

H.798

Introduced by Representative Dodge of Essex

Referred to Committee on

Date:

Subject: Crimes; impersonation of officer; law enforcement officers

Statement of purpose of bill as introduced: This bill proposes to clarify that the crime of impersonating a law enforcement officer applies to all local, state, and federal law enforcement officers and that the crime applies when a law enforcement officer impersonates an officer of a different law enforcement agency.

An act relating to impersonating a law enforcement officer

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LEGISLATIVE INTENT

It is the intent of the General Assembly to exercise the power granted to Vermont by the 10th Amendment to the U.S. Constitution to protect the health, safety, and welfare of its residents by promoting society's crucial trust in law enforcement officers and ensuring that persons who present themselves as law enforcement officers are not engaging in unlawful impersonation.

1       Sec. 2. 13 V.S.A. § 3002 is amended to read:

2       § 3002. IMPERSONATION OF OFFICER

3       (a) A person who impersonates or attempts to impersonate a sheriff, deputy  
4       sheriff, constable, police officer, fish and game warden, or any other State,  
5       county, or town officer, or any federal law enforcement officer shall:

6               (1) for the first offense, be imprisoned not more than six months or fined  
7       not more than \$500.00, or both; or

8               (2) for the second offense and subsequent offenses, be imprisoned not  
9       more than two years or fined not more than \$1,000.00, or both.

10       (b) Subsection (a) of this section shall apply to a law enforcement officer  
11       who impersonates or attempts to impersonate a law enforcement officer of a  
12       different law enforcement agency.

13       (c) A law enforcement officer may request officer identification from  
14       another person, including a law enforcement officer of a different law  
15       enforcement agency, whom the law enforcement officer has probable cause to  
16       believe is violating subsection (a) of this section.

17       (d) As used in this section:

18               (1) “Law enforcement agency” has the same meaning as in 20 V.S.A.

19       § 2351a.

1           (2) “Law enforcement officer” has the same meaning as in 20 V.S.A.  
2           § 2351a and includes any officer of a federal law enforcement agency or any  
3           person acting on behalf of a local, state, or federal law enforcement agency.

4           Sec. 3. EFFECTIVE DATE

5           This act shall take effect on passage.