

FINAL BILL REPORT

SSB 6138

C 196 L 94

SYNOPSIS AS ENACTED

Brief Description: Changing obstructing a public servant to obstructing a law enforcement officer.

SPONSORS: Senate Committee on Law & Justice (originally sponsored by Senators A. Smith and Nelson)

SENATE COMMITTEE ON LAW & JUSTICE

HOUSE COMMITTEE ON JUDICIARY

BACKGROUND:

The crime of obstructing a public servant is committed if a person: 1) refuses or knowingly fails to make a statement lawfully required of him to a public servant; 2) makes a knowingly false statement to a public servant; or 3) knowingly hinders, delays, or obstructs any public servant in the discharge of official duties. In 1982, the Washington Supreme Court found the first two sections of the statute unconstitutionally vague, but the statute has never been amended to reflect that decision.

SUMMARY:

The crime of obstructing a public servant is renamed obstructing a law enforcement officer. The crime is committed if a person willfully makes an untrue or misleading statement to a law enforcement officer during the course of an investigation or arrest, or, if a person willfully hinders, delays or obstructs a law enforcement officer in the discharge of official duties.

Law enforcement officer is defined to include any general authority, limited authority, or specially commissioned Washington peace officer, or federal peace officer, and other public officers responsible for enforcement of fire, building, zoning, and life and safety codes.

The classification of the crime is increased from a misdemeanor to a gross misdemeanor.

VOTES ON FINAL PASSAGE:

Senate	49	0	
House	98	0	(House amended)
Senate			(Senate refused to concur)
House			(House refused to recede)
Senate	45	0	(Senate concurred)

EFFECTIVE: June 9, 1994