

NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

H. B. NO. 9-65

FIRST REGULAR SESSION, 1994

AN ACT

To prohibit any person other than sworn police officers, corrections officers or firefighters from wearing the uniforms of insignia identical to those presently worn by the Department of Public Safety sworn police officers, corrections officers and firefighters; and for other purposes.

BE IT ENACTED BY THE NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Title. This Act shall be cited as "The Department of Public Safety Uniforms Act."

Section 2. Purposes and Findings. The Legislature finds there is a growing problem with people wearing uniforms, badges or insignia identical to those worn by sworn police officers, corrections officers and firefighters. The purpose of this Act is to prohibit the wearing by persons other than sworn police officers, corrections officers or firefighters of uniforms, badges or insignia identical to those worn by sworn officers of the Department of Public Safety. This is also to prevent the impersonation of a police officer, corrections officer or firefighter by someone directly or indirectly in the facilitation of the commission of a crime.

Section 3. Identification of Uniforms. The Director of the Department of Public Safety or his designee shall cause to be published the official uniforms, insignia and badges of the police officers, corrections officer and firefighters in the Commonwealth Register. The Director of the Department of Public Safety or his designee shall cause to be published any changes to the official uniform in the Commonwealth Register.

Section 4. Change of Uniforms. A person shall replace his or her uniform if such uniform is identical with the uniforms prescribed under Section 3 of this Act within thirty (30) days following the publication in the Commonwealth Register.

Section 5. Impersonating an Officer. A person commits the offense of impersonating an officer if the person pretends to be an officer or falsely assumes or exercises the functions, duties, powers and privileges incident to being a police officer, corrections officer or firefighter either indirectly or directly to facilitate the commission of any crime.

Section 6. Unlawful Wearing of Officer's Uniform, Insignia or Badge. A person commits the

offense of unlawful wearing of officer's uniform, insignia or badge if, not being a sworn police officer, corrections officer or firefighter, the person wears the uniform, badge or insignia of a sworn police officer, corrections officer or firefighter as published in the Commonwealth Register.

Section 7. Penalty. Any person found to have committed the offense of impersonating an officer while facilitating the commission of a misdemeanor shall be fined Five Hundred Dollars (\$500.00) or imprisoned for not more than one (1) year or both. Any person found to have committed the crime of impersonating an officer while facilitating the commission of a felony shall be fined Five Thousand Dollars (\$5,000.00) or imprisoned for not less than five (5) years or both. Any person found to have committed the offense of unlawful wearing of the uniform, insignia or badge shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned for not more than one (1) year or both.

Section 8. Severability. If any section of this Act should be declared invalid by a court of competent jurisdiction, the remainder of this Act shall not be affected thereby.

Section 9. Effective Date. This Act shall take effect upon its approval by the Governor, or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

/s/ Jesus P. Mafnas
JESUS P. MAFNAS
Acting Speaker
House of Representatives

/s/ Evelyn C. Fleming
EVELYN C. FLEMING
House Clerk

Approved this 11th day of October, 1994

/s/ Froilan C. Tenorio
FROILAN C. TENORIO
Governor
Commonwealth of the Northern Mariana Islands