



## LAWS ON ASSAULT OF A SPORTS OFFICIAL

By: Christopher Reinhart, Chief Attorney

- 18 states have criminal laws on assaulting sports officials.
- These laws vary in their penalties and the types of officials and sports activities they cover.
- In states without specific criminal laws on assaulting sports officials, generally applicable assault laws would apply depending on the circumstances.
- Two states have civil statutes on assaulting sports officials.

### QUESTION

How many other states have specific criminal provisions regarding assault of a sports officials. This report updates OLR report [2006-R-0747](#).

### SUMMARY

We found 18 states with criminal laws regarding assault of a sports official. These states are: Alabama, Arkansas, California, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Montana, Nevada, New Jersey, New Mexico, North Carolina, Oklahoma, Pennsylvania, Texas, and West Virginia.

These laws provide specific penalties either by creating a new crime or raising the penalty for one or more existing crimes when they are committed against a sports official. The laws vary in terms of what officials

and what levels of sports activities are covered. Some of these laws also cover coaches and other participants but we have not included that information in this report.

In states like Connecticut without specific criminal laws punishing assaults of sports officials, generally applicable criminal laws may apply to these types of assaults.

We also found two states with civil statutes addressing assaults of sports officials. Minnesota authorizes the Minnesota State High School League or a school board to ban someone from attending interscholastic activity for up to 12 months for assaulting a sports official. Oregon has a provision for liquidated damages of \$500 to \$1,000, in addition to any other damages, in civil cases for injuries suffered by a sports official.

Since our 2006 report, one state (West Virginia) increased penalties for assaulting sports officials and one state (South Carolina) adopted but later repealed penalties for assaulting sports officials.

## CRIMINAL LAWS ON ASSAULT OF A SPORTS OFFICIAL

Table 1 summarizes the laws in each state by providing information on the criminal conduct required, covered officials, covered events, and penalties.

**Table 1: State Laws Concerning Attacks on Sports Officials**

<i>State</i>	<i>Conduct</i>	<i>Covered Officials</i>	<i>Covered Events</i>	<i>Penalty</i>
<b>Alabama</b> Ala. Code § 13A-11-144	Commit one of the following crimes against a sports official performing official duties, because of performing those duties: <ul style="list-style-type: none"> <li>harassment</li> <li>menacing</li> <li>1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> degree assault</li> </ul>	Anyone who enforces the rules of the event, such as an umpire or referee	<ul style="list-style-type: none"> <li>Interscholastic or intramural events, primary school through college</li> <li>Organized events sponsored by community, business, or nonprofit organizations</li> <li>Professional or semi-professional events</li> <li>Any organized athletic activity</li> </ul>	Harassment: Class B misdemeanor—up to six months in prison, up to \$3,000 fine, or both  Menacing: Class A misdemeanor—up to one year in prison, up to \$6,000 fine, or both  Assault 1 <sup>st</sup> degree: Class A felony—10 years to life in prison, up to \$60,000 fine, or both  Assault 2 <sup>nd</sup> degree: Class B felony—two to 20 years in prison, up to \$30,000 fine, or both  Assault 3 <sup>rd</sup> degree: Class C felony—one to 10 years in prison, up to \$15,000 fine, or both
<b>Arkansas</b> Ark. Code § 5-13-209	Striking or otherwise physically abusing an official during or immediately before or after an event in which the official participates, causing physical injury	Athletic contest official	<ul style="list-style-type: none"> <li>Interscholastic</li> <li>Intercollegiate</li> <li>Other organized amateur or professional event</li> </ul>	Class A misdemeanor: up to one year in prison, up to \$1,000 fine, or both
<b>California</b> Cal. Penal Code § 243.8	Battery against official during or immediately before or after an event in which the official participates and the actor knows or reasonably should know the official is performing his or her duties	Referee, linesman, umpire, or similar official registered by or a member of an organization that educates and trains sports officials	<ul style="list-style-type: none"> <li>Interscholastic</li> <li>Intercollegiate</li> <li>Other organized amateur or professional event</li> </ul>	Up to one year in jail, up to \$2,000 fine, or both
<b>Delaware</b> 11 Del. Code § 11-614	Commit 2 <sup>nd</sup> degree reckless endangering, 3 <sup>rd</sup> degree assault, terroristic threatening, or criminal mischief against a sports official acting during or immediately before or after an event	A registered, paid, or volunteer referee, umpire, line judge, or person acting in a similar capacity at a sporting event	Not defined	<ul style="list-style-type: none"> <li>\$1,000 to \$2,350 fine</li> <li>Prohibited from participating and attending organized sporting events for three to 12 months</li> <li>1<sup>st</sup> offense: Class A misdemeanor—up to one year in prison</li> <li>2<sup>nd</sup> or subsequent offense: Class G felony—up to two years in prison</li> </ul>

**Table 1: -Continued-**

<b>State</b>	<b>Conduct</b>	<b>Covered Officials</b>	<b>Covered Events</b>	<b>Penalty</b>
<b>Florida</b>  Fl. Stat. § 784.081	Assault or battery against a sports official actively participating in an athletic contest or immediately after, when the actor knows or has reason to know the victim’s identity, position, or employment	Referee, umpire, linesman, or similar official known by another title, registered or a member of a local, state, regional, or national organization that educates and trains sports officials	Athletic contest	When the underlying crime is: <ul style="list-style-type: none"> <li>• Aggravated battery: 1st degree felony—up to 30 years in prison, up to \$10,000 fine, or both</li> <li>• Aggravated assault: 2nd degree felony—up to 15 years in prison, up to \$10,000 fine, or both</li> <li>• Battery: 3rd degree felony—up to five years in prison, up to \$5,000 fine, or both</li> <li>• Assault: 1st degree misdemeanor—up to one year in prison, up to \$1,000 fine, or both</li> </ul>
<b>Georgia</b>  Ga. Code § 16-5-23	Simple battery against a sports official during an event or while the official is on or leaving the property where he or she officiates	Anyone who officiates, umpires, or referees	Amateur events at elementary, secondary, collegiate, or recreational level	High and aggravated misdemeanor: up to one year in prison, up to \$5,000 fine, or both
<b>Illinois</b>  720 ILCS 5/12-2 and 5/12-0.1 730 ILCS 5/5-5-3	Assault at an indoor or outdoor playing field or certain other venues and within their immediate vicinity, when the official was an active participant in the athletic contest, and the actor knows the person is a sports official	Person at an athletic contest who enforces the rules, such as an umpire or referee	Any level of competition	Aggravated assault: class A misdemeanor—up to one year in prison, at least \$1,000 fine  2nd or subsequent—up to one year in prison, at least \$2,000 fine
<b>Kentucky</b>  KRS § 518.090	<ul style="list-style-type: none"> <li>• Intentionally causing physical injury to a sports official while the official is (1) performing his or her duties or (2) arriving or leaving the athletic facility</li> <li>• Assembling five or more people to assault a sports official</li> </ul>	Referee, linesman, umpire, or similar person known by a different title, registered or a member of a national, state, regional, or local organization that educates and trains sports officials	Not specified	Causing Injury: <ul style="list-style-type: none"> <li>• 1<sup>st</sup> offense: Class A misdemeanor—up to one year in prison, up to \$500 fine, or both</li> <li>• Subsequent offense: Class D felony—one to five years in prison, \$1,000 to \$10,000 fine</li> </ul> Assembling people for assault: <ul style="list-style-type: none"> <li>• Class D felony (see penalty above)</li> </ul>

**Table 1: -Continued-**

<b>State</b>	<b>Conduct</b>	<b>Covered Officials</b>	<b>Covered Events</b>	<b>Penalty</b>
<b>Louisiana</b> LRS § 14:34.4	Battery of school or recreation athletic contest official actively engaged in officiating when the actor has reasonable grounds to believe the person is an official	<ul style="list-style-type: none"> <li>Referee, umpire, coach, instructor, administrator, staff person, or school or school board employee of any public or private elementary or secondary school</li> <li>Referee, umpire, coach, instructor, administrator, staff person, or recreation employee of a public or quasi-public recreational program</li> </ul>	<ul style="list-style-type: none"> <li>School-sanctioned interscholastic event</li> <li>Sanctioned recreation program event</li> </ul>	15 days to six months in prison and up to \$500 fine or probation with two days in jail and five days of community service
<b>Montana</b> MCA § 45-2-211	Assault on a sports official	Not defined	Any sport at any level of amateur or professional competition	Up to six months in prison, up to \$1,000 fine, or both
<b>Nevada</b> NRS § 200.471	Assault or battery, based on the performance of the official's duties, at a sporting event when the actor knew or should have known the person was an official	Paid or unpaid referee, umpire, linesman, timekeeper, inspector, judge, or similar official	Contest, game, or other event involving athletic or physical skill of amateur or professional athletes	Assault: Gross misdemeanor—up to one year in prison, up to \$2,000 fine, or both  Assault with deadly weapon or ability to use one: B felony—one to six years in prison, up to \$5,000 fine, or both  Battery: B felony (two to 10 years in prison, up to \$10,000 fine, or both) or gross misdemeanor, with different penalties if committed with a deadly weapon depending on the type of harm caused  Different penalties apply when the actor is a probationer, prisoner, or parolee
<b>New Jersey</b> NJSA § 2C:44-1 (a)(8)	Offense against sports official during or immediately following his or her duties or because of his or her status as a sports official	Sports official	Not specified	Must be considered an aggravating factor when determining whether to impose sentence of imprisonment

**Table 1: -Continued-**

<b>State</b>	<b>Conduct</b>	<b>Covered Officials</b>	<b>Covered Events</b>	<b>Penalty</b>
<b>New Mexico</b> NMSA § 30-3-9.1	While official is working, supervising, or administering an event: <ul style="list-style-type: none"> <li>• assault</li> <li>• aggravated assault (using a deadly weapon)</li> <li>• battery</li> <li>• aggravated battery</li> </ul>	Referee, linesman, umpire, timer, scorer, or similar official registered as a member of an organization that educates and trains sports officials	Not specified	Assault: misdemeanor—up to one year in prison, up to \$1,000 fine, or both  Aggravated assault: 3rd degree felony—three years in prison, up to \$5,000 fine, or both (higher amounts if cause death)  Battery: misdemeanor (see penalty above)  Aggravated battery, depending on the harm or use of a deadly weapon: <ul style="list-style-type: none"> <li>• 3<sup>rd</sup> degree felony (see penalty above)</li> <li>• 4<sup>th</sup> degree felony: 18 months in prison, up to \$5,000 fine, or both</li> </ul>
<b>North Carolina</b> N.C. Stat. § 14-33(b)(9)	Assault, assault and battery, or affray against a sports official during an event while discharging his or her duties or immediately after the event	Anyone who enforces the rules of the event, such as an umpire or referee	<ul style="list-style-type: none"> <li>• Interscholastic or intramural events in a primary school through university</li> <li>• Organized events sponsored by community, business, or nonprofit organizations</li> <li>• Professional or semi-professional events</li> <li>• Any organized athletic activity</li> </ul>	Class 1 misdemeanor—up to 45 days in prison, fine in court's discretion, or both (sentencing guidelines apply and can change penalties)
<b>Oklahoma</b> OSA § 21-650.1	Assault and battery against a sports official	Referee, umpire, timekeeper, coach, official, or other person having authority in connection with an athletic contest	Any amateur or professional event	Misdemeanor—up to one year in jail, up to \$1,000 fine, or both
<b>Pennsylvania</b> 18 Pa. Stat. § 2712	Assault against a sports official during a sports event or as a result of his or her official acts	Person enforcing rules at a covered event, such as an umpire or referee	<ul style="list-style-type: none"> <li>• Interscholastic athletic activities from junior high through university</li> <li>• Any other organized athletic activity, including professional or semi-professional events</li> </ul>	1 <sup>st</sup> degree misdemeanor: up to five years in prison, up to \$10,000 fine, or both
<b>Texas</b> Penal Code § 22.01	Assault by a non-participant of a sports participant performing his or her duties or in retaliation for doing so	Anyone who participates in an official capacity, including a referee, umpire, and linesman	Interscholastic, intercollegiate, or organized amateur or professional athletic competition	Class B misdemeanor: up to 180 days in prison, up to \$2,000 fine, or both

**Table 1: -Continued-**

<b>State</b>	<b>Conduct</b>	<b>Covered Officials</b>	<b>Covered Events</b>	<b>Penalty</b>
<b>West Virginia</b> W. Va. Code § 61-2-15a	Assault or battery against an athletic official while he or she is acting as an athletic official	Person enforcing rules at a sports event, such as an umpire or referee	Not defined	<ul style="list-style-type: none"> <li>• Assault: misdemeanor—up to six months in prison, up to \$500 fine, or both</li> <li>• Battery: misdemeanor—up to 12 months in prison, up to \$1,000 fine, or both</li> </ul>

**CIVIL STATUTES**

Two states have civil statutes. Minnesota authorizes the Minnesota State High School League or a school board to ban someone from attending interscholastic activity for up to 12 months for assaulting a sports official in connection with an interscholastic activity under the league’s control, supervision, or regulation. The law applies to an umpire, referee, judge, linesperson, timer, scorekeeper, or similar official (Minn. Stat. § 128C.08).

Oregon has a specific provision for damages in civil cases for injuries suffered by a sports official. The Oregon law requires a person to pay a sports official liquidated damages of \$500 to \$1,000, in addition to any other damages, when:

1. the person (a) knows the victim is an official and (b) intentionally makes offensive physical contact with the victim and
2. the contact occurs (a) at or near a facility where the sports official officiated and (b) while the official is officiating or briefly after the event.

The law applies to a referee, linesman, umpire, judge, or similar official registered by or a member of an organization that educates and trains sports officials. The official can also recover reasonable attorneys’ fees (Or. Stat. § 30.882).

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