

# HOUSE BILL REPORT

## SSB 5861

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### As Reported by House Committee On:

State Government

**Title:** An act relating to criminal impersonation of a veteran of the armed forces.

**Brief Description:** Making it a crime to impersonate a veteran of the armed forces.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senators Roach, Rasmussen, T. Sheldon, Finkbeiner, Kohl-Welles, Oke, Schmidt and Shin).

### Brief History:

#### Committee Activity:

State Government: 3/25/03, 3/28/03 [DP].

#### Brief Summary of Substitute Bill

- Creates a new method of committing criminal impersonation in the first degree by falsely assuming the identity of an active or retired veteran with intent to defraud for the purpose of personal gain or to facilitate any unlawful activity.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** Do pass. Signed by 9 members: Representatives Haigh, Chair; Miloscia, Vice Chair; Armstrong, Ranking Minority Member; Shabro, Assistant Ranking Minority Member; Hunt, McDermott, Nixon, Tom and Wallace.

**Staff:** Katie Blinn (786-7114).

### Background:

To be guilty of criminal impersonation in the first degree, a gross misdemeanor, a person must:

- 1) assume a false identity, pretend to be a public servant, or pretend to represent a person or organization; and
- 2) do something in the assumed character; either
- 3) with intent to defraud another or for any other unlawful purpose.

The maximum penalty for a gross misdemeanor is one year in jail and a \$5,000 fine.

To be guilty of criminal impersonation in the second degree, a simple misdemeanor, a person must claim to be a law enforcement officer, create the impression of being a law enforcement officer, or, under circumstances not amounting to criminal impersonation in the first degree, do something with intent to convey the impression of acting in an official capacity that would lead a reasonable person to believe he or she is a law enforcement officer. The maximum penalty for a simple misdemeanor is 90 days in jail and a \$1,000 fine.

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**Summary of Bill:**

An additional means of committing criminal impersonation in the first degree is established. To be guilty of the gross misdemeanor, a person must:

- 1) falsely assume the identity of an active or retired veteran of the United States armed forces;
- 2) with intent to defraud; either
- 3) for the purpose of personal gain or to facilitate any unlawful activity.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** The bill is intended to prevent people from taking advantage of the honor and wonderful reputation that those who have served in the armed forces have earned. Falsely claiming to be a veteran misleads the public. The bill will lead to a dramatic decline in the number of incidents of phony veterans. This will provide a means of getting phony veterans off the streets.

**Testimony Against:** None.

**Testified:** Rich Osborne; Chuck Lawrence, Veterans Advocate; and Rick Faurr, Vietnam Veterans of America.