



General Assembly

January Session, 2015

**Committee Bill No. 5379**

LCO No. 5054



\* 0 5 0 5 4 H B 0 5 3 7 9 P S \*

Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING THE PENALTY FOR ASSAULT OF AN OFF-DUTY POLICE OFFICER.***

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

1 Section 1. Section 53a-167c of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) A person is guilty of assault of public safety, emergency medical,  
4 public transit or health care personnel when, with intent to prevent a  
5 reasonably identifiable peace officer, special policeman appointed  
6 under section 29-18b, motor vehicle inspector designated under section  
7 14-8 and certified pursuant to section 7-294d, firefighter or employee of  
8 an emergency medical service organization, as defined in section 53a-3,  
9 emergency room physician or nurse, health care employee as defined  
10 in section 19a-490q, employee of the Department of Correction,  
11 member or employee of the Board of Pardons and Paroles, probation  
12 officer, employee of the Judicial Branch assigned to provide pretrial  
13 secure detention and programming services to juveniles accused of the  
14 commission of a delinquent act, liquor control agent, employee of the  
15 Department of Children and Families assigned to provide direct  
16 services to children and youths in the care or custody of the

17 department, employee of a municipal police department assigned to  
18 provide security at the police department's lockup and holding facility,  
19 active individual member of a volunteer canine search and rescue  
20 team, as defined in section 5-249, or public transit employee from  
21 performing his or her duties, and while such peace officer, special  
22 policeman, motor vehicle inspector, firefighter, employee, physician,  
23 nurse, health care employee, member, liquor control agent, probation  
24 officer or active individual member is acting in the performance of his  
25 or her duties and, with respect to a peace officer who is a member of  
26 the Division of State Police within the Department of Emergency  
27 Services and Public Protection or an organized local police  
28 department, while such peace officer is on or off duty, provided such  
29 peace officer was not the initial aggressor, (1) such person causes  
30 physical injury to such peace officer, special policeman, motor vehicle  
31 inspector, firefighter, employee, physician, nurse, member, liquor  
32 control agent, probation officer or active individual member, or (2)  
33 such person throws or hurls, or causes to be thrown or hurled, any  
34 rock, bottle, can or other article, object or missile of any kind capable of  
35 causing physical harm, damage or injury, at such peace officer, special  
36 policeman, motor vehicle inspector, firefighter, employee, physician,  
37 nurse, member, liquor control agent, probation officer or active  
38 individual member, or (3) such person uses or causes to be used any  
39 mace, tear gas or any like or similar deleterious agent against such  
40 peace officer, special policeman, motor vehicle inspector, firefighter,  
41 employee, physician, nurse, member, liquor control agent, probation  
42 officer or active individual member, or (4) such person throws or hurls,  
43 or causes to be thrown or hurled, any paint, dye or other like or similar  
44 staining, discoloring or coloring agent or any type of offensive or  
45 noxious liquid, agent or substance at such peace officer, special  
46 policeman, motor vehicle inspector, firefighter, employee, physician,  
47 nurse, member, liquor control agent, probation officer or active  
48 individual member, or (5) such person throws or hurls, or causes to be  
49 thrown or hurled, any bodily fluid including, but not limited to, urine,  
50 feces, blood or saliva at such peace officer, special policeman, motor

51 vehicle inspector, firefighter, employee, physician, nurse, member,  
52 liquor control agent, probation officer or active individual member.  
53 For the purposes of this section, "public transit employee" means a  
54 person employed by the state, a political subdivision of the state, a  
55 transit district formed under chapter 103a or a person with whom the  
56 Commissioner of Transportation has contracted in accordance with  
57 section 13b-34 to provide transportation services who operates a  
58 vehicle or vessel providing public rail service, ferry service or fixed  
59 route bus service or performs duties directly related to the operation of  
60 such vehicle or vessel.

61 (b) Assault of public safety, emergency medical, public transit or  
62 health care personnel is a class C felony. If any person who is confined  
63 in an institution or facility of the Department of Correction is  
64 sentenced to a term of imprisonment for assault of an employee of the  
65 Department of Correction under this section, such term shall run  
66 consecutively to the term for which the person was serving at the time  
67 of the assault.

68 (c) In any prosecution under this section involving assault of a  
69 health care employee, as defined in section 19a-490q, it shall be a  
70 defense that the defendant is a person with a disability as described in  
71 subdivision (13), (15) or (20) of section 46a-51 and the defendant's  
72 conduct was a clear and direct manifestation of the disability.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	53a-167c

**Statement of Purpose:**

To provide an enhanced penalty for the assault of a reasonably identifiable off-duty police officer who is in the performance of his or her duties.

*[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.]*

Co-Sponsors: REP. CAMILLO, 151st Dist.

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