

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 2498

5 By: Representative Rogers  
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## For An Act To Be Entitled

9 AN ACT TO REMOVE THE CLASSIFICATION REDUCTION  
10 PROVISION FOR CERTAIN PERSONS IN CASES OF  
11 HINDERING APPREHENSION OR PROSECUTION; AND FOR  
12 OTHER PURPOSES.  
13

## Subtitle

15 AN ACT TO REMOVE THE CLASSIFICATION  
16 REDUCTION PROVISION FOR CERTAIN PERSONS  
17 IN CASES OF HINDERING APPREHENSION OR  
18 PROSECUTION.  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 5-54-105 is amended to read as follows:  
24 5-54-105. Hindering apprehension or prosecution.

25 (a) A person commits an offense under this section if, with purpose to  
26 hinder the apprehension, prosecution, conviction, or punishment of another  
27 for an offense, he or she:

28 (1) Harbors or conceals the person; ~~or~~

29 (2) Provides or aids in providing the person with a weapon,  
30 money, transportation, disguise, or other means of avoiding apprehension,  
31 discovery, or effecting escape; ~~or~~

32 (3) Prevents or obstructs anyone from performing an act which  
33 might aid in the discovery, apprehension, or identification of the person by  
34 means of force, intimidation, or the threat of such, or by means of  
35 deception; ~~or~~

36 (4) Conceals, alters, destroys, or otherwise suppresses the



1 discovery of any fact, information, or other thing related to the crime which  
2 might aid in the discovery, apprehension, or identification of the person; ~~or~~

3 (5) Warns the person of impending discovery, apprehension, or  
4 identification; ~~or~~

5 (6) Volunteers false information to a law enforcement officer;  
6 or

7 (7) Purposefully lies or attempts to purposefully provide  
8 erroneous information, documents or other instrumentalities which he or she  
9 knows to be false to a certified law enforcement officer that would distract  
10 from the true course of the investigation or inhibit the logical or orderly  
11 progress of the investigation.

12 (b) Hindering apprehension or prosecution is a Class B felony if the  
13 conduct of the person assisted in violation of this section constitutes a  
14 Class Y or Class A felony, ~~provided that if the defendant shows by~~  
15 ~~preponderance of the evidence that he stands to the person assisted in the~~  
16 ~~relation of parent, child, brother, sister, corresponding steprelationships~~  
17 ~~of the preceding, husband, or wife, hindering is a Class D felony.~~

18 (c) Hindering apprehension or prosecution is a felony classified one  
19 (1) degree below the felony constituted by the conduct of the person assisted  
20 in violation of this section if such conduct is a Class B or C felony.

21 (d) Hindering apprehension or prosecution is a Class A misdemeanor if  
22 the conduct of the person assisted in violation of this section is a Class D  
23 felony or unclassified felony unless the person in violation of this section  
24 was assisting an escapee from correctional custody sentenced after being  
25 found guilty of a felony. If so, the violation of this section is a Class D  
26 felony. Otherwise it is a misdemeanor classed one (1) degree below the  
27 misdemeanor constituted by the conduct of the person assisted in violation of  
28 this section.

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