



General Assembly

February Session, 2016

***Raised Bill No. 5495***

LCO No. 2037



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING ENHANCED PENALTIES FOR THREATENING  
A JUDGE.***

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

1 Section 1. Section 53a-61aa of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2016*):

3 (a) A person is guilty of threatening in the first degree when such  
4 person (1) (A) threatens to commit any crime involving the use of a  
5 hazardous substance with the intent to terrorize another person, to  
6 cause evacuation of a building, place of assembly or facility of public  
7 transportation or otherwise to cause serious public inconvenience, or  
8 (B) threatens to commit such crime in reckless disregard of the risk of  
9 causing such terror, evacuation or inconvenience; (2) (A) threatens to  
10 commit any crime of violence with the intent to cause evacuation of a  
11 building, place of assembly or facility of public transportation or  
12 otherwise to cause serious public inconvenience, or (B) threatens to  
13 commit such crime in reckless disregard of the risk of causing such  
14 evacuation or inconvenience; [or] (3) commits threatening in the  
15 second degree as provided in section 53a-62, as amended by this act,

16 and in the commission of such offense [he] such person uses or is  
17 armed with and threatens the use of or displays or represents by [his]  
18 such person's words or conduct that [he] such person possesses a  
19 pistol, revolver, shotgun, rifle, machine gun or other firearm; or (4)  
20 violates subdivision (1), (2) or (3) of this subsection knowing that a  
21 person being threatened is a judge of the superior court, appellate  
22 court or supreme court, a state referee, a judge of another state or a  
23 federal judge. No person shall be found guilty of threatening in the  
24 first degree under subdivision (3) of this subsection and threatening in  
25 the second degree upon the same transaction but such person may be  
26 charged and prosecuted for both such offenses upon the same  
27 information.

28 (b) For the purposes of this section, "hazardous substance" means  
29 any physical, chemical, biological or radiological substance or matter  
30 which, because of its quantity, concentration or physical, chemical or  
31 infectious characteristics, may cause or significantly contribute to an  
32 increase in mortality or an increase in serious irreversible or  
33 incapacitating reversible illness, or pose a substantial present or  
34 potential hazard to human health.

35 (c) Threatening in the first degree is a class D felony, except that a  
36 violation of subdivision (4) of subsection (a) is a class C felony.

37 Sec. 2. Section 53a-62 of the general statutes is repealed and the  
38 following is substituted in lieu thereof (*Effective October 1, 2016*):

39 (a) A person is guilty of threatening in the second degree when: (1)  
40 By physical threat, such person intentionally places or attempts to  
41 place another person in fear of imminent serious physical injury, (2)  
42 (A) such person threatens to commit any crime of violence with the  
43 intent to terrorize another person, or [(3)] (B) such person threatens to  
44 commit such crime of violence in reckless disregard of the risk of  
45 causing such terror, or (3) such person violates subdivision (1) or (2) of  
46 this subsection knowing that a person being threatened is a judge of

47 the superior court, appellate court or supreme court, a state referee, a  
48 judge of another state or a federal judge.

49 (b) Threatening in the second degree is a class A misdemeanor,  
50 except that a violation of subdivision (4) of subsection (a) is a class E  
51 felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	53a-61aa
Sec. 2	<i>October 1, 2016</i>	53a-62

**Statement of Purpose:**

To increase the penalties for first and second degree threatening in cases where the person making the threat knows that a person being threatened is a judge.

*[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.]*