

LD6400310

HOUSE BILL NO. 2340

Offered January 23, 1995

A BILL to amend and reenact § 18.2-460 of the Code of Virginia, relating to obstruction of justice; penalty.

Patrons—Jones, D.C., Cantor, Christian, Crittenden, Cunningham, Deeds, Jones, J.C., McClure, Melvin, Puller, Robinson, Shuler and Spruill; Senators: Lambert, Lucas, Marsh, Maxwell and Miller, Y.B.

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, force or intimidation.

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 4 ~~misdemeanor~~ 6 felony.

C. If any person by threats of bodily harm 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 the discharge of his ~~duty~~ duties as such, 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. A person shall be guilty of a Class 6 felony if, by threat or force prevents, knowingly dissuades hinders or delays a victim of a crime, a person acting on behalf of a victim, or a witness from:

1 Reporting a crime to a judge, law-enforcement officer, probation or parole officer, attorney for the Commonwealth, warden or other appropriate employee of the Department of Corrections;

2 Commencing a criminal prosecution or proceeding for the revocation of probation or parole, or seeking or assisting in such prosecution or proceeding; or

3 Causing the arrest of a person in connection with a crime.

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

HB2340