

TIGARD MUNICIPAL CODE

Chapter 7.28 OBSTRUCTING LAW ENFORCEMENT.

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7.28.010 False Swearing.

(a) A person commits the crime of "false swearing" if he makes a false sworn statement, knowing it to be false.

(b) False swearing is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.020 Unsworn Falsification.

(a) A person commits the crime of "unsworn falsification" if he knowingly makes any false written statement to a public servant in connection with an application for any benefit.

(b) Unsworn falsification is a Class B misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.030 Failure To Appear In The Second Degree.

(a) A person commits the crime of failure to appear in the second degree if, having by court order been released from custody or a correctional facility upon a release agreement or security release upon the condition that he will subsequently appear personally in connection with a charge against him of having committed a misdemeanor or violation, he intentionally fails to appear as required.

(b) Failure to appear in the second degree is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.040 Obstructing Governmental Administration.

(a) A person commits the crime of obstructing governmental or judicial administration if the person intentionally obstructs, impairs or hinders the administration of law or other governmental or judicial function by means of intimidation, force, physical or economic interference or obstacle.

(b) This section shall not apply to the obstruction of unlawful governmental or judicial action or interference with the making of an arrest.

(c) Obstructing governmental or judicial administration is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A (part)), 1984).

7.28.050 Refusing To Assist Peace Officer.

(a) A person commits the offense of

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"refusing to assist a peace officer" if upon command by a person known to him to be a peace officer he unreasonably refuses or fails to assist in effecting an authorized arrest or preventing another from committing a crime.

(b) Refusing to assist a peace officer is a violation. (Ord. 85-10 §1, 1985).

7.28.060 Refusing To Assist Fire-Fighting Operations.

(a) A person commits the offense of "refusing to assist in fire-fighting operations" if:

(1) Upon command by a person known by him to be a fireman he unreasonably refuses or fails to assist in extinguishing a fire or protecting property threatened thereby; or

(2) Upon command by a person known by him to be a fireman or peace officer he intentionally and unreasonably disobeys a lawful order relating to his conduct in the vicinity of a fire.

(b) Refusing to assist in fire-fighting operations is a violation. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.070 Tampering--With Witness.

(a) A person commits the crime of "tampering with a witness" if:

(1) He knowingly induces or attempts to induce a witness or a person he believes may be called as a witness in any official proceeding to offer false testimony or unlawfully withhold any testimony; or

(2) He knowingly induces or attempts to induce a witness to absent himself from any official proceeding to which he has been legally summoned.

(b) Tampering with a witness is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.080 Tampering--With Physical Evidence.

(a) A person commits the crime of "tampering with physical evidence" if, with intent that it be used, introduced, rejected or unavailable in an official proceeding which is then pending or to the knowledge of such person is about to be instituted, he:

(1) Destroys, mutilates, alters, conceals or removes physical evidence impairing its verity or availability; or

(2) Knowingly makes, produces or offers any false physical evidence; or

(3) Prevents the production of physical evidence by an act of force, intimidation, or deception against any person.

(b) Tampering with physical evidence is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.090 Tampering--With Public Records.

(a) A person commits the crime of "tampering with public records" if, without lawful authority, he knowingly destroys, mutilates, conceals, removes, makes a false entry in or falsely alters any public record.

(b) Tampering with public records is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.100 Resisting Arrest.

(a) A person commits the crime of

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"resisting arrest" if he intentionally resists a person known by him to be a peace officer in making an arrest.

(b) "Resists," as used in this section, means the use or threatened use of violence, physical force or any other means that creates a substantial risk of physical injury to any person.

(c) It is no defense to a prosecution under this section that the peace officer lacked legal authority to make the arrest, provided he was acting under color of his official authority.

(d) Resisting arrest is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.110 Initiating False Report.

(a) A person commits the crime of "initiating a false report" if he knowingly initiates a false alarm or report which is transmitted to a fire department, law enforcement agency or other organization that deals with emergencies involving danger to life or property.

(b) Initiating a false report is a Class C misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.115 Giving False Information To Police Officer For A Citation.

(a) A person commits the crime of giving false information to a peace officer for a citation if the person knowingly uses or gives a false or fictitious name, address or date of birth to any peace officer for the purpose of the officer's issuing or serving the person a citation under authority of ORS 133.045 through 133.080, 133.110 and 156.050.

(b) A person who violates this section commits a Class A misdemeanor. (Ord. 84-65

§2(Exhibit A(part)), 1984).

7.28.120 Criminal Impersonation.

(a) A person commits the crime of criminal impersonation if with intent to obtain a benefit or to injure or defraud another he falsely impersonates a public servant and does an act in such assumed character.

(b) Criminal impersonation is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.130 Hindering Prosecution.

(a) A person commits the crime of hindering prosecution if, with intent to hinder the apprehension, prosecution, conviction or punishment of a person who has committed a crime or violation or with the intent to assist a person who has committed a crime or violation in profiting or benefiting from the commission of the crime, he:

(1) Harbors or conceals such person; or

(2) Warns such person of impending discovery or apprehension; or

(3) Provides or aids in providing such person with money, transportation, weapon, disguise or other means of avoiding discovery or apprehension; or

(4) Prevents or obstructs, by means of force, intimidation or deception, anyone from performing an act which might aid in the discovery or apprehension of such person; or

(5) Suppresses by any act of concealment, alteration or destruction physical evidence which might aid in the discovery or apprehension of such person, or

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(6) Aids such person in securing or protecting the proceeds of the crime.

(b) Hindering prosecution is a Class A misdemeanor. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.28.140 Tampering With Police Dogs.

(a) A person commits the crime of tampering with a dog used for law enforcement purposes if:

(1) The person intentionally tampers or interferes with a dog while the dog is acting in the line of duty by calling the dog, or by other behavior attempts to distract the dog from doing or attempting to do what it has been instructed to do by a police officer;

(2) The person intentionally teases, harasses, or incites a dog while the dog is caged, being transported, exhibited or exercised, or while it is within a police vehicle; or

(3) The person intentionally tortures, strikes, injures, or kills a dog.

(b) Tampering with a dog used for law enforcement purposes is a Class A misdemeanor. (Ord. 88-26 §1, 1988).■