

2011 -- H 6041

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LC02409  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

RELATING TO CRIMINAL OFFENSES -- ASSAULT

Introduced By: Representative John M. Carnevale

Date Introduced: April 07, 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, sheriff, deputy sheriff, city or town  
10 police officer or firefighter, member of the Rhode Island state marshals of the department of  
11 corrections, member of the capitol police, member of campus security force of state colleges and  
12 universities, member of the Rhode Island airport police department, member of the Rhode Island  
13 fugitive task force, Rhode Island public transit authority bus driver, or on-duty plainclothes  
14 member of the town, city, or state police force, investigator of the department of the attorney  
15 general appointed pursuant to section 42-9-8.1, or member of the railroad police after proper  
16 identification is displayed, or uniformed dog officer, or out-of-state police officer called into  
17 Rhode Island under a cooperative agreement to provide mutual aid at the request of the state of  
18 Rhode Island pursuant to chapter 37 of title 42, or assistant attorney general or special assistant  
19 attorney general, or employees of the department of environmental management responsible for

1 administrative inspections causing bodily injury while the officer or official is engaged in the  
2 performance of his or her duty, [or constable authorized by Rhode Island general law 45-16-4.4](#)  
3 shall be deemed to have committed a felony, and shall be imprisoned 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  
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- 1           This act would make an assault on a constable whose position is authorized by Rhode
- 2   Island general law 45-16-4.4 a felony.
- 3           This act would take effect upon passage.

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