



General Assembly

February Session, 2010

Raised Bill No. 5339

LCO No. 1065

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Referred to Committee on Public Safety and Security

Introduced by:
(PS)

AN ACT IMPOSING A MANDATORY MINIMUM SENTENCE FOR ASSAULT OF PUBLIC SAFETY, EMERGENCY MEDICAL OR PUBLIC TRANSIT PERSONNEL.

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

1 Section 1. Section 53a-167c of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) A person is guilty of assault of public safety, emergency medical
5 or public transit personnel when, with intent to prevent a reasonably
6 identifiable peace officer, special policeman appointed under section
7 29-18b, Department of Motor Vehicles inspector appointed under
8 section 14-8 and certified pursuant to section 7-294d, firefighter or
9 employee of an emergency medical service organization, as defined in
10 section 53a-3, emergency room physician or nurse, employee of the
11 Department of Correction, member or employee of the Board of
12 Pardons and Paroles, probation officer, employee of the Judicial
13 Branch assigned to provide pretrial secure detention and
14 programming services to juveniles accused of the commission of a
15 delinquent act, employee of the Department of Children and Families

16 assigned to provide direct services to children and youths in the care
17 or custody of the department, employee of a municipal police
18 department assigned to provide security at the police department's
19 lockup and holding facility, active individual member of a volunteer
20 canine search and rescue team, as defined in section 5-249, or public
21 transit employee from performing his or her duties, and while such
22 peace officer, special policeman, motor vehicle inspector, firefighter,
23 employee, physician, nurse, member, probation officer or active
24 individual member is acting in the performance of his or her duties, (1)
25 such person causes physical injury to such peace officer, special
26 policeman, motor vehicle inspector, firefighter, employee, physician,
27 nurse, member, probation officer or active individual member, or (2)
28 such person throws or hurls, or causes to be thrown or hurled, any
29 rock, bottle, can or other article, object or missile of any kind capable of
30 causing physical harm, damage or injury, at such peace officer, special
31 policeman, motor vehicle inspector, firefighter, employee, physician,
32 nurse, member, probation officer or active individual member, or (3)
33 such person uses or causes to be used any mace, tear gas or any like or
34 similar deleterious agent against such peace officer, special policeman,
35 motor vehicle inspector, firefighter, employee, physician, nurse,
36 member, probation officer or active individual member, or (4) such
37 person throws or hurls, or causes to be thrown or hurled, any paint,
38 dye or other like or similar staining, discoloring or coloring agent or
39 any type of offensive or noxious liquid, agent or substance at such
40 peace officer, special policeman, motor vehicle inspector, firefighter,
41 employee, physician, nurse, member, probation officer or active
42 individual member, or (5) such person throws or hurls, or causes to be
43 thrown or hurled, any bodily fluid including, but not limited to, urine,
44 feces, blood or saliva at such peace officer, special policeman, motor
45 vehicle inspector, firefighter, employee, physician, nurse, member,
46 probation officer or active individual member. For the purposes of this
47 section, "public transit employee" means a person employed by the
48 state, a political subdivision of the state, a transit district formed under
49 chapter 103a or a person with whom the Commissioner of

50 Transportation has contracted in accordance with section 13b-34 to
51 provide transportation services who operates a vehicle or vessel
52 providing public rail service, ferry service or fixed route bus service or
53 performs duties directly related to the operation of such vehicle or
54 vessel.

55 (b) Assault of public safety, emergency medical or public transit
56 personnel is a class C felony and shall carry a minimum term of
57 imprisonment of not less than two years. The execution of the
58 mandatory minimum sentence imposed by the provisions of this
59 subsection shall not be suspended, except the court may suspend the
60 execution of such mandatory minimum sentence if at the time of the
61 commission of the offense (1) such person was under the age of
62 eighteen years, or (2) such person's mental capacity was significantly
63 impaired, but not so impaired as to constitute a defense to prosecution.
64 If any person who is confined in an institution or facility of the
65 Department of Correction is sentenced to a term of imprisonment for
66 assault of an employee of the Department of Correction under this
67 section, such term shall run consecutively to the term for which the
68 person was serving at the time of the assault.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	53a-167c

Statement of Purpose:

To impose a mandatory minimum sentence of two years for assault of public safety, emergency medical or public transit personnel.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]