
**Public Safety & Emergency Preparedness
Committee**

HB 2860

Brief Description: Prohibiting the intimidation of a peace officer.

Sponsors: Representatives Haler, Pearson, Klippert, Hurst, Kelley, Wallace and Smith.

Brief Summary of Bill

- Creates the offense of intimidating a peace officer, which is a class B felony with a seriousness level of VI.

Hearing Date: 1/27/10

Staff: Alexa Silver (786-7190).

Background:

Crimes related to disrupting governmental operation include obstructing a law enforcement officer and intimidating a public servant. A person is guilty of obstructing a law enforcement officer if he or she willfully hinders, delays, or obstructs the officer in the discharge of his or her official duties. Obstructing a law enforcement officer is a gross misdemeanor. A person is guilty of intimidating a public servant if he or she uses a threat to attempt to influence the public servant's vote, opinion, decision, or other official action. Intimidating a public servant is a class B felony with a seriousness level of III.

The term "threat" is defined in the criminal code as the direct or indirect communication of the intent to: cause future bodily harm to the threatened person or any other person; cause physical damage; subject a person to physical confinement; accuse a person of a crime; expose a secret; reveal information sought to be concealed; testify or withhold testimony; take wrongful action as an official; bring about or continue a strike or boycott to obtain property; or do any other act intended to substantially harm the person threatened or any other person with respect to health, safety, business, financial condition, or personal relationships.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

A person is guilty of intimidating a peace officer if he or she: (a) directs a threat to the officer because of an official action that the officer took, or (b) directs a threat against the officer to attempt to influence the officer's actions.

"Threat" means to directly or indirectly communicate the intent immediately to use force against any person present at the time. Threat also has the same meaning as defined in the criminal code.

Intimidating a peace officer is a class B felony with a seriousness level of VI.

Appropriation: None.

Fiscal Note: Requested on January 21, 2010.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.