

109TH CONGRESS  
1ST SESSION

# H. R. 3604

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

JULY 28, 2005

Ms. SLAUGHTER (for herself, Mr. WELDON of Pennsylvania, Ms. SCHAKOWSKY, and Ms. WATSON) 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 2005”.

6 **SEC. 2. PUBLIC EMPLOYEE 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 “offi-  
 3           cial 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 “official insignia or article of clothing”;

7           (3) in subsection (b), by striking “the badge”  
 8           and inserting “the insignia or article of clothing”;

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

10          “(c) As used in this section—

11           “(1) the term ‘official insignia or article of  
 12           clothing’ means an article of distinctive clothing or  
 13           insignia, including a badge, emblem or identification  
 14           card, that is an indicium of the authority of a public  
 15           employee; and

16           “(2) the term ‘public employee’ means any offi-  
 17           cer or employee of the Federal Government or of a  
 18           State or local government.”; and

19           (5) in the heading for the section, by striking  
 20           “**Police badges**” and inserting “**Public em-**  
 21           **ployee insignia and clothing**”.

22          (b) CONFORMING AMENDMENT TO TABLE OF SEC-  
 23          TIONS.—The item in the table of sections at the beginning  
 24          of chapter 33 of title 18, United States Code, relating to

1 section 716 is amended by striking “Police badges” and  
2 inserting “Public employee insignia and clothing”.

3 (c) DIRECTION TO SENTENCING COMMISSION.—The  
4 United States Sentencing Commission is directed to make  
5 appropriate amendments to sentencing guidelines, policy  
6 statements, and official commentary to assure that the  
7 sentence imposed on a defendant who is convicted of a  
8 Federal offense while wearing or displaying insignia and  
9 clothing received in violation of section 716 of title 18,  
10 United States Code, reflects the gravity of this aggra-  
11 vating factor.

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