

SENATE, No. 1207

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

SYNOPSIS

Criminalizes throwing water at law enforcement officer.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain assaults against law enforcement
2 officers and supplementing Title 2C of the New Jersey Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. A person who throws or sprays water or any other substance
8 at a law enforcement officer acting in the performance of the
9 officer's duties while in uniform or exhibiting evidence of the
10 officer's authority, or because of the officer's status as a law
11 enforcement officer, commits aggravated assault. If the law
12 enforcement officer suffers bodily injury, this shall be a crime of
13 the third degree. Otherwise, this shall be a crime of the fourth
14 degree. A term of imprisonment imposed for this offense shall run
15 consecutively to any term of imprisonment currently being served
16 and to any other term imposed for another offense committed at the
17 time of the assault. Nothing in this section shall be deemed to
18 preclude, if the evidence warrants, an indictment and conviction for
19 a violation or attempted violation of chapter 11 of Title 2C of the
20 New Jersey Statutes, subsection b. of N.J.S.2C:12-1, or any other
21 provision of the criminal law.

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23 2. This act shall take effect immediately.

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STATEMENT

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28 This bill makes it a crime to throw or spray water at a law
29 enforcement officer while that officer is performing his or her
30 duties.

31 Specifically, this bill makes it a crime of the third degree if a law
32 enforcement officer suffers bodily injury when water or any other
33 substance is thrown or sprayed at the officer while acting in the
34 performance of his or her duties while in uniform or exhibiting
35 evidence of his or her authority, or because of the officer's status as
36 a law enforcement officer. Third degree crimes generally are
37 punishable by a term of imprisonment of three to five years, a fine
38 of up to \$15,000, or both. Under the bill, it is a crime of the fourth
39 degree if the officer does not suffer bodily injury. Fourth degree
40 crimes generally are punishable by a term of imprisonment of up to
41 18 months, a fine of up to \$10,000, or both.

42 If a term of imprisonment is imposed under the bill, that term is
43 to run consecutively to any term of imprisonment the defendant
44 currently is serving or a term imposed on the defendant for another
45 offense committed at the time of the assault.

46 A person convicted under the bill is not precluded from being
47 convicted of criminal homicide, aggravated assault, or any other
48 criminal offense.