

ASSEMBLY BILL

No. 635

Introduced by Assembly Member Duvall

February 21, 2007

An act to amend Section 1170.81 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 635, as introduced, Duvall. Peace officers: circumstance in aggravation.

Existing law provides that the fact that the victim of an attempted life term crime was a peace officer, as specified, while the peace officer was engaged in the performance of his or her duties, and the defendant knew or reasonably should have known that the victim was a peace officer engaged in the performance of his or her duties, shall be considered a circumstance in aggravation of the crime in imposing a sentence.

This bill would add community college and school district police, as specified, to the list of peace officers in that provision.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1170.81 of the Penal Code is amended
- 2 to read:
- 3 1170.81. The fact that the intended victim of an attempted life
- 4 term crime was a peace officer, as described in subdivisions (a)
- 5 and (b) of Section 830.1, or Section 830.2, 830.32, 830.5 or 830.6,

1 while the peace officer was engaged in the performance of his or
2 her duties, and the defendant knew or reasonably should have
3 known that the victim was a peace officer engaged in the
4 performance of his or her duties, shall be considered a circumstance
5 in aggravation of the crime in imposing a term under subdivision
6 (b) of Section 1170.

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