



1 who assumes, without authority, any uniform or badge by which such  
2 officers or persons are usually distinguished, and in such assumed  
3 character does any act whereby another person is injured, defrauded,  
4 harassed, vexed or annoyed, upon conviction, is guilty of a  
5 misdemeanor punishable by imprisonment in the county jail not  
6 exceeding six (6) months, or by a fine not exceeding Two Thousand  
7 Dollars (\$2,000.00), or by both such fine and imprisonment.

8 B. Every person who falsely personates any public officer or  
9 any law enforcement officer in connection with or relating to any  
10 sham legal process shall, upon conviction, be guilty of a felony,  
11 punishable by imprisonment in the custody of the Department of  
12 Corrections for not more than two (2) years, or a fine not exceeding  
13 Five Thousand Dollars (\$5,000.00), or both such fine and  
14 imprisonment.

15 C. Every person who falsely asserts authority of law not  
16 provided for by federal or state law in connection with any sham  
17 legal process shall, upon conviction, be guilty of a felony,  
18 punishable by imprisonment in the custody of the Department of  
19 Corrections for not more than two (2) years, or a fine not exceeding  
20 Five Thousand Dollars (\$5,000.00), or both such fine and  
21 imprisonment.

22 D. Every person who, while acting falsely in asserting  
23 authority of law, attempts to intimidate or hinder a public official  
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1 or law enforcement officer in the discharge of official duties by  
2 means of threats, harassment, physical abuse, or use of sham legal  
3 process, shall, upon conviction, be guilty of a felony, punishable  
4 by imprisonment in the custody of the Department of Corrections for  
5 not more than two (2) years, or a fine not exceeding Five Thousand  
6 Dollars (\$5,000.00), or both such fine and imprisonment.

7 E. Any person who, without authority under federal or state  
8 law, acts as a supreme court justice, a district court judge, an  
9 associate district judge, a special judge, a magistrate, a clerk of  
10 the court or deputy, a notary public, a juror or other official  
11 holding authority to determine a controversy or adjudicate the  
12 rights or interests of others, or signs a document in such capacity,  
13 shall, upon conviction, be guilty of a felony, punishable by  
14 imprisonment in the custody of the Department of Corrections for not  
15 more than two (2) years, or a fine not exceeding Five Thousand  
16 Dollars (\$5,000.00), or both such fine and imprisonment.

17 F. Every person who uses any motor vehicle or motor-driven  
18 cycle usually distinguished as a law enforcement vehicle or equips  
19 any motor vehicle or motor-driven cycle with any spot lamps, audible  
20 sirens, or flashing lights, in violation of ~~Sections~~ Section 12-217,  
21 12-218 or 12-227 of Title 47 of the Oklahoma Statutes, or in any  
22 other manner uses any motor vehicle or motor-driven cycle ~~for:~~  
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1        1. Which, by markings that conform to or imitate the markings  
2 required or authorized in subsection B of Section 151 of Title 47 of  
3 the Oklahoma Statutes and used by the Oklahoma Highway Patrol  
4 Division of the Department of Public Safety, conveys to any person  
5 the impression or appearance that it is a vehicle of the Oklahoma  
6 Highway Patrol shall, upon conviction, be guilty of a misdemeanor  
7 punishable by imprisonment in the county jail for not more than one  
8 (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00),  
9 or both fine and imprisonment; provided, nothing in this paragraph  
10 shall be construed to prohibit the use of such a vehicle for  
11 exhibitions, club activities, parades, and other functions of public  
12 interest and which is not used on the public roads, streets, and  
13 highways for regular transportation; or

14        2. For the purpose of falsely personating a law enforcement  
15 officer and who in such assumed character commits any act whereby  
16 another person is injured, defrauded, harassed, vexed or annoyed  
17 shall, upon conviction, be guilty of a felony~~7~~ punishable by  
18 imprisonment in the custody of the Department of Corrections not  
19 exceeding ten (10) years, or by a fine not exceeding Ten Thousand  
20 Dollars (\$10,000.00), or by both such fine and imprisonment.

21        G. 1. Any person who displays or causes to be displayed the  
22 words "State Police" alone or in conjunction with any other word or  
23 words on any motor vehicle, badge, clothing, identification card, or  
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1 any other object or document with the intent to communicate peace  
2 officer or investigating authority shall, upon conviction, be guilty  
3 of a misdemeanor, punishable by a fine not exceeding One Thousand  
4 Dollars (\$1,000.00). This paragraph shall not apply to any officer  
5 with statewide investigatory or law enforcement authority.

6 2. Any person who displays or causes to display such words as  
7 provided in this subsection for the purpose of falsely personating a  
8 law enforcement officer and as such commits any act whereby another  
9 person is injured, defrauded, harassed, vexed or annoyed shall, upon  
10 conviction, be guilty of a felony punishable by imprisonment in the  
11 custody of the Department of Corrections not exceeding ten (10)  
12 years, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00),  
13 or by both such fine and imprisonment.

14 H. As used in this section:

15 1. "Sham legal process" means the issuance, display, delivery,  
16 distribution, reliance on as lawful authority, or other use of an  
17 instrument that is not lawfully issued, whether or not the  
18 instrument is produced for inspection or actually exists, and  
19 purports to do any of the following:

20 a. to be a summons, subpoena, judgment, arrest warrant,  
21 search warrant, or other order of a court recognized  
22 by the laws of this state, a law enforcement officer  
23 commissioned pursuant to state or federal law or the  
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1 law of a federally recognized Indian tribe, or a  
2 legislative, executive, or administrative agency  
3 established by state or federal law or the law of a  
4 federally recognized Indian tribe,

5 b. to assert jurisdiction or authority over or determine  
6 or adjudicate the legal or equitable status, rights,  
7 duties, powers, or privileges of any person or  
8 property, or

9 c. to require or authorize the search, seizure,  
10 indictment, arrest, trial, or sentencing of any person  
11 or property; and

12 2. "Lawfully issued" means adopted, issued, or rendered in  
13 accordance with the applicable statutes, rules, regulations, and  
14 ordinances of the United States, a state, or a political subdivision  
15 of a state.

16 I. It shall not be a defense to a prosecution under subsection  
17 B, C, D or E of this section that:

18 1. The recipient of the sham legal process did not accept or  
19 believe in the authority falsely asserted in the sham legal process;

20 2. The person violating subsection B, C, D or E of this section  
21 does not believe in the jurisdiction or authority of this state or  
22 of the United States government; or

1           3. The office the person violating subsection B, C, D or E of  
2 this section purports to hold does not exist or is not an official  
3 office recognized by state or federal law.

4           SECTION 2. This act shall become effective November 1, 2012.

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6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/21/2012 - DO  
7 PASS, As Coauthored.

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