

Chapter 9.12

OFFENSES BY OR AGAINST PUBLIC OFFICERS  
AND GOVERNMENT

Sections:

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**9.12.010**      **Obstructing a public officer.**

A. It is unlawful for any person:

1. Without lawful excuse, to refuse or knowingly fail to make or furnish any statement, report or information lawfully required of him by a public officer; or
2. To make any knowingly untrue statement to a public officer in any such statement or report; or
3. To knowingly hinder, delay or obstruct any public officer in the discharge of his official powers or duties, or to neglect or refuse to obey any lawful order or direction of a public officer.

B. For the purpose of this section the term "public officer" shall include peace officers and any other officer or employee of government while performing a government function. Every person convicted of a violation of the provisions of this section shall be guilty of obstructing a public officer, a misdemeanor. (Ord. 325, 1978.)

**9.12.020**      **Resisting arrest.** It is unlawful for any person to intentionally prevent or attempt to prevent a peace officer from lawfully arresting him. Every person convicted of a violation of the provisions of this section shall be guilty of a misdemeanor; provided, however, that any person who resists a lawful arrest through the use of force or violence shall be guilty of a gross misdemeanor. (Ord. 325, 1978.)

- 9.12.030**      **Refusing to summon aid for a peace officer.** It is unlawful for any person, upon request by a person he knows to be a peace officer, to unreasonably refuse or fail to summon aid for such peace officer. Every person convicted of a violation of the provisions of this section shall be guilty of refusing to summon aid for a peace officer, a gross misdemeanor. (Ord. 325, 1978.)
- 9.12.040**      **Escape from jail or custody.** It is unlawful for any person, with or without the use of force or fraud, to escape, or attempt to escape, from the lawful custody of, or lawful restraint by a peace officer or other person. Every person convicted of a violation of the provisions of this section shall be guilty of escape, a gross misdemeanor. (Ord. 325, 1978.)
- 9.12.050**      **Rescuing or aiding escape from custody--Supplying prisoner with contraband material.** It is unlawful for any person to rescue, or attempt to rescue, any other person from the custody of any peace officer, or from any person lawfully having him in charge, or to aid, or to attempt to aid, the escape of any person from such custody, or to advise or encourage any such escape or to supply any person in custody with any weapon or any implement or means of escape, or with any intoxicating liquor, dangerous drug or narcotic drug. Every person convicted of a violation of the provisions of this section shall be guilty of a gross misdemeanor. (Ord. 325, 1978.)
- 9.12.060**      **Fleeing or attempting to elude a peace officer.** It is unlawful for the driver of a motor vehicle, when given visual or audible signal to bring the vehicle to a stop, to knowingly flee or attempt to elude a pursuing peace officer. For the purposes of this section the signal given by the peace officer may be by hand, voice, emergency light or siren. Every person convicted of a violation of the provisions of this section shall be guilty of fleeing or attempting to elude a peace officer, a gross misdemeanor. (Ord. 325, 1978.)
- 9.12.070**      **Impersonating public officer.** It is unlawful for any person to willfully, unlawfully or fraudulently represent himself to be a peace officer, or other duly licensed or authorized officer of the city when he is not a peace officer or other duly licensed or authorized officer of the city; or without lawful authority to do so, to wear a metal or metal-like badge or other insignia, containing the words "City of Benton City", "Benton City Police Officer", "Benton City Police", "Benton City Detective", "Police Department, City of Benton City", or any words of a similar nature; or to wear the uniform of a peace officer, or other officer of the city, or any distinctive part of such uniform or a uniform or any part thereof which is deceptively similar to that of a peace officer, or other public officer, when not authorized to do so. Every person convicted of a violation of the provisions of this section shall be guilty of impersonating a public officer, a misdemeanor. (Ord. 325, 1978.)

**9.12.080**      **Criminal impersonation.** It is unlawful for any person to assume a false identity and to perform any act in his assumed character with intent to defraud another or for any other unlawful purpose; or to pretend to be a representative of some person or organization and do an act in this pretended capacity with intent to defraud another or for any other unlawful purpose. Every person convicted of a violation of the provisions of this section shall be guilty of criminal impersonation, a gross misdemeanor. (Ord. 325, 1978.)

**9.12.090**      **Conspiracy.** It is unlawful for any person, with intent that conduct constituting a crime be performed, to agree with one or more persons to engage in or cause the performance of such conduct. Every person who is convicted of a violation of the provisions of this section shall be guilty of conspiracy. When an object of the conspiratorial agreement is a felony of any class, as defined by the laws of the state of Washington, conspiracy is a gross misdemeanor. When an object of the conspiratorial agreement is a gross misdemeanor or misdemeanor, conspiracy is a misdemeanor. (Ord. 325, 1978.)