

2018 -- S 2096

LC003592

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO CRIMINAL OFFENSES-ASSAULTS

Introduced By: Senators Ciccone, Goodwin, Felag, and McCaffrey

Date Introduced: January 18, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-5-5 of the General Laws in Chapter 11-5 entitled "Assaults" is
2 hereby amended to read as follows:

3 **11-5-5. Assault of police officers and other officials.**

4 Any person who shall make an assault or battery, or both, by knowingly and willfully
5 either (1) striking, or (2) spraying with a noxious chemical, commonly used as a personal defense
6 weapon, including Mace and an oleoresin capsicum product or like products, a uniformed
7 member of the state police or metropolitan park police, environmental police officer, state
8 properties patrol officer, probation and parole officers, state government case worker or
9 investigator, judge of the supreme, superior, family, district court, traffic tribunal or municipal
10 court, deputy sheriff, city or town police officer or firefighter, member of the capitol police,
11 member of campus security force of state colleges and universities, member of the Rhode Island
12 airport police department, member of the Rhode Island fugitive task force, Rhode Island public
13 transit authority bus driver, or on-duty plainclothes member of the town, city, or state police
14 force, investigator of the department of the attorney general appointed pursuant to § 42-9-8.1, or
15 member of the railroad police after proper identification is displayed, or uniformed dog officer, or
16 out-of-state police officer called into Rhode Island under a cooperative agreement to provide
17 mutual aid at the request of the state of Rhode Island pursuant to chapter 37 of title 42, or
18 assistant attorney general or special assistant attorney general, or employees of the department of
19 environmental management responsible for administrative inspections or any constable

1 authorized by chapter 45-16 of the Rhode Island general law causing bodily injury while the
2 officer or official is engaged in the performance of his or her duty, shall be deemed to have
3 committed a felony, and shall be imprisoned [not less than one year, and](#) not exceeding three (3)
4 years, or fined not exceeding fifteen hundred dollars (\$1,500), or both.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES-ASSAULTS

1 This act would provide that assaults on police officers and other officials be punished by
2 no less than one year but no more than three years' incarceration.

3 This act would take effect upon passage.

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