

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.

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

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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