



# House of Representatives

General Assembly

**File No. 730**

January Session, 2013

Substitute House Bill No. 6674

*House of Representatives, May 6, 2013*

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING THE PENALTY FOR INTERFERING WITH AN OFFICER.***

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

1 Section 1. Section 53a-167a of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) A person is guilty of interfering with an officer when such  
4 person obstructs, resists, hinders or endangers any peace officer,  
5 special policeman appointed under section 29-18b, motor vehicle  
6 inspector designated under section 14-8 and certified pursuant to  
7 section 7-294d or firefighter in the performance of such peace officer's,  
8 special policeman's, motor vehicle inspector's or firefighter's duties.

9 (b) Interfering with an officer is a class A misdemeanor, except that,  
10 if such violation causes the death or serious physical injury of another  
11 person, such person shall be guilty of a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	53a-167a

**JUD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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## **OFA Fiscal Note**

### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 14 \$</b>	<b>FY 15 \$</b>
Judicial Dept.	GF - Potential Revenue Gain	See Below	See Below
Correction, Dept.; Judicial Dpt (Probation)	GF - Potential Cost	See Below	See Below

**Municipal Impact:** None

### **Explanation**

The bill modifies existing statute, making it a class D felony for anyone whose interference with an officer causes the death or serious injury to another person. In FY 12 there were 203 violations with total penalty revenue of \$74,715. It is not known how many of these violations would result in the increased penalty but if any did, this bill would result in increased penalty revenue and potential incarceration.

To the extent that offenders are prosecuted for the expanded offenses under this bill, potential costs for incarceration or probation supervision in the community, or judicial revenue would result. On average, it costs the agency \$6,050 (including benefits) to supervise an inmate in the community as opposed to \$50,690 (including benefits) to incarcerate an offender.

### **The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: *Judicial Department Offenses and Revenue Database*

**OLR Bill Analysis****sHB 6674*****AN ACT CONCERNING THE PENALTY FOR INTERFERING WITH AN OFFICER.*****SUMMARY:**

This bill increases the penalty, from a class A misdemeanor to a class D felony, for anyone whose interference with a peace officer, revenue services special police officer, motor vehicle inspector, or firefighter performing his or her duties causes the death or serious injury to another person. Under current law, obstructing, resisting, hindering, or endangering such officers in the performance of their duties is a class A misdemeanor.

By law, a class D felony is punishable by a fine of up to \$5,000, one to five years imprisonment, or both. A class A misdemeanor is punishable by a fine of up to \$2,000, up to one year imprisonment, or both.

EFFECTIVE DATE: October 1, 2013

**BACKGROUND*****Peace Officer***

Under state law, "peace officer" means a state or local police officer; inspector in the Criminal Justice Division; state or judicial marshal exercising legal authority; conservation or special conservation officer; constable who performs criminal law enforcement duties; special policeman, with some limitations; adult probation officer; officials authorized to make arrests in correctional institutions or facilities; Treasurer's Office investigator; or federal special agent authorized to enforce federal food and drug statutes (CGS § 53a-3).

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 44    Nay 0    (04/19/2013)