TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 7 - ASSAULT

§ 111. Assaulting, resisting, or impeding certain officers or employees

(a) In General.— Whoever—

(1) forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties; or

(2) forcibly assaults or intimidates any person who formerly served as a person designated in section 1114 on account of the performance of official duties during such person’s term of service, shall, where the acts in violation of this section constitute only simple assault, be fined under this title or imprisoned not more than one year, or both, and where such acts involve physical contact with the victim of that assault or the intent to commit another felony, be fined under this title or imprisoned not more than 8 years, or both.

(b) Enhanced Penalty.— Whoever, in the commission of any acts described in subsection (a), uses a deadly or dangerous weapon (including a weapon intended to cause death or danger but that fails to do so by reason of a defective component) or inflicts bodily injury, shall be fined under this title or imprisoned not more than 20 years, or both.


Historical and Revision Notes


This section consolidates sections 118 and 254 with changes in phraseology and substance necessary to effect the consolidation.

Also the words “Bureau of Animal Industry of the Department of Agriculture” appearing in section 118 of title 18, U.S.C., 1940 ed., were inserted in enumeration of Federal officers and employees in section 1114 of this title.

The punishment provision of section 254 of title 18, U.S.C., 1940 ed., was adopted as the latest expression of Congressional intent. This consolidation eliminates a serious incongruity in punishment and application.

Amendments

2008—Subsec. (a). Pub. L. 110–177 substituted “where such acts involve physical contact with the victim of that assault or the intent to commit another felony” for “in all other cases” in concluding provisions.


1996—Subsec. (b). Pub. L. 104–132 inserted “(including a weapon intended to cause death or danger but that fails to do so by reason of a defective component)” after “deadly or dangerous weapon”.

1994—Subsec. (a). Pub. L. 103–322, § 320101(a)(1), inserted “. where the acts in violation of this section constitute only simple assault, be fined under this title or imprisoned not more than one year, or both, and in all other cases,” after “shall” in concluding provisions.

Subsec. (b). Pub. L. 103–322, § 320101(a)(2), inserted “or inflicts bodily injury” after “weapon”.

1988—Pub. L. 100–690 amended text generally. Prior to amendment, text read as follows:
“Whoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of his official duties, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

“Whoever, in the commission of any such acts uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.”

Short Title of 2002 Amendment