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Senate of Pennsylvania

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TO: All Senators

DATE: August 15, 2011

FROM: Senator John P. Blake

SUBJECT: Heightened penalties for assaulting Game or Fish and Boat Commission Officers

In the near future, I plan to introduce legislation to increase the penalty for assaulting a Game or Fish and Boat Commission Officer. This legislation will mirror the efforts of my friend and colleague, Representative Ed Staback, Democratic Chair of the House Game and Fisheries Committee. We were all tragically reminded of the dangers these brave officers face when in November of 2010, Pennsylvania Game Commission Wildlife Conservation Officer David L. Grove was shot and killed while investigating possible, night-time poaching activity.

This legislation would add law enforcement officers from the Game Commission and the Fish and Boat Commission to the list of officials protected by higher penalties for aggravated assault in Title 18. This list of officials currently includes all other law enforcement officials and public servants such as school board members, teachers, elected office holders and emergency responders.

In the Game Code, assaulting a Wildlife Conservation Officer constitutes a Misdemeanor 2, regardless of serious bodily injury. In the Fish Code, assaulting a Waterway Conservation Officer is a Felony 2 in the event of serious bodily injury. All other assaults are misdemeanors.

This legislation would bring parity among these Commission Officers and other law enforcement personnel by instituting the following offense schedule:

Assault resulting in serious bodily injury – Felony 1
Assault resulting in simple bodily injury – Felony 2

The bill also makes technical changes to various sections of Title 34 by changing third degree misdemeanors to ungraded misdemeanors to create consistency throughout the title.

If you would like to co-sponsor this legislation, please contact my office at 717-787-6481. If you have any questions, please contact Kyle Mullins at kmullins@pasenate.com.