

2011 -- H 5034

LC00321

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO CRIMINAL OFFENSES - ASSAULTS

Introduced By: Representatives DaSilva, Johnston, and Keable

Date Introduced: January 18, 2011

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, [any official elected to any town, city,](#)
10 [legislative or state office](#), sheriff, deputy sheriff, city or town police officer or firefighter, member
11 of the Rhode Island state marshals of the department of corrections, member of the capitol police,
12 member of campus security force of state colleges and universities, member of the Rhode Island
13 airport police department, member of the Rhode Island fugitive task force, Rhode Island public
14 transit authority bus driver, or on-duty plainclothes member of the town, city, or state police
15 force, investigator of the department of the attorney general appointed pursuant to section 42-9-
16 8.1, or member of the railroad police after proper identification is displayed, or uniformed dog
17 officer, or out-of-state police officer called into Rhode Island under a cooperative agreement to
18 provide mutual aid at the request of the state of Rhode Island pursuant to chapter 37 of title 42, or
19 assistant attorney general or special assistant attorney general, or employees of the department of

1 environmental management responsible for administrative inspections causing bodily injury
2 while the officer or official is engaged in the performance of his or her duty, shall be deemed to
3 have committed a felony, and shall be imprisoned not exceeding three (3) years, or fined not
4 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
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1 This act would provide enhanced penalties for assaults on state and municipal elected
2 officials.

3 This act would take effect upon passage.

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