

**OPINION 65-211**

**Syllabus:**

The impersonation of a game protector of the State of Ohio constitutes a violation of Section 2917.35, Revised Code.

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To: Robert L. Perdue, Ross County Pros. Atty., Chillicothe, Ohio  
By: William B. Saxbe, Attorney General, November 30, 1965

Your recent request for my opinion presented the following question:

"Does the impersonation of a State game protector of the State of Ohio constitute a violation of Section 2917.35 of the Revised Code of the State of Ohio."

The impersonation of a police officer is prohibited by Section 2917.35, Revised Code:

"No person not a member of a regularly organized municipal police department, a legally elected public official, or commissioned by the proper legal authority, shall falsely represent himself to be a police officer, sheriff, deputy sheriff or constable. No person not a member of a municipal police department, for the purpose of such false representation, shall wear a uniform or part thereof similar to the uniform worn by a member of a municipal police department."

The term "game protector" appears in Section 1531.13, Revised Code, and refers to the law enforcement officers of the division of wildlife. It has long been the opinion of this office that "game protectors are specially appointed police officers who are appointed in pursuance of the law \* \* \*". Opinion No. 2047, Opinions of the Attorney General for 1950, page 525; Opinion No. 884, Opinions of the Attorney General for 1915, page 1900. This conclusion has been largely based on the duty of game protectors to "enforce all laws pertaining to the taking, possession, protection, preservation, management, and propagation of wild animals and all orders, rules or regulations of the division of wildlife." Section 1531.13, *supra*, originally Section 1441, General Code. Within the limited scope of his authority, the game protector performs exactly the same function as any other police officer. Therefore, it is reasonable to interpret "police officer" in the context of Section 2917.35, *supra*, as including the law enforcement officers of the division of wildlife designated as "game protectors".

Consequently, it is my opinion, and you are hereby advised, that the impersonation of a game protector of the State of Ohio constitutes a violation of Section 2917.35, Revised Code.