



LEGAL PROTECTIONS FOR PUBLIC HEALTH OFFICIALS

Missouri Fact Sheet

Obstructing Government Operations

Nationwide, state and local public health officials working to protect the public from COVID-19 are on the receiving end of threatening and harassing conduct for simply fulfilling their duty to protect the public health. In response, the Network conducted research to examine whether the states and Washington, D.C., have criminal statutes punishing individuals who impede public health officials' duties with such behavior. Our research is presented in this [chart](#). Many states have adopted statutes to protect public officials generally; included here are those with broad enough language to include public health officials. However, we have also included the three states with laws that if broadened, would encompass public health officials, namely, Illinois, North Carolina, and Vermont. While 35 states and Washington, D.C., have such a statute, the remaining 15 states either do not have a statute protecting government officials in these circumstances or do not have one protecting public health officials. Of the 35 states and Washington, D.C., all but two, Louisiana and Oklahoma, include protections for state **and** local officials. Below is more information on Missouri's relevant law.

Vernon's Annotated Missouri Statutes, § 576.030 Obstructing Government Operations

1. A person commits the offense of obstructing government operations if he or she purposely obstructs, impairs, hinders or perverts the performance of a governmental function by the use or threat of violence, force, or other physical interference or obstacle.
2. The offense of obstructing government operations is a class B misdemeanor.

Relevant Definitions

Vernon's Annotated Missouri Statutes, § 575-010

"Government" means any branch or agency of the government of this state or of any political subdivision thereof.


Penalties

Vernon's Annotated Missouri Statutes, § 558-001 and § 558-002

Up to 6 months imprisonment and/or up to a \$1,000 fine

Summary

A person is guilty of obstructing government operations when he she obstructs, impairs, hinders or perverts the



performance of a governmental function by using the threat of violence, force, or other physical interference or obstacle. This applies to both local and state government operations. “Government” includes any branch or agency of the government or any political subdivision thereof. If convicted, a person faces up to 6 months imprisonment and/or a \$1,000 fine.

Template for Notifying Violators

Below is a sample template for notifying individuals regarding their conduct relative to the code.

Vernon’s Annotated Missouri Statutes, § 576.030 prohibits obstructing government operations. [insert here a description of the conduct with a date—for example: On August 28, 2020, you sent an email to the Missouri Governor threatening his life if he announced a mask mandate.] *This may constitute a violation of §576.030. If convicted, you face up to 6 months imprisonment and a fine of up to \$1,000.*

- If the conduct is extreme, add: *We have notified the [insert proper law enforcement agency] of this conduct.*
- If the conduct does not rise to the level of reporting, add: *Should you continue with this conduct, we may report the matter to [insert law enforcement agency].*