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## **Testimony in Support of Assembly Bill 251** *Assembly Committee on Criminal Justice & Public Safety* August 25, 2021

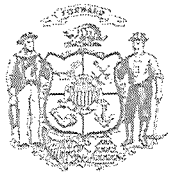
Mr. Chairman and fellow members of the committee, thank you all for holding a public hearing for Assembly Bill (AB) 251. I appreciate the opportunity to speak before you today in support of this important proposal. I'd also like to thank Sen. Jacque for taking the lead in the Senate on this. My thoughts and prayers are with him at this time.

Now, when it comes to state crimes for impersonation, I was surprised to learn that there is currently no penalty under Wisconsin state law for a person to portray themselves as a public officer, public employee, or employee of a utility with the intent to mislead others. This is a loophole in the law that needs to be closed.

There have been instances where folks have encountered others impersonating an employee of a utility just to gain access to the person's home. This clearly creates a dangerous scenario for the homeowners, and we as legislators need to assert the illegality of this sort of act in statute.

This bill also addresses two other instances that may occur: impersonation of a public officer and a public employee. I support creating greater accountability for those committing fraud. No one should ever be allowed under the law to impersonate another, and this bill would help to close the loophole on several important categories.

Members of the committee, thank you again for the opportunity to testify before you today and thank you for your consideration.



**ANDRÉ JACQUE**

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*Testimony before the Assembly Committee on Criminal Justice and Public Safety  
Senator André Jacque  
August 25, 2020*

Chairman Spiros and Committee Members,

Thank you for holding this hearing on Assembly Bill 251, relating to impersonating a public officer, public employee, or employee of a utility.

Currently, there is no criminal penalty for a person who intentionally misleads others into believing they are a public official, officer, or public employee.

Under current Wisconsin Law, it is a Class I felony for a person to do the following:

1. Assume to act in an official capacity, or to perform an official function, knowing that they are not the specific public officer, public employee, or the employee of a utility that he or she assumes to be (Example: an individual claiming to be State Representative Jane Doe at a community event, when they are not).
2. Exercise any function of a public office knowing that they are not qualified to do so, or that his or her right to act has ceased (Example: an individual impersonating a judge and falsely officiating a marriage).

However, it is not illegal for an individual to represent oneself as a public officer, employee, or the employee of a utility with the intent to mislead others into believing that they do in fact hold that role. For example, if an impersonating person pretended to be a public officer in an attempt to receive discounts on products or services he or she would not be held accountable under Wisconsin's current law, as they are not acting in an official capacity or exercising the function of a public office.

Recently, there was in fact a case where an individual was impersonating a state representative at local organizations and businesses in an attempt to request tours and receive discounts on products and services, and to gain priority access to local establishments. Unfortunately, this behavior is currently legal in the State of Wisconsin. We must close this loophole in our state statutes in order to protect our local communities from this fraudulent and deceptive behavior.

Thank you for your consideration of Assembly Bill 251.