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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO CRIMINAL PROCEDURE -- ARREST

Introduced By: Senators Perry, Shibley, and McCaffrey

Date Introduced: May 05, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-7-21 of the General Laws in Chapter 12-7 entitled "Arrest" is
2 hereby amended to read as follows:

3 **12-7-21. "Peace officer" defined.** -- "Peace officer", as used within this chapter, means
4 the following individuals or members of:

- 5 (1) Rhode Island state police;
- 6 (2) Any member of a municipal or local police department;
- 7 (3) Rhode Island marshals,
- 8 (4) Rhode Island airport corporation police;
- 9 (5) Rhode Island park police;
- 10 (6) Rhode Island capitol police;
- 11 (7) Rhode Island conservation officers;
- 12 (8) Rhode Island department of environmental management officers;
- 13 (9) Rhode Island fire marshals;
- 14 (10) Brown University police officers;
- 15 (11) University of Rhode Island campus police officers;
- 16 (12) Rhode Island College campus security;
- 17 (13) Campus security at the Community College of Rhode Island;
- 18 (14) Rhode Island sheriff's department;
- 19 (15) Rhode Island drug enforcement officers;

1 (16) The investigators of the department of attorney general appointed pursuant to
2 section 42-9-8.1;

3 (17) The director, assistant director, and other inspectors and agents of the Rhode Island
4 state fugitive task force appointed pursuant to section 12-6-7.2;

5 (18) Any federal law enforcement officer;

6 (19) Correctional investigators and correctional officers of the Rhode Island department
7 of corrections;

8 (20) The witness protection coordinator of the department of attorney general; and

9 (21) The warden, associate wardens, majors, captains, lieutenants, sergeants, correctional
10 officers and investigators employed by a project operated by a municipal detention facility
11 corporation, including, but not limited to, the Donald W. Wyatt Detention Facility; provided, such
12 parties listed in this subsection (21) herein shall be deemed to be peace officers while in
13 performance of their duties for the municipal detention facility only, and shall not be deemed to
14 be peace officers at any time when they are not in performance of said duties.

15 (22) Retired non-permanent sworn members of any municipal police department shall be
16 deemed to be peace officers only while in the performance of their duties for any municipal
17 police department, and shall be permitted to carry their firearm while in the performance of their
18 duties for the municipal police department, and shall be subject to in-service training
19 requirements of title 42, chapter 28; and

20 (23) Rhode Island School of Design police officers.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would add Rhode Island School of Design police officers to the definition of
2 peace officer.

3 This act would take effect upon passage.

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