

# HOUSE BILL REPORT

## HB 2506

---

*As Reported By House Committee on:  
Judiciary*

**Title:** An act relating to impersonation of a law enforcement officer.

**Brief Description:** Making it a misdemeanor to impersonate a law enforcement officer.

**Sponsor(s):** Representatives Cooper, Riley, H. Myers, Winsley, Morris and Ludwig.

**Brief History:**

Reported by House Committee on:  
Judiciary, February 4, 1992, DPS.

---

**HOUSE COMMITTEE ON  
JUDICIARY**

**Majority Report:** *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 17 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

**Staff:** Margaret Allen (786-7191).

**Background:** Criminal impersonation is a gross misdemeanor and has three elements. First, the person must pretend to be a public servant. Second, the person must do some act in his or her pretended capacity. Third, the act must be done with the intent to defraud another or for any other unlawful purpose. While case law under the statute is scarce, presumably the act of impersonation alone is insufficient to support a finding of criminal impersonation.

**Summary of Substitute Bill:**

A new crime of criminal impersonation in the second degree, a misdemeanor, is created.

A person is guilty of criminal impersonation in the second degree if he or she claims to be, or creates the impression, that he or she is a law enforcement officer and, under

circumstances not amounting to criminal impersonation in the first degree, does something intending to convey the impression that he or she is acting in an official capacity.

The existing crime of criminal impersonation is redesignated as criminal impersonation in the first degree.

***Substitute Bill Compared to Original Bill:*** The original bill created a new section making it a crime to impersonate a law enforcement officer. The original bill did not amend the existing statute concerning criminal impersonation.

***Fiscal Note:*** Not requested.

***Effective Date of Substitute Bill:*** Ninety days after adjournment of session in which bill is passed.

***Testimony For: Original Bill:*** The bill addresses a gap in the law where a person creates the impression of being a law enforcement officer, yet does no additional act sufficient to warrant charging him or her under the current criminal impersonation statute. The bill protects citizens and bona fide law enforcement officers alike.

***Testimony Against:*** None.

***Witnesses:*** Representative David Cooper, prime sponsor (supports); Richard Melnick, Clark County Prosecutor's Office (supports); and Tim Erickson, Washington State Patrol (supports).