



## Senate

General Assembly

**File No. 188**

*January Session, 2001*

Substitute Senate Bill No. 1050

*Senate, April 10, 2001*

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***AN ACT CONCERNING ASSAULT OF PROSECUTORS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1       (NEW) (a) A person is guilty of assault of a prosecutor when such
- 2       person, with intent to intimidate or harass, or to retaliate against,
- 3       another person on account of the performance by such other person of
- 4       such other person's duties as a prosecutor employed by the Division of
- 5       Criminal Justice, causes physical injury to such other person.
  
- 6       (b) Assault of a prosecutor is a class C felony.

***JUD       JOINT FAVORABLE SUBST.***

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Cost

**Affected Agencies:** Various Criminal Justice Agencies

**Municipal Impact:** None

**Explanation**

**State Impact:**

The bill would result in a cost to the criminal justice system by increasing the penalty for assault of a prosecutor. Assaults of prosecutors that involve physical injury are not common in Connecticut and occur less than once per year. Currently, such a crime is a class A misdemeanor which is punishable by up to one year imprisonment and up to a \$2,000 fine. The bill would make it a class C felony which is punishable by one to ten years imprisonment and up to a \$10,000 fine. Therefore, an offender could face a maximum sentence that is ten times longer and a fine that is five times higher than under current law. The cost of sentencing someone to ten years of incarceration instead of one year would be \$273,800 in an average correctional facility. There would likely not be a revenue gain from the increase in fines since fines are not commonly imposed and collected for these crimes. There are 273 prosecutors currently employed by the state.

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**OLR Bill Analysis**

sSB 1050

**AN ACT CONCERNING ASSAULT OF PROSECUTORS.****SUMMARY:**

This bill extends the enhanced penalty that currently exists for assaults on public safety and emergency medical personnel to assaults on prosecutors. It makes it a class C felony for anyone to assault a prosecutor, intending to intimidate, harass, or retaliate against him because of his performance of his official duties. Like the assault on public safety and emergency medical personnel, the assault on prosecutors must cause physical injury. A class C felony is punishable by one to 10-years imprisonment, up to a \$10,000 fine, or both. Under current law, this crime is a simple assault (class A misdemeanor), punishable by up to one-year imprisonment, a \$2,000 fine, or both.

EFFECTIVE DATE: October 1, 2001

**BACKGROUND*****Related Bill***

HB 5103, favorably reported by the Judiciary Committee, enhances the penalty for assaults on police department employees providing security in the department's lockup and hold facility. The bill makes it a class C felony for anyone to attempt to prevent them from doing their job.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 37 Nay 2

