

PROHIBIT IMPERSONATING A FIREFIGHTER OR EMS PROVIDER

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House Bills 4865 and 4866

Sponsor: Rep. Bill Caul

Committee: Judiciary

Complete to 6-28-05

A SUMMARY OF HOUSE BILLS 4865 AND 4866 AS INTRODUCED 6-2-05

House Bill 4865 would add a new section to the Michigan Penal Code (MCL 750.217f) to make it a crime to impersonate a firefighter or emergency medical services (EMS) provider. Specifically, the bill would prohibit any person who was not employed as a firefighter or an EMS provider from informing another individual or representing to another individual by identification or other means that he or she was employed in one of those capacities with intent to do one or more of the following:

- Perform the duties of a firefighter or EMS provider.
- Represent that he or she is firefighter or EMS provider for an unlawful purpose.
- Represent to another that he or she is a firefighter or EMS provider with the intent to compel that person to do or refrain from doing any act against his or her will.
- Gain or attempt to gain entry to (or to remain in) a residence, building, facility, or other property.
- Gain or attempt to gain access to financial account information.
- Commit or attempt to commit a crime.
- Obtain or attempt to obtain information to which the individual was not entitled.
- Gain or attempt to gain access to a minor (less than 18 years of age) or a vulnerable adult. "Vulnerable adult" would mean a person 18 years or older who, because of age, developmental disability, mental illness, or disability, whether or not determined by a court to be an incapacitated individual in need of protection, lacks the cognitive skills required to manage his or her property.

A violation would be a felony punishable by imprisonment for not more than two years and/or a fine of not more than \$1,000. A sentence imposed for this crime could be ordered to be served consecutively to any term of imprisonment imposed for another violation arising from the same transaction.

House Bill 4866 would amend the sentencing guidelines portion of the Code of Criminal Procedure (MCL 777.16l) to specify that impersonating a firefighter or emergency medical services provider would be a Class G felony against the public safety with a two-year maximum term of imprisonment. The bill is tie-barred to House Bill 4865.

FISCAL IMPACT:

Depending on how the bills affected numbers of offenders sentenced to jail, prison, or felony probation, they could increase state or local correctional costs. State costs of incarceration currently average approximately \$29,000 per prisoner per year; felony probation supervision averages \$1,977 per supervised offender per year. Jail costs vary across the state. Increases in penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of that revenue.

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