

2016 -- H 7092

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LC003315
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO CRIMINAL OFFENSES - ASSAULT OF POLICE OFFICERS AND OTHER
OFFICIALS

Introduced By: Representatives Shekarchi, Solomon, Morgan, Johnston, and Coughlin

Date Introduced: January 08, 2016

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

1 administrative inspections or any constable authorized by chapter 45-16 of the Rhode Island
2 general law causing bodily injury while the officer or official is engaged in the performance of his
3 or her duty, shall be deemed to have committed a felony, and shall be imprisoned not exceeding
4 ~~three (3)~~ six (6) years, or fined not exceeding ~~fifteen hundred dollars (\$1,500)~~ three thousand
5 dollars (\$3,000), or both.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would raise the maximum penalties for the crime of assault of police officers and
2 other officials from three (3) to six (6) years imprisonment and from one thousand five hundred
3 dollars (\$1,500) to three thousand dollars (\$3,000).

4 This act would take effect upon passage.

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