



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

House: JUD DPA 9-0-1-0

HB 2343: crime scene investigation interference; offense

Sponsor: Representative Payne, LD 21

Caucus & COW

Overview

Makes *interfering with a crime scene investigation* a criminal offense and classifies it as a class 1 misdemeanor.

History

Statute prohibits a person from obstructing governmental operations. A person commits *obstructing governmental operations* when the person uses threats or violence to hinder a peace officer from enforcing the law or acting under official authority. This offense is classified as a class 1 misdemeanor ([A.R.S. § 13-2402](#)).

Tampering with physical evidence with the intent to render it unavailable or useless for an official proceeding is a class 1 misdemeanor. *Tampering with physical evidence* includes:

- 1) Intending to destroy, mutilate, alter or remove physical evidence;
- 2) Knowingly producing false physical evidence; or
- 3) Preventing, through physical force, intimidation or deception, a person from providing physical evidence to a peace officer or a judicial proceeding ([A.R.S. § 13-2809](#)).

Provisions

1. States interfering with a crime scene investigation, disobeying a peace officer's verbal order to leave a possible crime scene or interfere with the investigation is unlawful. (Sec. 1)
2. Classifies *interfering with a crime scene investigation* as a class 1 misdemeanor. (Sec. 1)

Amendments

Committee on Judiciary

1. Requires a person knowingly disobey the reasonable verbal order of a peace officer for the act to be criminal.
2. Clarifies that this offense does not apply to a person peaceably observing a police proceeding provided the person does not interfere with or obstruct the peace officer's investigation.
3. Defines *crime scene*.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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