City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

Legislation Text

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Amending Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," by adding provisions prohibiting the intimidation of witnesses and victims of crimes, providing fines for violations, and requiring that all such fines be paid into a special fund to be used for witness relocation assistance, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 10 of The Philadelphia Code is hereby amended to read as follows:

TITLE 10. REGULATION OF INDIVIDUAL CONDUCT AND ACTIVITY

* * *

CHAPTER 10-1900. WITNESS INTIMIDATION.

§10-1901. Definitions.

(1) Victim. Any person against whom any crime as defined under the laws of this State or of any other state or of the United States is being or has been perpetrated or attempted.

(2) Witness. Any person having knowledge of the existence or nonexistence of facts or information relating to any crime, including but not limited to those who have reported facts or information to any law enforcement officer, prosecuting official, attorney representing a criminal defendant or judge, those who have been served with a subpoena issued under the authority of this State or any other state or of the United States, and those who have given written or oral testimony in any criminal matter; or who would be believed by any reasonable person to be an individual described in this definition.

§10-1902. Intimidation of witnesses or victims prohibited.

(1) No person shall, with the intent to or with the knowledge that his conduct will obstruct, impede, impair, prevent or interfere with the administration of criminal justice, intimidate or attempt to intimidate any witness or victim to:

(a) Refrain from informing or reporting to any law enforcement officer, prosecuting official or judge concerning any information, document or thing relating to the commission of a crime;

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(b) Give any false or misleading information or testimony relating to the commission of any crime to any law enforcement officer, prosecuting official or judge;

(c) Withhold any testimony, information, document or thing relating to the commission of a crime from any law enforcement officer, prosecuting official or judge;

(d) Give any false or misleading information or testimony or refrain from giving any testimony, information, document or thing, relating to the commission of a crime, to an attorney representing a criminal defendant;

(e) Elude, evade or ignore any request to appear or legal process summoning him to appear to testify or supply evidence; or

(f) Absent himself from any proceeding or investigation to which he has been legally summoned.

§10-1903. Penalties.

(1) Each violation of this Chapter shall be a Class III offense and subject to a fine as set forth in §1-109.

(2) All fines imposed under this Chapter shall be deposited into a special account that may be used only to pay for witness relocation assistance provided through the Office of the District Attorney.

SECTION 2. Effective Date; Implementation. This Ordinance shall take effect immediately, except that the provisions of §10-1903(2) of The Philadelphia Code, as added by Section 1, shall take effect upon approval of an amendment to The Philadelphia Home Rule Charter authorizing Council's creation of the special account established therein.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.