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## HOUSE BILL NO. 2310

Offered January 23, 1995

A *BILL to amend and reenact § 18.2-460 of the Code of Virginia, relating to obstructing justice by threats or force; penalties.*

Patrons—Parrish, Marshall and May; Senators: Benedetti and Colgan

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-460 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-460. Obstructing justice by threats or force.

A.. If any person without just cause knowingly obstructs a judge, magistrate, justice, juror, attorney for the Commonwealth, witness or any law-enforcement officer in the performance of his duties as such or fails or refuses without just cause to cease such obstruction when requested to do so by such judge, magistrate, justice, juror, attorney for the Commonwealth, witness, or law-enforcement officer, he shall be guilty of a Class 3 misdemeanor.

B. If any person, by threats or force, knowingly attempts to intimidate or impede a judge, magistrate, justice, juror, attorney for the Commonwealth, ~~witness~~, or any law-enforcement officer, lawfully engaged in his duties as such, or to obstruct or impede the administration of justice in any court, he shall be deemed to be guilty of a Class 1 misdemeanor.

C. If any person by threats of bodily harm or force knowingly attempts to intimidate or impede a judge, magistrate, justice, juror, ~~witness~~, or any law-enforcement officer, lawfully engaged in the discharge of his duty, or to obstruct or impede the administration of justice in any court relating to a violation of or conspiracy to violate § 18.2-248 or § 18.2-248.1 (a) (3), (b) or (c) he shall be guilty of a Class 5 felony.

D. Every person who, by threats or force, knowingly attempts to intimidate or impede a witness in a criminal case, shall be punished as follows:

1. If the offense charged in the case wherein the witness is expected to testify is a Class 1 or Class 2 felony or is otherwise punishable by more than twenty years' imprisonment, an attempt to intimidate or impede a witness shall be punishable as a Class 3 felony.

2. If the offense charged in the case wherein the witness is expected to testify is a Class 3 or Class 4 felony, or is otherwise punishable by a maximum of twenty years' imprisonment, an attempt to intimidate or impede a witness shall be punishable as a Class 4 felony.

3. If the offense charged in the case wherein the witness is expected to testify is a Class 5 or Class 6 felony, an attempt to intimidate or impede a witness shall be punishable as a Class 6 felony.

4. If the offense charged in the case wherein the witness is expected to testify is a misdemeanor, an attempt to intimidate or impede a witness shall be punishable as a Class 1 misdemeanor.

**2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$250,000.**

INTRODUCED

HB2310