

SECOND REGULAR SESSION

HOUSE BILL NO. 1784

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FRANZ (Sponsor), PARSON, JONES, TILLEY, WILSON (119), DETHROW, WELLS, POLLOCK, SCHAD, LOEHNER, SMITH (118), SATER, PHILLIPS, FISHER, SMITH (14), MUSCHANY, KELLY, McGHEE, CUNNINGHAM (145), SELF, PORTWOOD, FLOOK, NIEVES, WILSON (130), MUNZLINGER, WRIGHT (137), SMITH (150), CHINN, NOLTE AND WETER (Co-sponsors).

Read 1st time February 15, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5136L.011

AN ACT

To repeal sections 565.081, 565.082, 565.083, and 565.084, RSMo, and to enact in lieu thereof four new sections relating to juvenile officers, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 565.081, 565.082, 565.083, and 565.084, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 565.081, 565.082, 565.083,
3 and 565.084, to read as follows:

565.081. 1. A person commits the crime of assault of a law enforcement officer,
2 emergency personnel, **juvenile officer**, or probation and parole officer in the first degree if such
3 person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law
4 enforcement officer [or], emergency personnel, **juvenile officer, or probation and parole**
5 **officer**.

6 2. As used in this section, "emergency personnel" means any paid or volunteer
7 firefighter, emergency room or trauma center personnel, or emergency medical technician as
8 defined in subdivisions (15), (16), and (17) of section 190.100, RSMo.

9 3. Assault of a law enforcement officer, emergency personnel, **juvenile officer**, or
10 probation and parole officer in the first degree is a class A felony.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

565.082. 1. A person commits the crime of assault of a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), and (17) of section 190.100, RSMo.

3. Assault of a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony.

565.083. 1. A person commits the crime of assault of a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer;

5 (2) Such person purposely places a law enforcement officer, emergency personnel,
6 **juvenile officer**, or probation and parole officer in apprehension of immediate physical injury;

7 (3) Such person knowingly causes or attempts to cause physical contact with a law
8 enforcement officer, emergency personnel, **juvenile officer**, or probation and parole officer
9 without the consent of the law enforcement officer [or], emergency personnel, **juvenile officer**,
10 **or probation and parole officer**.

11 2. As used in this section, "emergency personnel" means any paid or volunteer
12 firefighter, emergency room or trauma center personnel, or emergency medical technician as
13 defined in subdivisions (15), (16), and (17) of section 190.100, RSMo.

14 3. Assault of a law enforcement officer, emergency personnel, **juvenile officer**, or
15 probation and parole officer in the third degree is a class A misdemeanor.

565.084. 1. A person commits the crime of tampering with a judicial officer if, with the
2 purpose to harass, intimidate or influence a judicial officer in the performance of such officer's
3 official duties, [he] **such person**:

4 (1) Threatens or causes harm to such judicial officer or members of such judicial officer's
5 family;

6 (2) Uses force, threats, or deception against or toward such judicial officer or members
7 of such judicial officer's family;

8 (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial
9 officer or such judicial officer's family;

10 (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or
11 such judicial officer's family, including stalking pursuant to section 565.225.

12 2. A judicial officer for purposes of this section shall be a judge, arbitrator, special
13 master, juvenile court commissioner, **juvenile officer**, state probation or parole officer, or
14 referee.

15 3. A judicial officer's family for purposes of this section shall be:

16 (1) [His] **The judicial officer's** spouse; or

17 (2) [His or his] The judicial officer or the judicial officer's spouse's ancestor or
18 descendant by blood or adoption; or

19 (3) [His] **The judicial officer's** stepchild, while the marriage creating that relationship
20 exists.

21 4. Tampering with a judicial officer is a class C felony.

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