

SENATE FILE NO. SF0173

Assault upon corrections or detention officer.

Sponsored by: Senator(s) Meier and Vasey

A BILL

for

1 AN ACT relating to crimes and offenses; creating the crime  
2 of assault and battery on a corrections or detention  
3 officer; providing penalties; providing definitions; and  
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 6-2-508 is created to read:

9

10 **6-2-508. Assault and battery on corrections or**  
11 **detention officer; penalties; definitions.**

12

13 (a) A person is guilty of assault and battery on a  
14 corrections or detention officer if he recklessly:

15

16 (i) Propels any dangerous substance at the  
17 corrections officer, detention officer or staff member

1 while the corrections officer, detention officer or staff  
2 member is acting in the course of his official duty, or as  
3 a result of the corrections officer's, detention officer's  
4 or staff member's official duties; or

5

6 (ii) Tampers with or alters any item by  
7 contaminating the item with any dangerous substance, if the  
8 item may be handled or consumed by the corrections officer,  
9 detention officer or staff member while the corrections  
10 officer, detention officer or staff member is acting in the  
11 course of his official duty, or as a result of the  
12 corrections officer's, detention officer's or staff  
13 member's official duties.

14

15 (b) A person is guilty of aggravated assault and  
16 battery on a corrections or detention officer if he  
17 intentionally or knowingly:

18

19 (i) Propels any dangerous substance at the  
20 corrections officer, detention officer or staff member  
21 while the corrections officer, detention officer or staff  
22 member is acting in the course of his official duty, or as  
23 a result of the corrections officer's, detention officer's  
24 or staff member's official duties; or

1

2           (ii) Tamper with or alters any item by  
3 contaminating the item with any dangerous substance, if the  
4 item may be handled or consumed by the corrections officer,  
5 detention officer or staff member while the corrections  
6 officer, detention officer or staff member is acting in the  
7 course of his official duty, or as a result of the  
8 corrections officer's, detention officer's or staff  
9 member's official duties.

10

11           (c) A violation of subsection (a) of this section is  
12 a misdemeanor punishable by a fine of not more than seven  
13 hundred fifty dollars (\$750.00), imprisonment for not more  
14 than six (6) months, or both.

15

16           (d) A violation of subsection (b) of this section is  
17 a felony punishable by a fine of not more than five  
18 thousand dollars (\$5,000.000), imprisonment for not more  
19 than five (5) years, or both.

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21           (e) A violation of subsection (b) of this section, by  
22 a person who knows he has a life threatening disease, shall  
23 result in the enhancement of the sentence entered under

1 subsection (d) of this section by a period of imprisonment  
2 for not more than ten (10) years.

3

4 (f) As used in this section:

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6 (i) "Dangerous substance" includes, but is not  
7 limited to, blood, urine, saliva, semen and feces;

8

9 (ii) "Corrections officer" means a person who is  
10 employed by the department of corrections and works at a  
11 department of corrections facility to care for, supervise  
12 and control persons in the custody of the department of  
13 corrections;

14

15 (iii) "Detention officer" means a person who is  
16 employed by a county or municipality on a full-time basis  
17 to care for, supervise and control persons detained in a  
18 jail or holding facility and includes a peace officer in  
19 the detention setting;

20

21 (iv) "Staff member" means:

22

23 (A) A department of corrections or  
24 department of family services staff member, or a person

1 employed pursuant to a contract with the department of  
2 corrections or department of family services, who works  
3 with, or in the vicinity of, inmates or youth offenders;  
4 and

5

6 (B) A volunteer authorized by the  
7 department of corrections or other entity in charge of a  
8 corrections facility to work with, or in the vicinity of,  
9 inmates or youth offenders.

10

11 **Section 2.** This act is effective July 1, 2005.

12

13

(END)