

**HB**

**286**

# ALASKA STATE LEGISLATURE

**Co-Chair:**

Joint Armed Services Committee

**Vice-Chair:**

Legislative Council

**Member:**

Judiciary Committee

Oil and Gas Committee

Military and Veterans Affairs Committee

Community and Regional Affairs Committee



**Session:**

Alaska State Capitol

Juneau, AK 99801-1182

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## REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON

Representative\_Nancy\_Dahlstrom@legi.state.ak.us

### House Bill 286 Sponsor Statement

House Bill 286 "An act relating to impersonating a public servant" makes it a class C felony for those who impersonate a public servant in the first degree. A person commits the crime of impersonating a public servant in the first degree if the person violates AS 11.56.830 by pretending to be a peace officer. Currently in the state of Alaska it is a class B misdemeanor to impersonate any public servant.

Class C felony sentencing guidelines, under AS 12.55.125(e), cover the following presumptive ranges:

First offense: 0-2 years

Second offense: 2-4 years

Third offense: 3-5 years

Class B Misdemeanors are usually handled with little or no jail time unless the person has a significant criminal history. HB 286 targets those who intend to cause harm to an individual or group while appearing as someone whose job it is to protect others and uphold the law. Taking on a persona of a peace officer is a severe breach of trust and should be punished accordingly.

There is a growing concern for safety in our communities. House Bill 286 adds teeth to existing law, and provides another tool to law enforcement agencies. In addition, the bill serves as a strong deterrent for those who deliberately make choices that put our families, neighbors and community at risk.

The sponsor respectfully requests the committee's favorable consideration of House Bill 286. Thank you.

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: HB 286  
 (H) Publish Date: 2/4/08

Identifier (file name): HB286-DOA-PDA-1-28-08 Dept. Affected: Administration  
 Title: "An Act relating to impersonating a public servant..." RDU: Legal and Advocacy Services  
 Component: Public Defender Agency  
 Sponsor: Representative DAHLSTROM, Lynn, Gatto  
 Requester: \_\_\_\_\_ Component Number: 1631

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required		Information				
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>							
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>							
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<b>CHANGE IN REVENUES ( )</b>							
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: \_\_\_\_\_

**POSITIONS**

Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

This bill amends the crime of impersonating a public servant, elevating the crime to a class C felony under certain circumstances. It is not expected to have a fiscal impact on the Agency.

Prepared by: Quinlan Steiner, Director  
 Division: Public Defender Agency  
 Approved by: Rachael Petro, Deputy Commissioner  
Department of Administration

Phone 907-334-4414  
 Date/Time 1/28/08 10:40 AM  
 Date 1/28/2008

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: HB 286  
 (H) Publish Date: 2/4/08

Identifier (file name): HB286-DOA-OPA-1-28-08 Dept. Affected: Administration  
 Title: "An Act relating to impersonating a public servant." RDU: Legal and Advocacy Services  
 Component: Office of Public Advocacy  
 Sponsor: Reps. Dahlstrom, Lynn, Gatto  
 Requester: \_\_\_\_\_ Component Number: 43

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: \_\_\_\_\_

**POSITIONS**

Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

This bill will create a new felony offense for impersonating a public servant in the first degree for impersonation of a peace officer. The agency does not anticipate many new cases resulting from this bill, and therefore, OPA submits a zero fiscal note.

Prepared by: Rachel Levitt, Deputy Director  
 Division: Office of Public Advocacy  
 Approved by: Rachael Petro, Deputy Commissioner  
Department of Administration

Phone 907-269-3504  
 Date/Time 1/28/08 2:00 p.m.  
 Date 1/28/2008

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

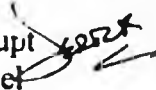
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

February 11, 2008

**SUBJECT:** Crime of Impersonating a Public Servant  
(HB 286; Work Order No. 25-LS1169\A)

**TO:** Representative Nancy Dahlstrom

**FROM:** Gerald P. Luckhaupt   
Legislative Counsel

You have asked me to explain how the existing crime of impersonating a public servant works and how HB 286 affects that. Specifically, you want me to address concerns that others have expressed that this bill makes it a crime to dress up in a Halloween costume as a police officer.

The existing crime of impersonating a public servant<sup>1</sup> makes it a crime for a person to pretend "to be a public servant and [to do] any act in that capacity." The term public servant<sup>2</sup> includes a peace officer. Therefore, under existing law just wearing a Halloween costume of a public servant does not subject a person to criminal liability. The person would have to wear the costume<sup>3</sup> and then engage in some act or activity in the capacity

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<sup>1</sup> AS 11.56.830.

<sup>2</sup> "Public servant" is defined in AS 11.81.900(b)(54) as:

(54) "public servant" means each of the following, whether compensated or not, but does not include jurors or witnesses:

(A) an officer or employee of the state, a municipality or other political subdivision of the state, or a governmental instrumentality of the state, including legislators, members of the judiciary, and peace officers;

(B) a person acting as an advisor, consultant, or assistant at the request of, the direction of, or under contract with the state, a municipality or other political subdivision of the state, or another governmental instrumentality; in this subparagraph "person" includes an employee of the person;

(C) a person who serves as a member of the board or commission created by statute or by legislative, judicial, or administrative action by the state, a municipality or other political subdivision of the state, or a governmental instrumentality;

(D) a person nominated, elected, appointed, employed, or designated to act in a capacity defined in (A) - (C) of this paragraph, but who does not occupy the position;

<sup>3</sup> Or impersonate a public servant in some other manner.

of that public servant. When AS 11.56.830 was adopted as part of the criminal code revision in 1978 the following commentary was attached:

The Code provision, a class B misdemeanor, prohibits the impersonation of any public servant. The defendant must pretend to be a public servant and must do an act in that capacity.

The existing requirement that the impersonator require another to aid or assist him is not retained in the Code. Thus, the Code insures coverage in situations where no specific aid is requested, but the defendant has acted improperly. For example, a person who falsely pretends to be a housing inspector and obtains entrance to an apartment has violated the statute. The requirement that an act be performed in the capacity of public servant insures that otherwise innocent impersonations, such as wearing a judge's robe to a costume ball, are not covered by this statute.

Subsection (b)(1) rejects any possible defense based upon nonexistence of the office the impersonator pretended to hold while subsection (b)(2) recognizes that a public servant can commit the offense by impersonating another public servant. The exclusion provided in subsection (c) is necessary to insure that peace officers engaged in undercover work in which it is necessary to impersonate a public servant will not be subject to criminal penalties for the impersonation.

Senate Journal Supplement No. 47, at 90 (June 12, 1978).

HB 286 recognizes the greater potential for harm when a person violates the existing crime of impersonating a public servant by impersonating a peace officer. To accomplish this HB 286 makes the existing crime of impersonating a public servant the second degree offense<sup>4</sup> and creates a new first degree offense<sup>5</sup> that is committed when the person violates AS 11.56.830 and the public servant impersonated is a peace officer. Thus, if a person impersonates a peace officer and does any act in that capacity the person commits impersonating a public servant in the first degree.

The concern that others have expressed, that HB 286 makes it a crime to wear a Halloween costume, is incorrect. A person must impersonate a peace officer **and** do an act in that capacity. So a person who impersonates a peace officer and pulls over a woman on a highway commits the crimes. So too does a person who calls another and, after identifying themselves as a peace officer, orders another to appear at the police station at a particular time regarding an investigation or else they will be arrested.

GPL:ljw  
08-081.ljw

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<sup>4</sup> Section 2 of the bill.

<sup>5</sup> Section 1 of the bill.

Barry J. Schimmack  
24888 Teal Loop, Chugiak, AK 99567  
688-5525 [barryjay@mtaonline.net](mailto:barryjay@mtaonline.net)

October 22, 2007

Rep. Nancy Dahlstrom  
10928 Eagle River Rd.  
Eagle River, AK 99577

RE: Impersonating an Officer

Dear Representative Dahlstrom,

It was a pleasure for my son Brett and I to meet you at the recent Eagle River Rotary meeting, and it was great to hear your insights into the events happening in our state government.

You may remember we talked briefly about my concerns on our state and municipal laws concerning Impersonating a Police Officer. You asked me to finish my document and get it to your office as soon as I could.

I'd like you to take a moment and meet my friend's daughter, Lacy. In Ft. Collins, CO, she was pulled over by a man impersonating a police officer, only a few houses away from her own home. The man used flashing red and blue lights to pull Miller over:



Lacy Jo Miller

*My name is Lacy Jo Miller. I was born in Billings, Mont., on Aug. 10, 1982. I came to Fort Collins when I was 6 years old. I was a Brownie. I loved school, playing Barbies, tea parties, coloring, dress-up, my best friend Katy, horses, sleepovers, art class and singing.*

*When I was in junior high school I ran track, played softball and learned to play the piano and the flute. I loved watching my little brother Kenyan and making things for him. I was quiet and shy for the most part, but once you got to know me, I was funny and would say what was on my mind.*

*In high school, I was in student council and on the yearbook committee. I loved my friends, hanging out during lunch, doing things I thought my mom didn't know about, driving my car, listening to Dave Matthews Band, dancing, dreaming about being a designer or teacher, talking on the phone, instant messaging my friends, watching "Friends," being a couch potato, sleeping, going to movies, Thanksgivings with my Aunt Stacy and lots more. I loved seeing my Dad and brother Jesse and every year spending time with my grandparents in Texas. I loved my family, I loved Jesus, and I loved life.*

*I was tragically taken from this planet in January 2003. Regretfully, I leave behind my mother, Wendy (Patterson) Cohen; my father, David Miller, my little brothers: Jessie Miller and Kenyan Kreisher, my best friends: Angela, Andrea, Amanda, Kendra and many, many, more girlfriends.*

*Thank you for loving me, laughing with me, teaching me what I needed to know and for looking and praying so hard to find me so my parents wouldn't have to worry any more.*

\*\*\*\*\*

In Alaska, our Municipal Code and State Law on impersonating a police officer is only a Class B Misdemeanor. (see attached) According to one sergeant at A.P.D., "I'd say most Class B Misdemeanors are handled without jail unless the person has a significant criminal history. Community work, service, fines, etc. are more common."

As you know, there have been a number of "police impersonation" cases in the Anchorage area within the past 2 years, including at least 2 high profile cases. Thankfully, none have resulted in a fatality.

Shortly after Lacy's death, her mother Wendy approached the representatives in Colorado and within months they signed into law a House Bill named **Lacy's Law**:

**"Named for slain Fort Collins college student Lacy Miller - makes impersonating a police officer a class 6 felony, which carries a mandatory minimum sentence of 15 months in prison. It also made possession or use of police emergency lights a class 1 misdemeanor, punishable by a fine of up to \$5,000."**

This is the 5<sup>th</sup> year anniversary of Lacy's death, and I can't think of a better way to honor her memory than for our Alaska lawmakers to address these types of crimes to deter this type of crime in Alaska. Let's not lose another Alaskan to somebody impersonating a public servant!

There is more information about House Bill 1003 on Lacy's website at:

<http://www.2hearts4lacy.org/page/page/3127081.htm>

Thank you,

Barry Schimmack

**THE FOLLOWING PAGES MAY  
NOT FILM LEGIBLY BECAUSE OF  
THE POOR QUALITY OF THE ORIGINAL**



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Articles -

### Gov. Owens signs House Bill for Lacy's Law

19 Mar 2004

#### OWENS SIGNS BILL TO TOUGHEN PENALTIES FOR IMPERSONATING A POLICE OFFICER

(DENVER) – Gov. Bill Owens today signed House Bill 1304 to increase the penalties for impersonating a police officer.

"In our society, the only sure barrier between our citizens and the chaos of lawlessness is a blue line of police officers," said Owens. "The ability of each law enforcement officer to protect us depends on trust. Today, Colorado takes an important step to restore the trust that every citizen must have in law enforcement."

The legislation comes in the wake of the abduction and murder of Lacy Miller, a twenty-year-old student from Fort Collins, this past January. Miller was abducted when she was pulled over by a man impersonating a police officer.

Wendy Cohen, Lacy Miller's mother, joined the Gov. Owens at the bill signing. Since the death of her daughter, Cohen has been a diligent advocate for tougher penalties for anyone who impersonates a police officer.

"I'm honored to stand alongside Wendy Cohen," said Owens. "Her determination has helped make Colorado a safer place."

House Bill 1304 was sponsored by Rep. Bob McCluskey and Sen. Steve Johnson.

Under House Bill 1304, a judge may sentence the perpetrator to 18 months in jail and up to a \$5,000 fine.

4444



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## Police Impersonators

10 Jul 2007

From GMA

July 10, 2007

Police are still searching for a Massachusetts man who posed as an undercover state trooper and sexually assaulted a female driver this weekend in Boston.

The nature of the crime is particularly chilling: transforming the trusted image of a police officer into someone to be feared at all costs. With fake police badges, uniforms, official looking caps and other gear readily available, potential victims may not have any clue that the police officer before them is a fake.

Since February, ABC News has uncovered at least 13 incidents of people impersonating police officers across the country. The cases ranged from displaying a fake badge to sexual assault.

Wendy Cohen's daughter Lacy was abducted and murdered in Fort Collins, Colo., by a police impostor who had pulled her over.

When it comes to new ways of posing as police officers, she sees on the rise. "I'd rather take the ticket for evading the police and pay the fine than be kidnapped, raped or killed," Cohen said.

Cohen said the more aware people were of the different types of crimes, the safer they would be.

"The prison that is going to do this type of crime is going to look for the opportunity," said Mary Ann Varetta, the former president of the International Association of Chiefs of Police.

A wide range of authentic looking police gear can be found for sale on the Internet.

"Many of the auction sites allow the sale of police identifiers and as long as there's a profit, somebody's willing to sell it," said Chuck Canterbury, the national president of the National Order of Police.

A simple Internet search revealed that ABC News retrieved three displaying fake looking badges representing nearly every state, city and law enforcement division.

"Obviously we push for legislation that stops the sale of any police identifiers," Canterbury said.

The legislation hopes to eventually decrease the number of tragic cases like Lacy's.

In 2004, Cohen helped to pass Lacy's Law, legislation that makes impersonating a police officer a felony in Colorado. Cohen also created a web site in honor of her daughter to raise awareness and prompt other states to enact similar laws. For more information, visit [www.2hearts4lacy.org](http://www.2hearts4lacy.org).

Good Morning America 4444



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## "Lacy's Law" Targets Police Impersonators

15 Apr 2003

Wendy Cohen circulates petition to toughen penalties

By Sarah Langbein  
SarahLangbein@coloradoan.com

Wendy Cohen is getting a jump-start on Colorado's next legislative session by asking everyone she knows to circulate a petition

Her campaign to enact a "Lacy Law" would change the laws of police impersonation in Colorado

Police believe Cohen's daughter, Lacy Miller, was murdered in January by a Fort Collins man posing as a police officer. Police believe that Jason Peder Clausen lured Miller from her car with flashing police-type lights that he had installed in her sport utility vehicle

Clausen was sentenced April 3 to life in prison for brutally killing Miller

"Let's learn from what happened to Lacy Miller," the petition reads. "Let's take away tools from would-be law enforcement impersonators and keep our loved ones safe."

The petition proposes that anyone possessing police-style lights, who does not work in law enforcement, would be charged at minimum with a class 1 misdemeanor. The lights would be confiscated on the spot by authorities. In addition, anyone possessing or using any other police paraphernalia, such as badges or car emblems, would be charged with a class 2 misdemeanor. Those items also would be taken away.

"I just wanted to be prepared if I ever get a voice," Cohen said. "I just want to get their attention. I think by doing this I will get their attention."

Cohen is in the process of setting up a mailbox outside of her home, 2915 Brumbaugh Drive, where people can pick up and drop off petitions. She said people can stop by her home until then to get copies of the petition.

"Hopefully, it will get out the message to people who do have lights in their cars," she said. "I want to have every 18-year-old and older in Colorado sign one. I want to be able to bring them stacks of petitions."

Cohen also has been invited by Gov. Bill Owens to attend the signing of House Bill 1304.

State Rep. Bob McCluskey, R-Fort Collins, introduced House Bill 1304 that looks to increase the penalty of impersonating a peace officer from a class 2 misdemeanor, punishable by up to a year in prison and a fine up to \$1,000, to a class 1 misdemeanor. The crime's punishment would be up to 18 months in jail and a fine up to \$5,000.

It has passed both houses of the General Assembly and awaits the governor's signature.

"It would be my honor if you would consider joining me at the signing ceremony," Owens wrote to Cohen. "Again, thanks for bringing this matter to my attention, and for dedicating your time and energy to the task of ensuring that this crime against Lacy does not strike other innocent victims."

Dan Hopkins, spokesman for Owens, said the governor has not yet received the bill, and the date of the

signing has not been determined

"I will be there with bells on," Cohen said

Sarah Langbein 4444

**Rough Cost Estimate**

This is the text of an e-mail sent to Cindy Smith from Bernadette Blankenship, Retirement and Benefits:

"We were able to get the information from our actuary as far as the cost for Tier II & III peace officers/firefighters to use military time for eligibility for the health insurance. The cost would be .026% of the payroll. The last valuation indicates the total salary for this group is \$182,848,000 X .026 = \$475,400 (total cost)."

Sec. 39.35.680. Definitions

**Peace Officer/Fire Fighter**

(29) "peace officer" or "fire fighter" means an employee occupying a position as a peace officer, chief of police, regional public safety officer, correctional officer, correctional superintendent, fire fighter, fire chief, or probation officer, but does not include a village public safety officer employed by a village public safety officer program established under AS 18.65.670 ;

**Public Safety Employees Association, Inc.**  
***"Representing Alaska's Finest"***

**Position Paper**  
**Supporting HB 286**

HB 286 increases the penalties for a person who impersonates a peace officer. We must be conscience of every effort to protect the environment and the enforcement persona of those who work to enforce the law and protect persons from those who seek to break the law. One who impersonates a peace officer infiltrates the confidence a law abiding citizen has in our system of law enforcement.

Alaska's citizens must be assured that those who wear the uniform of a peace officer or drive a police vehicle are who they appear to be. Anyone who seeks to impersonate a police officer for whatever reason not only confuse, anger and abuse the public, they place law abiding citizens at risk. If and when a law abiding citizen honors a police vehicle's strobes by pulling over, that individual doesn't need to question whether the person wearing a peace officer's uniform is who they appear to be

An effort to discourage or curtail impersonation is good public policy. The members of the Public Safety Employees Association commend Representatives Dahlstrom, Lynn and Gatto for introducing HB 286 and recommend it passage.



# Municipality of Anchorage



4501 Bragier Street • Anchorage, Alaska 99503 • Telephone (907) 746-4600 • <http://www.muni.org>

Mayor Mark Begich

Anchorage Police Department

January 31, 2008

Representative Nancy Dahlstrom  
House of Representatives  
State Capitol  
Juneau, Alaska 99801-1182

Dear Representative Dahlstrom:

On behalf of the law enforcement professionals at the Anchorage Police Department, I want you to know of my support for HB286, an act relating to impersonating a public servant.

As you know, preservation of the public trust is basic to the credible enforcement of state statutes. That said, the appropriate drafting and resourcing of appropriate legislation, and the establishment of a credible expectation of consequences for the intentional crossing of this trust by those inclined to victimize the public, is proper.

I'd like to thank the sponsors for their continued efforts on behalf of public safety.

Rob Heun  
Chief of Police  
Anchorage Police Department

*Community, Security, Prosperity*

STATE OFFICE  
**ALASKA PEACE OFFICERS ASSOCIATION**

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355



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January 24, 2008

Representative Nancy Dahlstrom  
House of Representatives  
State Capitol  
Juneau AK 99801-1182

Dear Representative Dahlstrom:

On behalf of the Alaska Peace Officers Association (APOA), I would like to thank you for introducing HB 286, an act relating to impersonating a public servant.

The APOA State Board's Legislative Committee recently reviewed this proposed legislation and decided to unanimously support this bill.

We thank you for addressing this issue. Please contact the APOA office in Anchorage at 277-0515, if there is anything our organization can do to assist in the passage of this bill.

Sincerely,

Angella Long  
State President

February 22, 2008

Shirley A. Gifford  
P.O. Box 1696  
Soldotna, Alaska 99669  
(907) 260-5605  
[sgifford@alaska.net](mailto:sgifford@alaska.net)

The Honorable Nancy Dahlstrom  
Representative for the State of Alaska  
c/o [Jennifer Baxter@legis.state.ak.us](mailto:Jennifer_Baxter@legis.state.ak.us)

Dear Representative Dahlstrom,

I had been a peace officer in the State of Alaska for 27 years. I retired from the Anchorage Police Department as captain of detectives and again from the Soldotna Police Department as chief of police. I remain involved as a lifetime member of the Alaska Peace Officers Association, the Women Police of Alaska and the International Association of Women Police.

Many times throughout my career I had advised citizens that if they feel uncomfortable about the circumstances of a traffic stop they should follow their instincts. I have advised them that upon being directed in some way to stop their car by a person they feel suspicious, either verbally, by motions, or by lights on top of the car it is legal and right that they drive to the police department, trooper detachment or another well-lit and traveled location.

It is a horrible situation for everyone when a person is violated by someone impersonating a peace officer. Peace officers are the very people our citizens should be able to trust above all others, wherever they may be at the time. When that trust is violated by someone posing as an officer it affects the feeling of safety and security for all people. I have also advised that it is reasonable to ask for identification even if a peace officer is in uniform. It is unfortunate our citizens must be this careful but there are those who will go to great lengths to prey on the innocent.

I have had the opportunity to read a bill you are sponsoring – HB 286, Impersonating a Public Servant. I was very pleased to see that you have separated a peace officer from the definition of a public servant and attached a more severe penalty. I agree with your intention to make impersonating a peace officer a class C felony rather than the current class B felony. Thank you very much for your initiative and support of the integrity of peace officers around the state, and your support especially for our citizens who count on us to provide protection.

Sincerely,

Shirley A. Gifford