

House Research Act Summary

CHAPTER: 441

SESSION: 2000 Regular Session

TOPIC: Assault of peace officer; escape from custody

Date: April 26, 2000

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Overview

This act increases the penalties for assaulting a peace officer when the officer is effecting a lawful arrest or executing any other duty imposed by law. It also clarifies that a person may be charged with the crime of escape from custody if the person escapes from custody any time after the person's lawful arrest and prior to the commencement of the criminal trial.

- 1 **Peace officers.** Increases the penalty from a two-year felony to a three-year felony for an assault against a peace officer when the officer is effecting a lawful arrest or executing any other duty imposed by law and the assault results in demonstrable bodily harm. Increases the penalty from a misdemeanor to a gross misdemeanor for an assault against a peace officer that does not result in demonstrable bodily harm.
- 2 **Acts prohibited.** Clarifies that a person may be charged with the crime of escape from custody if the person escapes from custody any time after the person's lawful arrest and prior to the commencement of the criminal trial. The previous law implied that the escape crime does not apply unless the person has been charged with or convicted of a crime.
- 3 **Sentence.** Makes the same clarification as in section 2 to the sentencing provision of the crime of escape from custody.
- 4 **Effective date.** April 25, 2000, for crimes committed on or after that date.