

RÉSUMÉ DIGEST

ACT 268 (SB 73)

2016 Regular Session

White

Prior law defined "resisting an officer" as the intentional interference with, opposition or resistance to, or obstruction of an individual acting in his official capacity and authorized by law to make a lawful arrest, lawful detention, or seizure of property or to serve any lawful process or court order when the offender knows or has reason to know that the person arresting, detaining, seizing property, or serving process is acting in his official capacity.

Prior law defined "obstruction of" as the following:

- (1) Flight by one sought to be arrested before the arresting officer can restrain him and after notice is given that he is under arrest.
- (2) Any violence toward or any resistance or opposition to the arresting officer after the arrested party is placed under arrest and before he is incarcerated in jail.
- (3) Refusal by the arrested or detained party to give his name and make his identity known to the arresting or detaining officer or providing false information regarding the identity of such party to the officer.
- (4) Congregation with others on a public street and refusal to move on when ordered by the officer.

New law retains these provisions but further provides that "obstruction of" includes the knowing interference of a police cordon resulting from the intentional crossing or traversing of a police cordon by an unauthorized person or an unmanned aircraft system and includes the airspace above the cordoned area.

New law defines "police cordon" as any impediment or structure erected or established by an officer for crowd or traffic control, or to prevent or obstruct the passage of a person at the scene of a crime or investigation.

New law defines "impediment or structure" and "unmanned aircraft system".

Effective August 1, 2016.

(Adds R.S. 14:108(B)(1)(e))