Court (city prosecutor) or in District Court (county or district attorney).
All felonies must be charged in District Court.