

2016 -- S 2419

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO CRIMINAL PROCEDURE-ARREST

Introduced By: Senators P Fogarty, Nesselbush, and Doyle

Date Introduced: February 11, 2016

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 airport corporation police;
- 8           (4) Rhode Island park police;
- 9           (5) Rhode Island capitol police;
- 10          (6) Rhode Island conservation officers;
- 11          (7) Rhode Island department of environmental management officers;
- 12          (8) Rhode Island fire marshals;
- 13          (9) Brown University police officers;
- 14          (10) University of Rhode Island campus police officers;
- 15          (11) Rhode Island College campus security;
- 16          (12) Campus security at the Community College of Rhode Island;
- 17          (13) Rhode Island sheriff's department;
- 18          (14) The investigators of the department of attorney general appointed pursuant to § 42-  
19 9-8.1;

1 (15) Any federal law enforcement officer;

2 (16) Correctional investigators and correctional officers of the Rhode Island department  
3 of corrections;

4 (17) The witness protection coordinator of the department of attorney general;

5 (18) The warden, associate wardens, majors, captains, lieutenants, sergeants, correctional  
6 officers and investigators employed by a project operated by a municipal detention facility  
7 corporation, including, but not limited to, the Donald W. Wyatt Detention Facility; provided, such  
8 parties listed in this subsection (18) herein shall be deemed to be peace officers while in  
9 performance of their duties for the municipal detention facility only, and shall not be deemed to  
10 be peace officers at any time when they are not in performance of said duties;

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

16 (20) Auto theft investigators appointed pursuant to § 31-50-1;

17 (21) Providence fire department arson investigators; provided, that the arson investigator  
18 is a graduate of a police-training academy; ~~and~~

19 (22) Rhode Island School of Design police officers; ~~and~~

20 (23) Juvenile program workers and shift coordinators of the Rhode Island department of  
21 children, youth and families, provided that such parties herein shall be deemed to be peace  
22 officers only while in performance of their duties for the Rhode Island training school and shall  
23 not be deemed to be peace officers at any other time.

24 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 juvenile program workers and shift coordinators of the department of  
2 children, youth and families to the definition of peace officer so long as they are engaged in the  
3 performance of their official duties.

4           This act would take effect upon passage.

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