

108TH CONGRESS  
2D SESSION

# H. R. 3815

To amend title 18, United States Code, to provide expanded protections against the misuse of public safety officer uniforms, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2004

Ms. SLAUGHTER (for herself and Mr. HOUGHTON) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to provide expanded protections against the misuse of public safety officer uniforms, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Badge and Uniform  
5       Security and Trustworthiness Act of 2003”.

6       **SEC. 2. PUBLIC SAFETY OFFICER UNIFORMS.**

7       (a) IN GENERAL.—Section 716 of title 18, United  
8       States Code, is amended—

1           (1) by striking “police badge” each place it ap-  
2           pears in subsections (a) and (b) and inserting “pub-  
3           lic safety officer insignia or article of clothing”;

4           (2) in each of paragraphs (2) and (4) of sub-  
5           section (a), by striking “badge of the police” and in-  
6           serting “public safety officer insignia or article of  
7           clothing”;

8           (3) in subsection (b)—

9                   (A) by striking “the badge” and inserting  
10                  “the insignia or article of clothing”; and

11                  (B) by striking paragraphs (2) and (4);

12           (4) so that subsection (c) reads as follows:

13           “(c) As used in this section—

14                   “(1) the term ‘genuine public safety officer in-  
15                  signia or article of clothing’ means an article of dis-  
16                  tinctive clothing or insignia, including a badge, em-  
17                  blem or identification card, that is an indicium of  
18                  the authority of a public safety officer;

19                   “(2) the term ‘public safety officer’ means any  
20                  officer or employee of a Federal law enforcement  
21                  agency or of any State, or local law enforcement  
22                  agency; and

23                   “(3) the term ‘Federal law enforcement agency’  
24                  means the Bureau of Citizenship and Immigration  
25                  Services, the Bureau of Customs and Border Protec-

1       tion, the Bureau of Immigration and Customs En-  
 2       forcement, the Transportation Safety Agency, the  
 3       Federal Bureau of Investigation, the Drug Enforce-  
 4       ment Administration, the Secret Service, the Coast  
 5       Guard, the Bureau of Alcohol, Tobacco, and Fire-  
 6       arms, the Federal Marshal Service, the United  
 7       States Park Police, the United States Capitol Police,  
 8       and any other Federal entity determined to be a law  
 9       enforcement agency by the Attorney General or the  
 10      Secretary of Homeland Security.”; and

11           (5) in the heading for the section, by striking  
 12      “Police badges” and inserting “Public safety officer  
 13      insignia and clothing”.

14      (b) CONFORMING AMENDMENT TO TABLE OF SEC-  
 15      TIONS.—The item in the table of sections at the beginning  
 16      of chapter 33 of title 18, United States Code, relating to  
 17      section 716 is amended by striking “Police badges” and  
 18      inserting “Public safety officer insignia and clothing”.

19      **SEC. 3. DIRECTION TO SENTENCING COMMISSION.**

20      The United States Sentencing Commission is directed  
 21      to make appropriate amendments to sentencing guidelines,  
 22      policy statements, and official commentary to assure that  
 23      the sentence imposed on a defendant who is convicted of  
 24      a Federal offense while wearing or displaying public safety  
 25      officer insignia and clothing received in violation of section

- 1 716 of title 18. United States Code, reflects the gravity
- 2 of this aggravating factor.

