

By: Representative Beckett

To: Judiciary A

HOUSE BILL NO. 1056

1 AN ACT TO AMEND SECTION 97-9-55, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE OFFENSE OF OBSTRUCTION OF JUSTICE; AND FOR RELATED  
3 PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 97-9-55, Mississippi Code of 1972, is  
6 amended as follows:

7 97-9-55 If any persons by force, bribery, promise of reward,  
8 abuse, threat or threatening communication, whether oral, written  
9 or by telephone or by damaging the real or personal property of  
10 such person or public property under his control shall attempt to  
11 or shall influence, intimidate, impede, delay, harass or injure  
12 any grand or petit juror or person called for jury service, police  
13 officer, investigator, judicial officer, witness, informant,  
14 prosecutor, defense attorney or any other person in the discharge  
15 of his duties with the intent:

16 (a) To cause such person to falsely testify, or  
17 withhold testimony, records or evidence in a criminal proceeding,  
18 evade subpoena or be absent from any official proceeding, inquiry  
19 or investigation; or

20 (b) To hinder, delay, prevent or dissuade such person  
21 from reporting or prosecuting a crime, forcing or intimidating  
22 such person to withdraw or alter criminal charges or make a false  
23 affidavit or statement; or

24 (c) To hinder, delay, prevent or dissuade any person  
25 from reporting a crime or communicating with a law enforcement  
26 officer, prosecutor or judge regarding the commission or possible  
27 commission of a criminal offense; or

28           (d) To hinder, delay, prevent or dissuade any person  
29 from investigating, presenting, defending or trying any case or  
30 otherwise carrying out his official duties respecting a criminal  
31 case; or

32           (e) If any person or persons retaliate against a  
33 witness, party or informant in an official proceeding by threat,  
34 bodily injury, harassment or damage to real or personal property  
35 belonging to or under the control of such person.

36           If any person or persons shall destroy, mutilate, alter,  
37 conceal or fail to produce any evidence under his control or  
38 possession or fail to reveal the whereabouts of evidence which is  
39 known to him.

40           Then such person shall be guilty of obstruction of justice  
41 and may be punished by imprisonment in the county jail for not  
42 more than one (1) year or a fine of not more than One Thousand  
43 Dollars (\$1,000.00), or both, or may be imprisoned not more than  
44 ten (10) years in the State Penitentiary or fined not more than  
45 Ten Thousand Dollars (\$10,000.00) or both.

46           **SECTION 2.** This act shall take effect and be in force from  
47 and after July 1, 2006.