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IMPERSONATING A POLICE OFFICER

House Bills 4781 and 4782
Sponsor: Rep. Alan Sanborn
Committee: Criminal Justice

Complete to 8-30-01

A SUMMARY OF HOUSE BILLS 4781 AND 4782 AS INTRODUCED 5-17-01

House Bill 4781 would amend the Michigan Penal Code to increase the penalties for impersonating a police officer and House Bill 4782 would add the corresponding sentencing guidelines to the Code of Criminal Procedure. Specifically, the bills would do the following:

House Bill 4781. Currently, impersonating a law enforcement officer or coroner is a misdemeanor punishable by up to one year imprisonment or a fine of not more than \$500. The bill would amend the Michigan Penal Code (MCL 750.215) to specify instead that a person who is not a peace officer or a medical examiner could not perform the duties of either profession without authorization or represent to another person that he or she was a peace officer or a medical examiner for any unlawful purpose. A violation would be a misdemeanor punishable by not more than one year imprisonment, a fine of not more than \$500, or both.

In addition, a person who violates the above prohibition in order to commit or attempt to commit a felony would be guilty of a felony punishable by imprisonment for not more than four years or a fine of not more than \$2,000, or both. A sentence imposed under this provision would have to be served consecutively to any term of imprisonment imposed for the felony that was committed or attempted and could not be suspended.

As used in the bill, "peace officer" would mean a police officer of the state or a political subdivision; a police officer of a junior college, college, or university authorized by the respective governing board to enforce state law and the rules and ordinances of the particular institution; and a conservation officer of the Department of Natural Resources, the Department of Environmental Quality, or the United States Department of the Interior.

House Bill 4782 would amend the Code of Criminal Procedure (MCL 777.16l) to specify that impersonating a peace officer to commit, or attempt to commit, a felony would be a Class F felony against public safety with a four-year maximum sentence of imprisonment. The bill is tie-barred to House Bill 4781.

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.