

HB 194 -- Assault on a Law Enforcement Officer

Co-Sponsors: Stevenson, Jackson, Smith (14), Bruns, Dixon, Deeken, Moore, Wilson (130), Bough, Emery, Baker, Wallace

This bill creates the crime of assault on a firefighter in the first, second, and third degrees. The bill also changes the elements for the crimes of assault on a law enforcement officer in the first, second, and third degrees.

In changing the elements of these crimes, the bill:

(1) Requires that the assault on a law enforcement officer or firefighter was made to either prevent the officer from performing his official duties or in retaliation for his performing those duties;

(2) Clarifies that "knowingly" causing or attempting to cause physical injury to a law enforcement officer or firefighter means that the offender knew that the victim was a law enforcement officer or firefighter;

(3) Makes it a class C felony to:

(a) recklessly engage in conduct that creates a substantial risk of death or serious injury to a law enforcement officer or firefighter; or

(b) negligently injure a law enforcement officer or firefighter by means of a deadly weapon.

Under current law, these crimes are assault on a law enforcement officer in the third degree, a class A misdemeanor;

(4) Makes it a class C felony to knowingly place a law enforcement officer or firefighter in apprehension of "serious" physical injury. Without the term "serious," the same act is a class A misdemeanor; and

(5) Makes it a class C felony to knowingly cause or attempt to cause physical injury to a law enforcement officer or firefighter when the offender conceals his identity.