

H. B. 4509

(By Delegate Rodighiero)

[Introduced February 13, 2012; referred to the  
Committee on the Judiciary then Finance.]

**FISCAL  
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by  
adding thereto a new section, designated §61-2-17, relating to  
crimes against the person; creating a misdemeanor offense for  
harassment of participants of neighborhood crime watch  
programs; definitions; and criminal penalties.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended  
by adding thereto a new section, designated §61-2-17, to read as  
follows:

**ARTICLE 2. CRIMES AGAINST THE PERSON.**

**§61-2-17. Harassment of participants of neighborhood crime watch  
program prohibited; penalty; and definitions.**

(a) Any person, who willfully harasses, threatens or  
intimidates an identifiable member of a neighborhood crime watch

1 program while that member is engaged in, or traveling to or from,  
2 an organized neighborhood crime watch program activity or a member  
3 who is participating in an ongoing criminal investigation as  
4 designated by a law-enforcement officer, is guilty of a misdemeanor  
5 and, upon conviction thereof, shall be fined not more than \$500 and  
6 be required to perform thirty days of community service for a first  
7 offense. Upon conviction for a second or any subsequent such  
8 offense the person shall be fined not more than \$1,000 and  
9 confined in jail for a period of thirty days.

10 (b) As used in this section, the term:

11 (1) "Harass" means, to engage in a course of conduct directed  
12 at a specific person or group of persons which causes substantial  
13 emotional distress in that person or persons.

14 (2) "Organized neighborhood crime watch program activity"  
15 means any prearranged event, meeting or other scheduled activity,  
16 or neighborhood patrol, conducted by or at the direction of a  
17 neighborhood crime watch program, the program's authorized designee  
18 or the county sheriff or municipal police department.

NOTE: The purpose of this bill is to create a misdemeanor offense for harassment of participants of neighborhood crime watch programs.

§61-2-17 is new; therefore, it has been completely underscored.

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