

Submitter: Diane Branson
On Behalf Of:
Committee: House Committee On Judiciary
Measure: HB4088

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My name is Diane Branson and I was a Registered Nurse in the Emergency Department at Salem Hospital for many years. I'd like to share with you an experience I had with Workplace Violence in the ED.

In December 2016 I was working as a Charge Nurse in the ED when a 19 year old male, who I will refer to as "JK" was brought to us by ambulance. The initial report we received, prior to his arrival, was that he'd been "out of control" at home and that EMS had been called by his family. On his arrival to our department he was yelling, threatening and uncooperative with both EMS and the ED staff. He would not allow vital signs, offer a history or cooperate with any medical evaluation. He continued to swing, kick and spit at all staff. As the Charge Nurse I called for Security to stand by and attempted to talk with "JK" and open a dialog about what brought him to us that night and what could we do to help him. He proceeded to threaten me and my family, telling me he'd have my grandchildren raped, and have his Uncle "organize a hit" on me. All attempts to calm the patient were unsuccessful and the ED Physician wrote an order to restrain "JK" until it could be determined if his behavior was from a medical issue.

The Security Officers present called for two additional officers to assist. The plan was per policy, that each Security Officer would physically restrain an individual arm or leg. A ED staff member would hold his head, he had been hitting it on the wall and bed, once this was in place two additional ED staff members would restrain each arm and leg to the stretcher. While I was attaching a restraint to one leg, "JK" broke his other leg loose and was able to kick my arm with considerable force. Immediately causing pain and bruising to my forearm and hand.

I was initially examined and treated in the ED and then had follow up care through Employee Health. I was placed on light duty for three weeks due to the extensive bruising and large hematoma that formed. I was unable to carry out my normal activities at home or for fun due to the injury. I choose to file charges against "JK" with the Salem Police Department. He was eventually charged with a misdemeanor assault.

At his initial hearing he was given probation with conditions to satisfy. He violated the conditions and was ordered back to court. He was given a lecture and another chance to follow his conditions of probation, which he did not do, again. He was

ordered back to court, failed to appear and eventually arrested for assault on a Police Officer. It was at this point that he was given some consequences for his actions.

At my own time and expense I attended all of his hearings, with the exception of one that I missed due to the notice being mailed to my employer and I didn't receive it in time. These multiple trips to Salem from Albany and back home were made more difficult as I worked night shift (in essence I was getting up in the middle of my night to attend). This saga ended in late August 2018, over a year and half later, when he was sentenced to jail time for his assault on the Salem Police Officer. At no time did he ever express any remorse for his actions, take responsibility for his behavior or show any respect for the law or court.

I was frequently asked two questions: Why did I press charges in the first place, knowing that even if he was charged it would be a misdemeanor and have little or no consequences. Why did I go to all of his hearings knowing that in all likely hood nothing would change.

My answer was this. I was and continue to be determined to be a part of the needed changes in growing problem of Work Place Violence, especially against Healthcare Workers. Every day we were and continue to be subjected to verbal and physical threats. The expectation, by many, is that it's just part of the job! This is wrong! I urge each of YOU to take the steps to stop this.

Sincerely,

Diane Branson RN, Retired