



Copyright © 2007-2023, Judicial Branch, State of Connecticut. All rights reserved.

2023 Edition

Criminal Impersonation in Connecticut

A Guide to Resources in the Law Library

Table of Contents

Introduction	3
Section 1: Criminal Impersonation, CGS §53a-130	4
Section 2: Impersonation of a Police Officer, CGS §53a-130a	13
Table 1: Interfering with an Officer, CGS §53a-167a	17
Table 2: Federal Laws – False Personation	20

*Prepared by Connecticut Judicial Branch, Superior Court Operations,
Judge Support Services, Law Library Services Unit*

lawlibrarians@jud.ct.gov

These guides are provided with the understanding that they represent only a beginning to research. It is the responsibility of the person doing legal research to come to his or her own conclusions about the authoritativeness, reliability, validity, and currency of any resource cited in this research guide.

View our other research guides at
<https://jud.ct.gov/lawlib/selfguides.htm>

This guide links to advance release opinions on the Connecticut Judicial Branch website and to case law hosted on Google Scholar and Harvard's Case Law Access Project. The online versions are for informational purposes only.

References to online legal research databases refer to in-library use of these databases. Remote access is not available.

Connecticut Judicial Branch Website Policies and Disclaimers
<https://www.jud.ct.gov/policies.htm>

Introduction

A Guide to Resources in the Law Library

- **Criminal Impersonation:** "(a) A person is guilty of criminal impersonation when such person: (1) Impersonates another and does an act in such assumed character with intent to obtain a benefit or to injure or defraud another; or (2) pretends to be a state marshal with intent to obtain a benefit or induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense; or (3) pretends to be a representative of some person or organization and does an act in such pretended capacity with intent to obtain a benefit or to injure or defraud another; or (4) pretends to be a public servant other than a sworn member of an organized local police department or the Division of State Police within the Department of Emergency Services and Public Protection, or wears or displays without authority any uniform, badge or shield by which such public servant is lawfully distinguished, with intent to induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense; or (5) with intent to defraud, deceive or injure another, uses an electronic device to impersonate another and such act results in personal injury or financial loss to another or the initiation of judicial proceedings against another.

(b) The provisions of subdivision (5) of subsection (a) of this section shall not apply to a law enforcement officer acting in the performance of his or her official duties.

(c) Criminal impersonation is a class A misdemeanor." Conn. Gen. Stat. [§ 53a-130](#) (2023)

- **Imprisonment for misdemeanor. Definite sentence. Authorized term:** "A sentence of imprisonment for a misdemeanor shall be a definite sentence and, unless the section of the general statutes that defines or provides the penalty for the crime specifically provides otherwise, the term shall be fixed by the court as follows: (1) For a class A misdemeanor, a term not to exceed one year. . . ." Conn. Gen. Stat. [§ 53a-36](#) (2023) (See also: Conn. Gen. Stat. [§ 53a-36a](#))

- **Impersonation of a police officer:** "(a) A person is guilty of impersonation of a police officer when he pretends to be a sworn member of an organized local police department or the Division of State Police within the Department of Emergency Services and Public Protection, or wears or displays without authority any uniform, badge or shield by which such police officer is lawfully distinguished, with intent to induce another person to submit to such pretended official authority or otherwise to act in reliance upon that pretense.

(b) Impersonation of a police officer is a class D felony." Conn. Gen. Stat. [§ 53a-130a](#) (2023)

- **Imprisonment for felony committed on or after July 1, 1981. Definite sentence. Authorized term:** "For any felony committed on or after July 1, 1981, the sentence of imprisonment shall be a definite sentence and, unless the section of the general statutes that defines or provides the penalty for the crime specifically provides otherwise, the term shall be fixed by the court as follows: (8) For a class D felony, a term not more than five years" Conn. Gen. Stat. [§ 53a-35a](#) (2023)

Section 1: Criminal Impersonation, CGS §53a-130

A Guide to Resources in the Law Library

SCOPE:

Bibliographic resources relating to criminal impersonation based on CGS § 53a-130 and other related statutes in Connecticut

DEFINITIONS:

- **Criminal Impersonation:** "(a) A person is guilty of criminal impersonation when such person: (1) Impersonates another and does an act in such assumed character with intent to obtain a benefit or to injure or defraud another; or (2) pretends to be a state marshal with intent to obtain a benefit or induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense; or (3) pretends to be a representative of some person or organization and does an act in such pretended capacity with intent to obtain a benefit or to injure or defraud another; or (4) pretends to be a public servant other than a sworn member of an organized local police department or the Division of State Police within the Department of Emergency Services and Public Protection, or wears or displays without authority any uniform, badge or shield by which such public servant is lawfully distinguished, with intent to induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense; or (5) with intent to defraud, deceive or injure another, uses an electronic device to impersonate another and such act results in personal injury or financial loss to another or the initiation of judicial proceedings against another.

(b) The provisions of subdivision (5) of subsection (a) of this section shall not apply to a law enforcement officer acting in the performance of his or her official duties.

(c) Criminal impersonation is a class A misdemeanor." Conn. Gen. Stat. § [53a-130](#) (2023)

- **Misdemeanor: Definition, classification, designation:** "An offense for which a person may be sentenced to a term of imprisonment of not more than one year is a misdemeanor." Conn. Gen. Stat. § [53a-26](#)(a) (2023) (See also: Conn. Gen. Stat. § [53a-36a](#))
- **Imprisonment for misdemeanor. Definite sentence. Authorized term:** "A sentence of imprisonment for a misdemeanor shall be a definite sentence and, unless the section of the general statutes that defines or provides the penalty for the crime specifically provides otherwise, the term shall be fixed by the court as follows: (1) For a class A misdemeanor, a term not to exceed one year. . . ." Conn. Gen. Stat. § [53a-36](#) (2023) (See also: Conn. Gen. Stat. § [53a-36a](#))

- **Imprisonment term for misdemeanor not to exceed three hundred sixty-four days:** "(a) Notwithstanding any provision of the general statutes, any offense which constitutes a breach of any law of this state for which a person may be sentenced to a term of imprisonment of up to but not exceeding one year shall be punishable by imprisonment for a period not to exceed three hundred sixty-four days. A misdemeanor conviction for which a person was sentenced to a term of imprisonment of one year shall continue to be deemed a misdemeanor conviction after the maximum term of imprisonment is reduced pursuant to this section.

(b) The provisions of this section apply to any term of imprisonment for which a person was sentenced to before, on or after October 1, 2021.

(c) Any person sentenced to a term of imprisonment of one year, prior to October 1, 2021, for any offense previously punishable by a term of imprisonment of up to but not exceeding one year, may apply to the court that entered the judgment of conviction to have the term of sentence modified to the maximum term of imprisonment for a period not to exceed three hundred sixty-four days. Any such application may be filed at any time and the court shall issue such modification regardless of the date of conviction, provided the record of such sentence has not been destroyed." Conn. Gen. Stat. § [53a-36a](#) (2023).

- **Fines for misdemeanors:** "A fine for the conviction of a misdemeanor shall, unless the section of the general statutes that defines or provides the penalty for the crime specifically provides otherwise, be fixed by the court as follows: (1) For a class A misdemeanor, an amount not to exceed two thousand dollars. . ." Conn. Gen. Stat. § [53a-42](#) (2023)

STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- Conn. Gen. Stat. (2023)

[Chapter 952. Penal Code: Offenses](#)

§ [53a-130](#). **Criminal impersonation:** Class A misdemeanor.

§ [53a-26](#). Misdemeanor: Definition, classification, designation.

§ [53a-36](#). Imprisonment for misdemeanor. Definite sentence. Authorized term.

§ [53a-36a](#). Imprisonment term for misdemeanor not to exceed three hundred sixty-four days.

§ [53a-42](#). Fines for misdemeanors.

CASES:

- [State v. Megos](#), 176 Conn. App. 133, 170 A.3d 120 (2017). "The defendant's first challenge to the court's finding that he violated his probation is that the evidence fails to demonstrate that he committed criminal impersonation. We disagree." (p. 140)

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

"Our analysis . . . is informed by a review of the statutory elements of the crime of criminal impersonation. 'A person is guilty of criminal impersonation when such person: (1) *Impersonates another and does an act in such assumed character with intent to obtain a benefit or to injure or defraud another . . .*' (Emphasis added.) General Statutes § 53a-130 (a).

After applying the applicable law to the record before us, we conclude that the trial court's finding that the defendant had violated his probation by committing criminal impersonation was not clearly erroneous. . . As part of the defendant's scheme to defraud Foster, the defendant impersonated his business partner, Bishop Taylor. The defendant gave Foster receipts presigned by Taylor in order to avoid 'draw[ing] attention to the building department [that] [he] was involved in the building.' Furthermore, when asked directly for his name, the defendant replied, 'Bishop,' instead of his actual name. Accordingly, we conclude that it was not clearly erroneous for the court to find that the defendant had violated the terms of his probation by impersonating another person and acting in such assumed character with the intent to defraud Foster." (pp. 141-142)

- [State v. Moore](#), 97 Conn. App. 243, 248-249, 903 A.2d 669 (2006). "The defendant argues that there was insufficient evidence to support a conviction for being an accessory to criminal impersonation because § 53a-130(a)(1) does not prohibit the giving of a false name unless the name provided is that of a real person. See [State v. Smith](#), 194 Conn. 213, 221-22, 479 A.2d 814 (1984). She contends that, because Henderson provided Hutchinson with the name Daneisha Baptiste, a fictitious name, there was insufficient evidence that she was impersonating a real person. Although we recognize that the mere act of providing a false name does not expose an individual to culpability for criminal impersonation, we disagree with the defendant that this is the end of the inquiry under the facts of this case.

In [Smith](#), the defendant was convicted of criminal impersonation for providing a false name to an arresting police officer. *Id.*, 216. Our Supreme Court reversed the conviction, concluding that '[t]he statute as written does not prohibit giving a false name; it prohibits impersonating another.' *Id.*, 222. If Henderson had *only* provided Hutchinson with a fictitious name, then we agree that, under [Smith](#), there may have been insufficient evidence that she had impersonated another."

- [State v. Guadalupe](#), 66 Conn. App. 819, 786 A.2d 494 (2001). "On appeal, the defendant argues that the court improperly denied his motion for a judgment of acquittal

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

because the state failed to prove beyond a reasonable doubt that the badge that he displayed during the incident was one that lawfully distinguished a public servant. Specifically, he argues that the evidence adduced at trial concerning his badge did not support, but, rather, refuted the jury's finding that his badge lawfully distinguished him as a public servant for purposes of § 53a-130. In that regard, he argues that the evidence demonstrated only that the badge 'looked like a law enforcement agent's badge,' or that the badge identified the defendant as a fugitive recovery agent. He argues that neither of those findings sufficiently supports his conviction." (pp. 822-823)

"This court in [State v. Giorgio](#), 2 Conn.App. 204, 209-10, 477 A.2d 134 (1984), determined that the definition of 'public servant' in General Statutes § 53a-146 (3) applies to § 53a-130. Section 53a-146 (3) provides that a "[p]ublic servant" is an officer or employee of government, elected or appointed, and any person participating as an advisor, consultant or otherwise, paid or unpaid, in performing a governmental function.' Section 53a-146 (4) provides that "[g]overnment" includes any branch, subdivision or agency of the state or any locality within it." (p. 824)

"In the present case, the state bore the burden of proving the following elements beyond a reasonable doubt: (1) the defendant displayed a badge, (2) the badge was of such nature that it would lawfully distinguish its holder to be a member of the class of persons described in the statute, (3) the defendant lacked any authority to display the badge and (4) the defendant displayed the badge with the specific intent to induce another to submit to such pretended official authority or otherwise to act in reliance on such authority." (p. 824)

"After reviewing the record, we conclude that the jury had before it adequate evidence upon which to find that the defendant displayed what appeared to be a lawfully issued badge for a member of the class of persons described in § 53a-130. We reach that conclusion on the basis of the witness' perceptions of the defendant's badge during the incident and the factual scenario in which the defendant displayed it. We reiterate that this court is bound to construe the evidence presented in support of this element of the crime 'in the light most favorable to sustaining the verdict.' (Internal quotation marks omitted.) [State v. Bradley](#), 60 Conn. App. 534, 540, 760 A.2d 520, cert. denied, 255 Conn. 921, 763 A.2d 1042 (2000)." (p. 825)

"The defendant . . . further argues that 'in order for a badge to lawfully distinguish a public servant, it must identify the bearer as such and must do so in a manner

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

prescribed by law.’ In that regard, the defendant posits that the state was required to prove that his badge was an authentic badge in the sense that it was a badge that lawfully distinguished its bearer to be of the class of persons described in the statute.

Our interpretation of the statute is to the contrary.” (pp. 826-827)

“We do not interpret § 53a-130 to require the use of an official, or real, badge. During oral argument, the defendant conceded that the use of an ‘identical replica,’ though not officially issued, would give rise to a conviction under the statute. That reflects the inherent difficulty in interpreting the statute in the manner that he suggests while still interpreting the statute to achieve its logical and rational ends. The goal of the statute is to prohibit criminal impersonation. Among other things, the statute prohibits an individual from using a badge with the intent of inducing another to submit to authority that he or she does not possess. Because the state proved beyond a reasonable doubt that the defendant used a badge that appeared to lawfully distinguish him and that he used the badge in the manner proscribed by the statute, we are unable to see how the issue of the badge’s lineage or authenticity bears on the goals that the legislature sought to achieve.” (p. 828)

- [State v. Wall](#), 40 Conn. App. 643, 673 A.2d 530 (1996), cert. denied, 237 Conn. 924 (1996). “Subdivision (3) of General Statutes § 53a-130(a) requires that the state prove that (1) the defendant pretended to be a public servant and (2) the defendant intended to induce another to submit to such pretended official authority or to act in reliance upon that pretense. In order for the state to prove the first element of this charge, it must prove that the person charged is not a public servant. ‘In other words, the state ha[s] the burden of proving the negative fact that the defendant was not a public servant at the time of the offense.’ [State v. Giorgio](#), 2 Conn.App. 204, 210, 477 A.2d 134 (1984). The state, however, need not prove that the defendant was not a public servant anywhere in Connecticut or elsewhere.

The information charged the defendant with criminal impersonation in Plymouth, and the state was not required to research the records of 168 other towns and cities to prove that the defendant was not a public servant elsewhere because such knowledge is peculiarly within the control of the defendant. . . . A statute need not list all the possible ways in which it could be violated. . . .” (p. 665)

“Section 53a-130(3) expressly requires the mental state of ‘intent.’ ‘A person is guilty of criminal impersonation

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

when he ... pretends to be a public servant ... with *intent* to induce another to submit to such pretended official authority....' (Emphasis added.) General Statutes § 53a-130(3). The statute does not establish a requirement that, in order to be convicted of criminal impersonation, the state must prove that the defendant 'knew' he was not a police officer. 'An "intent" element is not synonymous with a "knowledge" element....' *State v. Denby*, supra, 235 Conn. at 482, 668 A.2d 682." (pp. 671-672)

- [State v. Frazier](#), 194 Conn. 233, 238-239, 478 A.2d 1013 (1984). "The criminal impersonation statute, § 53a-130 (a)(1), is violated when an individual impersonates another and does an act 'in such assumed character with [the] intent to obtain a benefit or to injure or defraud another.'"
- [State v. Smith](#), 194 Conn. 213, 479 A.2d 814 (1984). "General Statutes § 53a-130 (a) provides, in relevant part, that a person is guilty of criminal impersonation when he or she '[i]mpersonates another and does an act in such assumed character with intent to obtain a benefit or to injure or defraud another.' The gravamen of the defendant's challenge to his criminal impersonation conviction is that giving a false name is not impersonation of another unless the name given is that of a real person." (pp. 220-221)

"The statute as written does not prohibit giving a false name; it prohibits impersonating another." (p. 222)

- [State v. Giorgio](#), 2 Conn. App. 204, 477 A.2d 134 (1984). "The defendant assigns as error the trial court's denial of his motion to dismiss, which was based on the claim that General Statutes § 53a-130(a) was unconstitutionally vague, and its denial of his motions for judgment of acquittal for the state's failure to prove the necessary elements of the crime with which he was charged.

"The defendant's vagueness claim is couched in general principles of law without application to the facts of this case. It appears, however, that his central concern is the meaning of 'public servant,' which is not defined in § 53a-130. In construing a statute, other statutes relating to the same subject matter may be looked to for guidance because the legislature is presumed to have created a consistent body of law." (p. 209)

"[L]aws may be general in nature so as to include a wide range of prohibited conduct. The constitution requires no more than a reasonable degree of certainty.' *Id.*, 160-61, quoting [State v. Chetcuti](#), 173 Conn. 165, 377 A.2d 263 (1977). Section 53a-130 (a) clearly meets that requirement. It is not necessary that the statute list the

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

precise actions prohibited by it. *State v. Eason*, 192 Conn. 37, 47, 470 A.2d 688 (1984). There is no merit in the defendant's argument that he lacked fair warning that directing another driver to pull off the highway, displaying a badge and delivering a reprimand was proscribed conduct. The court was correct in denying the defendant's 'motion to dismiss.'

The denial of the defendant's motion for judgment of acquittal was also proper. It was the state's burden to prove that the defendant pretended to be a public servant or that he had worn or displayed, without authority to do so, a badge by which such public servant is lawfully distinguished. In other words, the state had the burden of proving the negative fact that the defendant was not a public servant at the time of the offense. The state satisfied this burden. It was not required to prove a matter personal to the defendant which would remove him from the operation of the statute, i.e., that he truly was a public servant. *State v. Januszewski*, 182 Conn. 142, 147, 438 A.2d 679 (1980), cert. denied, 453 U.S. 922, 101 S.Ct. 3159, 69 L.Ed.2d 1005 (1981).

It was also the state's burden to prove that the defendant had the specific intent 'to induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense,' since such intent is an essential element of the crime. See *State v. Carter*, 189 Conn. 611, 625, 458 A.2d 369 (1983). Intent may be, and usually is, inferred from conduct. *State v. Holley*, 174 Conn. 22, 26, 381 A.2d 539 (1977); *State v. Sober*, 166 Conn. 81, 92-93, 347 A.2d 61 (1974). The defendant's actions and statements were circumstantial proof of his intent to induce McKinley to submit to the official authority he pretended to be. The jury could have reasonably concluded, upon the facts established and the inferences reasonably drawn therefrom, that the cumulative effect of the evidence established the defendant's guilt beyond a reasonable doubt. *State v. Stepney*, 191 Conn. 233, 255, 464 A.2d 758 (1983). The defendant's contention that the state was required to prove which specific public servant the defendant was impersonating is baseless.

The defendant argues that the court erred in its charge as to the term 'public servant.' The court defined public servant as 'government official' and declined to charge as requested by the defendant. The meaning of public servant has been previously discussed in the context of the defendant's void for vagueness argument. The charge as given was correct and sufficient for the guidance of the jury." (pp. 210-212)

JURY INSTRUCTIONS:

- Connecticut Judicial Branch Criminal Jury Instructions:
<http://www.jud.ct.gov/JI/criminal/>

Part 10: Criminal Writings, Financial Crimes, and Fraud
[10.7-1 Criminal Impersonation -- § 53a-130 \(a\) \(1\) and \(3\)](#)

[10.7-2 Criminal Impersonation \(Public Servant\) -- § 53a-130 \(a\) \(4\)](#)

[10.7-4 Criminal Impersonation \(by Electronic Device\) -- § 53a-130 \(a\) \(5\)](#)

[10.7-5 Criminal Impersonation \(State Marshal\) -- § 53a-130 \(2\)](#)

INDEXING:

- *ALR Index*: Impersonation

WEST KEY NUMBERS:

- *False Pretenses* 181 – 199
 - III. False Personation
 - 181. In general
 - 182. Degrees and aggravated offenses in general
 - 183. Relation to other offenses
 - 184. Necessity and nature of impersonation
 - 185. – In general
 - 186. – Actual or fictitious person; deceased persons
 - 187. – Natural or artificial person; corporations and business organizations
 - 188. Public employees and officials
 - 189. – In general
 - 190. – Law enforcement personnel
 - 191. Intent; knowledge
 - 192. Consent; authorization
 - 193. Property or benefit obtained
 - 194. – In general
 - 195. – Value; amount
 - 196. Injury or loss
 - 197. Attempts
 - 198. Defenses
 - 199. Parties to offenses; persons liable

TREATISES:

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- 10 Connecticut Practice Series, *Connecticut Criminal Law*, by Hon. David M. Borden and Leonard Orland, Thomson West, 2007 with 2023-2024 supplement (also available on Westlaw).
 - § 53a-130. Criminal Impersonation: Class A Misdemeanor
 - See Author’s Commentary (2023-2024 supplement only)

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 32 *Am Jur 2d False Personation*, Thomson West, 2017 (Also available on Westlaw).
 - I. In General
 - § 1. False personation, generally
 - § 2. Misrepresenting personal information to police officer as false personation
 - § 3. Intent, or possibility of doing injury, or of receiving or conferring benefit as element of false personation
 - § 4. Federal false personation statutes
 - § 5. Participation in false personation; conspiracy to commit false personation
 - II. False Personation of State Government Officers or Employees
 - § 6. False personation of state government officers or employees
 - § 7. False personation of federal officers or employees
 - § 8. Validity of false personation of peace officer statutes
 - § 9. Affirmative defenses to impersonating peace officer
 - III. Practice and Procedure
 - § 10. Accusatory pleadings in prosecution for false personation
 - § 11. Jury's role and instructions in prosecution for false personation
 - § 12. Evidence in prosecution for false personation
- 35 *CJS False Personation*, Thomson West, 2020 (Also available on Westlaw).
 - I. In General
 - § 1. What constitutes offense of false personation
 - § 2. Definitions of false personation
 - § 3. Statutory provisions relating to offense of false personation
 - § 4. – Under federal law
 - II. Proceedings Against False Personators
 - § 5. Indictment of information in prosecution for false personation
 - § 6. Evidence in prosecution for false personation
 - § 7. Trial and review in prosecution for false personation
- 26 *A.L.R.5th 378, Criminal Liability for False Personation During Stop for Traffic Infraction*, by George L. Blum, Thomson West, 1995 (Also available on Westlaw).
- 97 *A.L.R. 1510, Intent as Affecting False Personation, as Regards Criminal Offense*, by J. M. H., Thomson West, 1935 (Also available on Westlaw).

Section 2: Impersonation of a Police Officer, CGS §53a-130a

A Guide to Resources in the Law Library

SCOPE:

Bibliographic resources relating to criminal impersonation of a police officer based on CGS 53a-130a and related statutes in Connecticut

DEFINITIONS:

- **Impersonation of a police officer: Class D felony.** “(a) A person is guilty of impersonation of a police officer when he pretends to be a sworn member of an organized local police department or the Division of State Police within the Department of Emergency Services and Public Protection, or wears or displays without authority any uniform, badge or shield by which such police officer is lawfully distinguished, with intent to induce another person to submit to such pretended official authority or otherwise to act in reliance upon that pretense.

(b) Impersonation of a police officer is a class D felony.” Conn. Gen. Stat. § [53a-130a](#) (2023)
- **Felony: Definition, classification, designation:** “An offense for which a person may be sentenced to a term of imprisonment in excess of one year is a felony.” Conn. Gen. Stat. § [53a-25\(a\)](#) (2023)
- **Imprisonment for felony committed on or after July 1, 1981. Definite sentence. Authorized term:** “For any felony committed on or after July 1, 1981, the sentence of imprisonment shall be a definite sentence and, unless the section of the general statutes that defines or provides the penalty for the crime specifically provides otherwise, the term shall be fixed by the court as follows:
(8) For a class D felony, a term not more than five years” Sec. [53a-35a](#) (2023)
- **Fines for felonies:** “A fine for the conviction of a felony shall, unless the section of the general statutes that defines or provides the penalty for the crime specifically provides otherwise, be fixed by the court as follows: . . . (4) for a class D felony, an amount not to exceed five thousand dollars;” Conn. Gen. Stat. § [53a-41](#) (2023)

STATUTES:

Conn. Gen. Stat. (2023)

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website.

[Chapter 952. Penal Code: Offenses](#)
[§ 53a-130a. Impersonation of a police officer:](#)
Class D felony.

[Chapter 246. Motor Vehicles](#)
[§ 14-96g.](#) Permits for colored or flashing lights.
Exceptions. Fee.

[Chapter 529. Division of State Police](#)

[§ 29-6a](#). Use of official hat and insignia of state police.

JURY INSTRUCTIONS:

- Connecticut Judicial Branch Criminal Jury Instructions: <http://www.jud.ct.gov/JI/criminal/>

Part 10: Criminal Writings, Financial Crimes, and Fraud

[10.7-3 Impersonation of a Police Officer -- § 53a-130a](#)

LEGISLATIVE:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Misdemeanors Increased to Felonies*, by Christopher Reinhart, Chief Attorney, Connecticut General Assembly, Office of Legislative Research Report, [2015-R-0306](#) (December 28, 2015)
- *Impersonating Police Officer—Other States' Laws*, by Lawrence K. Furbish, Assistant Director and Heather Gunas, Research Analyst, Connecticut General Assembly, Office of Legislative Research Report, [1996-R-0280](#) (February 23, 1996)
- *Vehicles Resembling Unmarked Police Cars*, by James J. Fazzalano, Principal Analyst, Connecticut General Assembly, Office of Legislative Research Report, [1995-R-1074](#) (September 8, 1995)

CASES:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- *Nolfe v. Melson*, Superior Court of Connecticut, No. CV 990360876S (June 12, 2000) (2000 WL 839971). "The defendants . . . allegedly are involved in the business of locating individuals and property, property repossession, debt collection and investigatory work. Between September 1997 and March 1998, the defendants falsely impersonated and identified themselves as the plaintiffs while engaging in their business. While falsely identifying themselves as either officer . . . of the Fairfield police department, the defendants allegedly intimidated people in order to obtain information. The defendants also allegedly conspired and aided and abetted each other in these actions. In addition, the plaintiffs allege that the defendants consciously knew of the falsity in which they held themselves out and gave publicity to it by publishing such falsity to numerous law enforcement agencies, private organizations and individuals on a repeated basis. As a result of this conduct, the plaintiffs' amended complaint alleges causes of action for false light invasion of privacy, intentional infliction of emotional distress, negligent infliction of emotional distress, violations of the Connecticut Unfair Trade Practices Act (CUTPA), General Statutes § 42-110a et seq., and unjust enrichment."

"Here, the plaintiffs have stated a cause of action for false light invasion of privacy. The defendants' conduct, as alleged, is sufficiently and seriously offensive to a reasonable person for two reasons. First, the plaintiffs

allege that the defendants not only impersonated them, but did so to intimidate and wrongfully obtain information from other people. This is the type of conduct that constitutes 'a major misrepresentation' of the plaintiffs' 'character, histor[ies], activities or beliefs ...' See *Jonap v. Silver, supra*, 1 Conn. App. 558. It may be implied that the plaintiffs would not intimidate others to illicitly obtain information. Second, the legislature has addressed this issue and enacted legislation that makes impersonation a felony. See General Statutes § 53a-130a(a) and (b). Further, the plaintiffs' allegation that the defendants 'gave publicity to the statements' by publishing the statements to numerous law enforcement and private agencies, as well as individuals, on a repeated basis is sufficient to meet the publicity requirement for the tort of false light invasion of privacy."

"Here, the plaintiffs have stated a cause of action for intentional infliction of emotional distress. The alleged conduct of the defendants has been classified as criminal. See General Statutes § 53a-130a(a) and (b). The legislature determined that such conduct would not be tolerated and classified such conduct as a crime. The defendants' conduct, as alleged, is, therefore, sufficiently 'outrageous' that society would not tolerate it. Additionally, the plaintiffs' complaint contains sufficient facts demonstrating that defendants should have known that impersonating the plaintiffs in such a manner, under such circumstances, would have caused emotional distress."

". . . the defendants' motion to strike counts one, two and three of the plaintiffs' amended complaint is denied. The defendants' motion to strike counts four and five of the plaintiffs' amended complaint is granted."

**WEST KEY
NUMBERS:**

- *False Pretenses* 181 – 199
 - III. False Personation
 - 181. In general
 - 182. Degrees and aggravated offenses in general
 - 183. Relation to other offenses
 - 184. Necessity and nature of impersonation
 - 185. – In general
 - 188. Public employees and officials
 - 189. – In general
 - 190. – Law enforcement personnel
 - 191. Intent; knowledge
 - 192. Consent; authorization
 - 193. Property or benefit obtained
 - 194. – In general
 - 195. – Value; amount
 - 196. Injury or loss
 - 197. Attempts

198. Defenses

199. Parties to offenses; persons liable

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 32 *Am Jur 2d False Personation*, Thomson West, 2017 (Also available on Westlaw).

I. In General

§ 1. False personation, generally

§ 3. Intent, or possibility of doing injury, or of receiving or conferring benefit as element of false personation

§ 4. Federal false personation statutes

§ 5. Participation in false personation; conspiracy to commit false personation

II. False Personation of State Government Officers or Employees

§ 6. False personation of state government officers or employees

§ 7. False personation of federal officers or employees

§ 8. Validity of false personation of peace officer statutes

§ 9. Affirmative defenses to impersonating peace officer

III. Practice and Procedure

§ 10. Accusatory pleadings in prosecution for false personation

§ 11. Jury's role and instructions in prosecution for false personation

§ 12. Evidence in prosecution for false personation

- 35 *CJS False Personation*, Thomson West, 2020 (Also available on Westlaw).

I. In General

§ 1. What constitutes offense of false personation

§ 2. Definitions of false personation

§ 3. Statutory provisions relating to offense of false personation

§ 4. – Under federal law

II. Proceedings Against False Personators

§ 5. Indictment of information in prosecution for false personation

§ 6. Evidence in prosecution for false personation

§ 7. Trial and review in prosecution for false personation

Table 1: Interfering with an Officer, CGS §53a-167a

CGS §53a-167a	
<p>STATUTES:</p> <p>You can visit your local law library or search the most recent statutes and public acts on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.</p>	<ul style="list-style-type: none"> • Chapter 248. Vehicle Highway Use § 14-217. Operator to give name and address and show or surrender license, registration and insurance identification card when requested. • Chapter 952. Penal Code: Offenses § 53a-167a. Interfering with an officer: Class A misdemeanor or Class D felony.
<p>JURY INSTRUCTIONS:</p>	<ul style="list-style-type: none"> • Connecticut Judicial Branch Criminal Jury Instructions: http://www.jud.ct.gov/JI/criminal/ <p style="text-align: center;">Part 4: Crimes Against Administration of Government 4.3-1 Interfering with an Officer -- § 53a-167a</p>
<p>CASES:</p> <p>Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can contact your local law librarian to learn about the tools available to you to update cases.</p>	<ul style="list-style-type: none"> • State v. Lamantia, 181 Conn. App 648, 649, 650, 653, 187 A.3d 513 (2018). “The defendant, Jasmine Lamantia, appeals from the judgment of conviction, rendered after a jury trial, of interfering with an officer in violation of General Statutes §53a-167a and tampering with a witness in violation of General Statutes § 53a-151. On appeal, the defendant claims that the evidence was insufficient to support her conviction for these offenses. We agree with the defendant with respect to the interfering with an officer count but disagree as to the tampering with a witness count. Accordingly, we reverse in part and affirm in part the judgment of the trial court.” <p>“We note that the jury must find every element proven beyond a reasonable doubt in order to find the defendant guilty of the charged offense, [but] each of the basic and inferred facts underlying those conclusions need not to be proved beyond a reasonable doubt...”</p> <p>“Finally, as we have often noted, proof beyond a reasonable doubt does not mean proof beyond all possible doubt....nor does proof beyond a reasonable doubt require acceptance of every hypothesis of innocence posed by the defendant that, had it been found credible by the [finder of fact], would have resulted in an acquittal...On appeal, we do not ask whether there is a reasonable view of the evidence that would support a reasonable hypothesis of innocence. We ask, instead, whether there is a reasonable view of the evidence that supports the [finder of fact’s] verdict of guilty.”</p>

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

"The judgment is reversed only with respect to the defendant's conviction of interfering with an officer and case is remanded with directions to render a judgment of acquittal on that charge and to resentence the defendant on the conviction of tampering with a witness."

- [State v. Ragin](#), 106 Conn. App. 445, 450, 942 A.2d 489, cert. denied, 287 Conn. 905, 950 A.2d 1282 (2008). "The language of § 53a-167a is intended to be broad."
- [State v. Williams](#), 110 Conn. App. 778, 956 A. 2d 1176 (2008). "The defendant's second claim is that there was insufficient evidence to support his conviction of interfering with an officer in violation of § 53a-167a(a). We disagree.

To support a conviction for interfering with an officer, the state must prove beyond a reasonable doubt that the defendant obstructed, resisted, hindered or endangered an officer in the performance of his or her duties. . . . Additionally, the state must prove that the defendant had the specific intent to interfere with an officer. [State v. Nita](#), 27 Conn. App. 103, 111-12 . . . "[T]he question of intent is purely a question of fact. . . . Intent may be, and usually is, inferred from the defendant's verbal and physical conduct. . . . Intent may also be inferred from the surrounding circumstances." . . . [State v. Duncan](#), 96 Conn. App. 533, 540 . . ." (p. 793)

"The defendant gave a false first name twice. The second time was in the police station when he was being 'booked' for the drug offenses. The court correctly charged the jury that whether the defendant intended to slow the progress of his arrest or to delay or impede the police in the arrest process was a question for it to resolve, given the statement made and the circumstances at the time. Intent to delay, obstruct or hinder is more likely to be present if the defendant is asked his name in a police station and responds falsely when he is present there in connection with his arrest and the investigation into his criminal behavior as opposed to being asked the same question elsewhere under other circumstances. See [State v. Aloj](#), supra, 280 Conn. at 845. For example, failure to provide a legal or correct name to a policeman by a person who is unaware of any possible investigation of a crime or of any suspicion of his possible involvement in a crime may not provide the requisite intent to violate § 53a-167a." (p. 797)

- [State v. Aloj](#), 280 Conn. 824, 833, 911 A.2d 1086 (2007). "By using those words it is apparent that the legislature intended [§ 53a-167a] to prohibit any act which would amount to meddling in or hampering the activities of the police in the performance of their duties. . . . *The [defendant's] act, however, does not have to be wholly or partially successful* . . . [nor must it] be such as to defeat or delay the performance of a duty in which the officer is then

	<p>engaged. The purpose of the statute, which had its origin in the common law, is to enforce orderly behavior in the important mission of preserving the peace; and any act that is intended to thwart that purpose is violative of the statute. . . . Thus, [t]he broad intent of § 53a-167a is to prohibit conduct that hampers the activities of the police in the performance of their duties" (Citations omitted; emphasis added; internal quotation marks omitted.)</p>
<p>ENCYCLOPEDIAS:</p> <p>Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.</p> <p>Online databases are available for in-library use. Remote access is not available.</p>	<ul style="list-style-type: none"> • 32 <i>Am Jur 2d</i> False Personation, Thomson West, 2017 (Also available on Westlaw). <ul style="list-style-type: none"> I. In General <ul style="list-style-type: none"> § 2. Misrepresenting personal information to police officer as false personation • 26 <i>A.L.R.5th</i> 378, <i>Criminal Liability for False Personation During Stop for Traffic Infraction</i>, by George L. Blum, Thomson West, 1995 (Also available on Westlaw).
<p>TREATISES:</p> <p>You can contact us or visit our catalog to determine which of our law libraries own the treatises cited.</p> <p>References to online databases refer to in-library use of these databases.</p>	<ul style="list-style-type: none"> • 10 Connecticut Practice Series, <i>Connecticut Criminal Law</i>, by Hon. David M. Borden and Leonard Orland, Thomson West, 2007 with 2023-2024 supplement (also available on Westlaw). <ul style="list-style-type: none"> § 53a-167a. Interfering with an officer: Class A Misdemeanor or class D felony <ul style="list-style-type: none"> See Author’s Commentary (2023-2024 supplement only)

Table 2: Federal Laws – False Personation

Federal Laws – False Personation	
<p>STATUTES:</p> <p>You can visit your local law library or search the most recent U.S. Code on the U.S. Code website to confirm that you are accessing the most up-to-date laws.</p>	<ul style="list-style-type: none"> • 18 USC – Crimes and Criminal Procedure Part I—Crimes Chapter 43. False Personation <ul style="list-style-type: none"> § 911. Citizen of the United States § 912. Officer or employee of the United States § 913. Impersonator making arrest or search § 914. Creditors of the United States § 915. Foreign diplomats, consuls or officers § 916. 4-H Club members or agents § 917. Red Cross members or agents • False personation of a US Citizen: “Whoever falsely and willfully represents himself to be a citizen of the United States shall be fined under this title or imprisoned not more than three years, or both.” 18 USC 911 (2023) • False personation of an officer or employee of the United States: “Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States or any department, agency, or officer thereof, and acts as such, or in such pretended character demands or obtains any money, paper, document, or thing of value, shall be fined under this title or imprisoned not more than three years, or both.” 18 USC 912 (2023)
<p>CASELAW:</p> <p>Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can contact your local law librarian to learn about the tools available to you to update cases.</p>	<ul style="list-style-type: none"> • United States, Petitioner v. Alvarez, 567 U.S. 709, 132 S. Ct 2537 (2012). “Statutes that prohibit falsely representing that one is speaking on behalf of the Government, or that prohibit impersonating a Government officer, also protect the integrity of Government processes, quite apart from merely restricting false speech. Title 18 U.S.C. § 912, for example, prohibits impersonating an officer or employee of the United States. Even if that statute may not require proving an ‘actual financial or property loss’ resulting from the deception, the statute is itself confined to ‘maintain[ing] the general good repute and dignity of ... government ... service itself.’ . . . The same can be said for prohibitions on the unauthorized use of the names of federal agencies such as the Federal Bureau of Investigation (FBI) in a manner calculated to convey that the communication is approved, see § 709, or using words such as ‘Federal’ or ‘United States’ in the collection of private debts in order to convey that the communication has official authorization, see § 712.” (p. 721) <p>“Statutes forbidding impersonation of a public official typically focus on <i>acts</i> of impersonation, not mere speech, and may require a showing that, for example, someone was</p>

	<p>deceived into following a 'course [of action] he would not have pursued but for the deceitful conduct.' . . . see, e.g., § 912 (liability attaches to '[w]hoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States ... and <i>acts as such</i>' (emphasis added))." (p. 735)</p>
--	--