



# House of Representatives

General Assembly

**File No. 416**

February Session, 2000

House Bill No. 5137

*House of Representatives, April 4, 2000*

The Committee on Judiciary reported through REP. LAWLOR of the 99<sup>th</sup> Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***An Act Concerning Hindering Prosecution.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-166 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 (a) A person is guilty of hindering prosecution in the first degree  
4 when [he] such person renders criminal assistance to a person [who]  
5 whom the actor knows or believes has committed a class A or class B  
6 felony or an unclassified offense for which the maximum penalty is  
7 imprisonment for more than ten years.

8 (b) Hindering prosecution in the first degree is a class D felony.

9 Sec. 2. Section 53a-167 of the general statutes is repealed and the  
10 following is substituted in lieu thereof:

11 (a) A person is guilty of hindering prosecution in the second degree  
12 when [he] such person renders criminal assistance to a person [who]

13 whom the actor knows or believes has committed a class C or class D  
14 felony or an unclassified offense for which the maximum penalty is  
15 imprisonment for ten years or less but more than one year.

16 (b) Hindering prosecution in the second degree is a class A  
17 misdemeanor.

**JUD Committee Vote:** Yea 40 Nay 0 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Potential Cost, Potential Minimal Revenue Gain

**Affected Agencies:** Various Criminal Justice Agencies

**Municipal Impact:** None

**Explanation**

**State Impact:**

This bill could result in a cost to the criminal justice system and a minimal revenue gain to the state. This is a result of changing the requirements for which a person can be found guilty of hindering prosecution. The impact is anticipated to be absorbable within the current caseload and budgetary structures of the criminal justice system.

In 1999, according to Judicial Department reports, 134 people were charged with hindering prosecution. This resulted in no revenue gain from criminal fines. Department of Correction records indicate that approximately 8 individuals were incarcerated in 1999 with hindering prosecution as their primary charge.

**OLR Bill Analysis**

HB 5137

***AN ACT CONCERNING HINDERING PROSECUTION.*****SUMMARY:**

This bill makes a person guilty of hindering prosecution if he helps someone he knows or believes has committed a felony or unclassified offense. Currently, a person could be guilty of this offense only if the recipient of his help actually committed the crime.

First degree hindering is a class D felony, punishable by imprisonment for one to five years, a fine of up to \$5,000, or both.

Second degree hindering is a class A misdemeanor, punishable by imprisonment for up to one year, a fine of up to \$2,000 or both.

EFFECTIVE DATE: October 1, 2000

**BACKGROUND*****Hindering Prosecution***

A person commits first degree hindering when he helps someone who has committed a class A or B felony or an unclassified offense punishable by 10 or more years in prison. A person commits second degree hindering when he assists someone who has committed a class C or D felony or unclassified offense that carries a prison sentence of between one and 10 years.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Report

Yea 40      Nay 0

