

2019 -- H 5984

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO CRIMINAL PROCEDURE -- ARREST

Introduced By: Representatives Almeida, Millea, Speakman, McEntee, and Craven

Date Introduced: April 11, 2019

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-

1 9-8.1;

2 (15) Any federal law enforcement officer;

3 (16) Correctional investigators and correctional officers of the Rhode Island department
4 of 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
11 be 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
14 police department, and shall be permitted to carry their firearm while in the performance of their
15 duties for the municipal police department, and shall be subject to in-service training
16 requirements of title 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 [\(23\) Rhode Island state constables certified pursuant to § 9-5-10.1.](#)

22 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 certified state constables to the definition of peace
2 officer.

3 This act would take effect upon passage.

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