



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

AMENDED
FACT SHEET FOR H.B. 2343

crime scene investigation interference; offense

Purpose

States that a person commits *interfering with a crime scene investigation* if the person knowingly disobeys a peace officer's reasonable verbal order to remain off the premises of a possible crime scene or otherwise interferes with a peace officer's crime scene investigation with an exception for peaceful observers who do not interfere with or obstruct the crime scene. Classifies an offense as a class 2 misdemeanor

Background

A person commits *obstructing governmental operations* if, by using or threatening to use violence or physical force, the person knowingly obstructs, impairs or hinders: 1) the performance of a governmental function by a public servant acting under color of the public servant's official authority; or 2) the enforcement of the penal law or the preservation of the peace by a peace officer acting under color of the peace officer's official authority. Obstructing government operations is a class 1 misdemeanor ([A.R.S. § 13-2402](#)). A person who obstructs the communication of information or testimony of a crime to an officer of the court or who retaliates against a person who communicates a crime to an officer of the court is guilty of a class 5 felony, except that it is a class 3 felony if the person commits the offense with the intent to promote, further or assist a criminal street gang ([A.R.S. § 13-2409](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. States that a person commits *interfering with a crime scene investigation* if the person knowingly disobeys a peace officer's reasonable verbal order to remain off the premises of a possible crime scene or otherwise interferes with a peace officer's crime scene investigation.
2. Allows a person to peaceably observe a police proceeding if the observer does not interfere with or obstruct the peace officer's crime scene investigation.
3. Classifies, as a class 2 misdemeanor, interfering with a crime scene investigation.
4. Defines *crime scene* as an area where a crime has possibly occurred and a peace officer who is on site has determined that it is necessary to restrict the public's access to the area until any potential evidence of the crime at the scene is identified and preserved, victims and suspects are identified and, if necessary, any emergency medical care and ambulance transportation is requested.
5. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Allows a person to peaceably observe a police proceeding if the observer does not interfere with or obstruct the peace officer's crime scene investigation.
2. Makes conforming changes

House Action

JUD 2/2/22 DPA 9-0-1-0
3rd Read 2/15/22 56-3-1

Senate Action

JUD 3/3/22 DPA 6-2-0

Prepared by Senate Research

March 4, 2022

ZD/HW/sr