

SENATE, No. 2915

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2020

Sponsored by:

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

SYNOPSIS

Establishes crime of impersonating uniformed professional to further criminal activity.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning certain crimes and supplementing Title 2C of
2 the New Jersey Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. A person is guilty of the crime of impersonating a
8 uniformed professional to further criminal activity if that person
9 commits, attempts to commit, or threatens the immediate
10 commission of a crime under Title 2C of the New Jersey Statutes
11 while wearing a uniform that falsely purports to be the uniform of a
12 public or private employee or by driving an unauthorized vehicle
13 falsely purporting to belong to a company or organization.

14 b. Impersonating a uniformed professional to further criminal
15 activity is a crime of the fourth degree if the underlying offense
16 referred to in subsection a. is a disorderly persons offense or petty
17 disorderly persons offense. Otherwise, impersonating a uniformed
18 professional to further criminal activity is a crime one degree higher
19 than the most serious underlying crime referred to in subsection a.,
20 except that where the underlying crime is a crime of the first
21 degree, impersonating a uniformed professional to further criminal
22 activity is a first-degree crime and the defendant upon conviction
23 thereof may, notwithstanding the provisions of paragraph (1) of
24 subsection a. of N.J.S.2C:43-6, be sentenced to an ordinary term of
25 imprisonment between 15 years and 30 years.

26 c. Notwithstanding the provisions of N.J.S.2C:1-8 or any other
27 provision of law, a conviction for impersonating a uniformed
28 professional to further criminal activity shall not merge with a
29 conviction of any of the underlying offenses referred to in
30 subsection a. of this section, nor shall any conviction for such
31 underlying offense merge with a conviction for impersonating a
32 uniformed professional to further criminal activity. The court shall
33 impose separate sentences upon a conviction for impersonating a
34 uniformed professional to further criminal activity and a conviction
35 of any underlying offense.

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37 2. This act shall take effect immediately.

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40 **STATEMENT**

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42 This bill establishes the crime of impersonating a uniformed
43 professional to further criminal activity. Under the bill, a person
44 commits the crime of impersonating a uniformed professional to
45 further criminal activity if that person commits, attempts to commit,
46 or threatens the immediate commission of a crime under Title 2C of
47 the New Jersey Statutes while wearing a uniform that falsely
48 purports to be the uniform of a public or private employee or by

1 driving an unauthorized vehicle falsely purporting to belong to a
2 company or organization.

3 The crime of impersonating a uniformed professional to further
4 criminal activity is graded one degree higher than the most serious
5 underlying offense or crime referred to in subsection a. If the
6 underlying offense referred to in subsection a. is a disorderly
7 persons offense or petty disorderly persons offense, then this crime
8 would be a crime of the fourth degree. If the underlying crime is a
9 first degree crime, then impersonating a uniformed professional to
10 further criminal activity is a first-degree crime and the defendant
11 upon conviction may be sentenced to an ordinary term of
12 imprisonment between 15 years and 30 years.

13 A conviction for impersonating a uniformed professional to
14 further criminal activity and a conviction for an underlying offense
15 would not merge, and the court would impose separate sentences
16 for the convictions.

17 This legislation was prompted by the killing of U.S. District
18 Judge Esther Salas' son and the shooting of her husband by a man
19 wearing a FedEx delivery uniform.