

Chapter 162

Offenses Against the State and Public Justice

OBSTRUCTING GOVERNMENTAL ADMINISTRATION

- 162.225 Definitions for ORS 162.225 to 162.375
- 162.235 Obstructing governmental or judicial administration
- 162.245 Refusing to assist a peace officer
- 162.247 Interfering with a peace officer or parole and probation officer
- 162.255 Refusing to assist in fire-fighting operations
- 162.257 Interfering with a firefighter or emergency medical technician

OBSTRUCTING GOVERNMENTAL ADMINISTRATION

162.225 Definitions for ORS 162.225 to 162.375. As used in ORS 162.225 to 162.375 and 162.465, unless the context requires otherwise:

(1) “Firefighter” means any fire or forestry department employee, or authorized fire department volunteer, vested with the duty of preventing or combating fire or preventing the loss of life or property by fire.

(2) “Official proceeding” means a proceeding before any judicial, legislative or administrative body or officer, wherein sworn statements are received, and includes any referee, hearing examiner, commissioner, notary or other person taking sworn statements in connection with such proceedings.

(3) “Physical evidence” means any article, object, record, document or other evidence of physical substance.

(4) “Public record” means any book, document, paper, file, photograph, sound recording, computerized recording in machine storage, records or other materials, regardless of physical form or characteristic, made, received, filed or recorded in any government office or agency pursuant to law or in connection with the transaction of public business, whether or not confidential or restricted in use.

(5) “Testimony” means oral or written statements that may be offered by a witness in an official proceeding. [1971 c.743 §197; 1991 c.67 §34]

162.230 [Repealed by 1971 c.743 §432]

162.235 Obstructing governmental or judicial administration. (1) 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.

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

(3) Obstructing governmental or judicial administration is a Class A misdemeanor. [1971 c.743 §198; 1981 c.902 §1]

162.240 [Repealed by 1971 c.743 §432]

162.245 Refusing to assist a peace officer. (1) A person commits the offense of refusing to assist a peace officer if upon command by a person known by the person to be a peace officer the person unreasonably refuses or fails to assist in effecting an authorized arrest or preventing another from committing a crime.

(2) Refusing to assist a peace officer is a Class B violation. [1971 c.743 §199; 1999 c.1051 §150]

162.247 Interfering with a peace officer or parole and probation officer. (1) A person commits the crime of interfering with a peace officer or parole and probation officer if the person, knowing that another person is a peace officer or a parole and probation officer as defined in ORS 181.610:

(a) Intentionally acts in a manner that prevents, or attempts to prevent, a peace officer or parole and probation officer from performing the lawful duties of the officer with regards to another person; or

(b) Refuses to obey a lawful order by the peace officer or parole and probation officer.

(2) Interfering with a peace officer or parole and probation officer is a Class A misdemeanor.

(3) This section does not apply in situations in which the person is engaging in:

(a) Activity that would constitute resisting arrest under ORS 162.315; or

(b) Passive resistance. [1997 c.719 §1; 1999 c.1040 §7; 2005 c.668 §1]

Note: 162.247 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 162 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

162.255 Refusing to assist in fire-fighting operations. (1) A person commits the offense of refusing to assist in fire-fighting operations if:

(a) Upon command by a person known by the person to be a firefighter the person unreasonably refuses or fails to assist in extinguishing a fire or protecting property threatened thereby; or

(b) Upon command by a person known by the person to be a firefighter or peace officer the person intentionally and unreasonably disobeys a lawful order relating to the conduct of the person in the vicinity of a fire.

(2) Subsection (1) of this section does not apply to a person working for a news organization if the person is reporting on the fire and the person does not unreasonably interfere with fire-fighting operations.

(3) Refusing to assist in fire-fighting operations is a Class B violation. [1971 c.743 §200; 1991 c.67 §35; 1999 c.1051 §151; 2005 c.626 §1]

162.257 Interfering with a firefighter or emergency medical technician. (1) A person commits the crime of interfering with a firefighter or emergency medical technician if the person, knowing that another person is a firefighter or emergency medical technician, intentionally acts in a manner that prevents, or attempts to prevent, a firefighter or emergency medical technician from performing the lawful duties of the firefighter or emergency medical technician.

(2) Interfering with a firefighter or emergency medical technician is a Class A misdemeanor.

(3) As used in this section, “emergency medical technician” has the meaning given that term in ORS 682.025. [2003 c.529 §2]