
OLR Bill Analysis

HB 5247

AN ACT CONCERNING THE PENALTY FOR ASSAULT OF PUBLIC SAFETY, EMERGENCY MEDICAL, PUBLIC TRANSIT OR HEALTH CARE PERSONNEL.

SUMMARY:

This bill imposes a mandatory minimum two-year prison term for assaulting public safety, emergency medical, public transit, or health care personnel. The current penalty is a class C felony, punishable by one to 10 years imprisonment, a fine of up to \$10,000, or both; but, in practice, the court may suspend any part of the sentence. The bill allows the court to waive the mandatory minimum penalty if the offender was under age 18 at the time he or she committed the offense or his or her mental capacity was significantly impaired, but not so impaired as to constitute a defense to prosecution.

The law applies to anyone who assaults a reasonably identifiable public safety, emergency medical, public transit, or health care employee (see BACKGROUND) performing his or her duties, with intent to prevent the employee from performing them, by doing any of the following to the employee:

1. causing physical injury;
2. throwing potentially damaging objects, including rocks, bottles, cans;
3. using tear gas, Mace, or a similar agent;
4. throwing paint, dye, or any other offensive substance; or
5. throwing bodily fluid, such as feces, blood, or saliva.

EFFECTIVE DATE: October 1, 2012

BACKGROUND

Assault on Public Safety Workers

The law applies to:

1. peace officers,
2. special policemen,
3. Department of Motor Vehicles inspectors,
4. firefighters,
5. employees of an emergency medical service organization,
6. emergency room physicians or nurses,
7. health care employees,
8. Department of Correction employees,
9. members or employees of the Board of Pardons and Paroles,
10. probation officers,
11. Judicial Branch employees assigned to provide pretrial secure detention and programming services to juveniles accused of committing a delinquent act,
12. Department of Children and Families employees assigned to provide direct services to children and youths in the department's care or custody,
13. municipal police department employees assigned to provide security at the police department's lockup and holding facility,
14. active individual members of a volunteer canine search and rescue team, and
15. public transit employees.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 17 Nay 4 (03/01/2012)