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Governor



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Governor Baker Files Legislation to Increase Penalties for Assault of Police Officers

Proposal would make assaulting an officer and causing serious bodily harm a felony

BOSTON – Today, Governor Charlie Baker renewed his call for stronger court procedures and penalties for individuals charged with assaulting a police officer, upgrading the crime from a misdemeanor to a felony when causing serious bodily harm. The proposal would improve the court's ability to deal with the cases of individuals who have demonstrated disregard for law enforcement and pose a threat to the public's safety.

"Under current law, sufficient penalties do not exist for individuals who assault police officers and cause serious harm," **said Governor Charlie Baker**. "The absence of such penalties makes the job of law enforcement that much harder and more dangerous, and illustrates the need to increase those penalties and ensure the punishment can meet such an offense."

"Our system should have the ability to respond strongly if an individual attacks and harms one of our police officers," **said Lieutenant Governor Karyn Polito**. "Those with such a disdain for the rule of law must know that the Commonwealth will take their actions seriously."

"Having the option to hold individuals who have committed a serious assault on a police officer means we could keep dangerous individuals off the streets as they await trial, a move that would benefit law enforcement and the public at large," **said Public Safety and Security Secretary Dan Bennett**.

First filed in June, 2016, during the previous legislative session, Governor Baker's legislation would make three changes in the way that courts could respond to people who commit assaults and batteries on police officers:

1. In cases where the person causes serious bodily injury to the police officer, the penalty will be upgraded from a misdemeanor to a felony and the maximum sentence will be increased to ten years in state prison. The current maximum is set at two and a half years.
2. In cases where an individual causes serious bodily injury to a police officer, judges will be precluded from continuing the case without a finding, placing the defendant on probation, or giving the defendant a suspended sentence. These are not appropriate punishments when a person breaks a police officer's jaw or arm, blinds an officer, or causes an injury that result in a substantial risk of death. Instead, judges will be required to impose a sentence of at least one year of incarceration in cases involving this sort of serious injury.
3. The governor's proposal would allow judges to consider whether individuals charged with this offense present a danger to the community and, in appropriate cases, hold the person pretrial. Under current law, judges are required to release a person charged with assaulting a police officer in the line of duty without considering whether that person is a danger to the community. While not every person who commits this offense necessarily presents a danger to the community such that he or she should be held pretrial, the nature of the offense is such that a court should at least be permitted to ask the question.

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