

RCW 9A.60.045 Criminal impersonation in the second degree. (1)

A person is guilty of criminal impersonation in the second degree if the person:

(a)(i) Claims to be a law enforcement officer or creates an impression that he or she is a law enforcement officer; and

(ii) Under circumstances not amounting to criminal impersonation in the first degree, does an act with intent to convey the impression that he or she is acting in an official capacity and a reasonable person would believe the person is a law enforcement officer;

(b) Falsely assumes the identity of a veteran or active duty member of the armed forces of the United States with intent to defraud for the purpose of personal gain or to facilitate any unlawful activity; or

(c)(i) Knowingly distributes a forged digital likeness of another person as a genuine visual representation or audio recording with intent to defraud, harass, threaten, or intimidate another or for any other unlawful purpose; and

(ii) Knows or reasonably should know that the forged digital likeness is not genuine.

(2) Criminal impersonation in the second degree is a gross misdemeanor.

(3) Nothing in subsection (1)(c) of this section shall be construed to prohibit the distribution of visual representations or audio recordings for matters of cultural, historical, political, religious, educational, newsworthy, or public interest including, but not limited to, use in works of art, commentary, satire, and parody protected by the Washington state Constitution or the United States Constitution.

(4) Nothing in subsection (1)(c) of this section shall be construed to impose liability upon the following entities solely as a result of content provided by another person:

(a) An interactive computer service, as defined in Title 47 U.S.C. Sec. 230(f)(2);

(b) A mobile telecommunications service provider, as defined in RCW 82.04.065; or

(c) A telecommunications network or broadband provider. [2025 c 51 s 2. Prior: 2004 c 124 s 1; 2004 c 11 s 2; 2003 c 53 s 79.]

Effective date—2004 c 124: "This act takes effect July 1, 2004." [2004 c 124 s 2.]

Effective date—2004 c 11: See note following RCW 9A.60.040.

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.