

TITLE 18
CRIMES AND PUNISHMENTS

CHAPTER 30
FALSE PERSONATION -- FRAUDULENT MARRIAGES

18-3001. FALSE PERSONATION. Every person who falsely personates another, and in such assumed character, either:

1. Becomes bail or surety for any party in any proceeding whatever, before any court or officer authorized to take such bail or surety; or

2. Verifies, publishes, acknowledges or proves in the name of another person, any written instrument, with the intent that the same may be recorded, delivered and used as true; or

3. Does any act whereby, if it were done by the person falsely personated, he might in any event, become liable to any suit or prosecution, or to pay any sum of money, or to incur any charge, forfeiture or penalty, or whereby any benefit might accrue to the party personating, or to any other person;

Is punishable by imprisonment in the county jail not exceeding two (2) years, or by a fine not exceeding \$5000.

[18-3001, added 1972, ch. 336, sec. 1, p. 902.]

18-3002. RECEIVING MONEY OR PROPERTY UNDER FALSE PERSONATION. Every person who falsely personates another, and in such assumed character receives any money or property knowing that it is intended to be delivered to the individual so personated, with intent to convert the same to his own use, or that of another person, or to deprive the owner thereof, is punishable in the same manner and to the same extent as for larceny of the money or property so received.

[18-3002, added 1972, ch. 336, sec. 1, p. 902.]

18-3003. MARRIAGE UNDER FALSE PERSONATION. Every person who falsely personates another, and in such assumed character marries or pretends to marry, or sustain the marriage relation towards another, with or without the connivance of such other, is guilty of a felony.

[18-3003, added 1972, ch. 336, sec. 1, p. 902.]

18-3004. SOLEMNIZING MARRIAGE WITHOUT AUTHORITY. Every person who undertakes or pretends to join others in marriage, knowing that he is not by law authorized so to do, or knowing of any legal impediment to the proposed marriage, is guilty of a misdemeanor.

[18-3004, added 1972, ch. 336, sec. 1, p. 902.]

18-3005. INTIMIDATION BY FALSE ASSERTION OF AUTHORITY. (1) Any person who either:

(a) Deliberately impersonates or falsely acts as a public officer or tribunal, public employee or any law enforcement authority in connection with or relating to any actual or purported legal process affecting persons or property; or

(b) Simulates legal process including, but not limited to, actions affecting title to real or personal property, indictments, subpoenas, warrants, injunctions, liens, orders, judgments, or any legal documents or proceedings; knowing or having reason to know the contents of any such documents or proceedings or the basis for any action to be fraudulent; or

(c) While acting falsely in asserting authority of law takes action against persons or property; or

(d) While acting falsely in asserting authority of law attempts in any way to influence, intimidate, or hinder a public official or law enforcement officer in the discharge of his official duties by means of, but not limited to, threats of or actual physical abuse, harassment, or through the use of simulated legal process;

Is punishable by imprisonment in the county jail for a period not to exceed one (1) year, or by a fine not to exceed one thousand dollars (\$1,000) or both.

(2) (a) Nothing in this section shall make unlawful any act of any law enforcement officer or legal tribunal which is performed under lawful authority; and

(b) Nothing in this section shall prohibit individuals from assembling freely to express opinions or designate group affiliation or association; and

(c) Nothing in this section shall prohibit or in any way limit a person's lawful and legitimate access to the courts or prevent a person from instituting or responding to legitimate and lawful legal process.

[18-3005, added 1997, ch. 149, sec. 1, p. 426.]