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SB-629 Crimes: taking person from lawful custody of peace officer. (2015-2016)

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Senate Bill No. 629

CHAPTER 47

An act to amend Section 405a of, and to repeal Section 405b of, the Penal Code, relating to crimes.

[Approved by Governor July 02, 2015. Filed with Secretary of State July 02, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 629, Mitchell. Crimes: taking person from lawful custody of peace officer.

Existing law defines a "lynching" as the taking of a person from the lawful custody of a peace officer by means of a riot. Under existing law a person who participates in a lynching is punishable by imprisonment in a county jail for 2, 3, or 4 years.

This bill would provide that the taking of a person from the lawful custody of a peace officer is no longer defined as a "lynching." This bill would provide that a person who participates in the taking of another person from the lawful custody of a peace officer is guilty of a felony, punishable by imprisonment in a county jail for 2, 3, or 4 years.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 405a of the Penal Code is amended to read:

405a. A person who participates in the taking by means of a riot of another person from the lawful custody of a peace officer is guilty of a felony, punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

SEC. 2. Section 405b of the Penal Code is repealed.