

2022 -- H 7305

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO CRIMINAL PROCEDURE -- ARREST

Introduced By: Representatives Baginski, Serpa, and Bennett

Date Introduced: February 02, 2022

Referred To: House 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.**

4 "Peace officer," as used within this chapter, means the following individuals or members
5 of:

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

1 8.1;

2 (15) Any federal law enforcement officer;

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

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

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

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

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

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

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

21 (23) The general agent of the Rhode Island society for the prevention of cruelty to animals
22 and any special agents appointed by the society while enforcing any of the laws of this state in
23 relation to cruelty of animals pursuant to § 4-1-21.

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 the general agent of the Rhode Island society for the prevention of
- 2 cruelty to animals and any special agents appointed by the society while enforcing any of the laws
- 3 of this state in relation to cruelty of animals pursuant to § 4-1-21 to the definition of peace officers.
- 4 This act would take effect upon passage.

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