



**Testimony of Don Ciosek, State President, AARP Connecticut
On S.B. 30, An Act Concerning Consumer Privacy and Identity Theft
General Law Committee
February 26, 2008**

Chairmen Colapietro, Stone, Ranking members Cappiello and Greene and members of the General Law Committee. I am Don Ciosek the new State President for AARP Connecticut. On behalf of our 39 million AARP members nationwide, including over 625,000 in Connecticut, I appreciate the opportunity to comment on the above reference bill concerning identity theft, which incorporates the legislative recommendations of the Governor's Task Force on Identity Theft.

This bill is timely and addresses a problem that has negatively impacted Connecticut citizens and those around the country. We commend the governor, drafters, and potential sponsors for introducing S.B. 30 as a good step forward in addressing the problem of identity theft.

Identity theft is a serious crime that is both widespread and costly. According to a Federal Trade Commission (FTC) survey released in September 2003, an estimated 27.3 million Americans were victims of identity theft in the prior five years, resulting in billions of dollars of losses for consumers and businesses. People whose identities are stolen can spend months or years – and their hard earned money – cleaning up the mess thieves made of their good name and credit record. In the meantime, victims may lose job opportunities, be refused loans for education, housing, automobiles, or even get arrested for crimes they did not commit.

In addition, there is evidence that older victims of financial crimes suffer physically as well, and have a higher mortality rate than their non-victim contemporaries. So, for older victims, this is not just a pocketbook crime.

Specifically, AARP supports the following features of S.B. 30:

Enhanced Deterrent Effect The bill reflects the growing menace of ID Theft in that it has significantly upgraded the offence category and fines for “criminal impersonation.” It has now been determined to be a Class A misdemeanor, with double the jail time and fines of the former Class B misdemeanor. Offenders may now look forward to \$2,000 fine and a year in jail. This cannot help but make potential offenders think twice before violating these provisions and acting as a significant deterrent.

New ID Theft “Tools” Under Scrutiny There are many ways to steal a person’s identity, and this bill has now listed them and made possession of them with intent to do harm a crime. These tools are referred to as “access devices” and include a multitude of numbers unique to an individual that, in and of themselves, can unlock the unsuspecting victim’s identity. Social Security numbers, driver’s license number, passport number, credit card, and many other identifiers are made illegal if in the hands of someone not the owner who intends to commit a crime. This is an essential deterrent that tracks the experience that law enforcement has had up to now.

Assisting Another to Commit the Crime of ID Theft Now, even if you yourself do not impersonate another, you can be guilty of the crime of ID Theft. Helping someone else to assume the identification of a third party is a crime under this bill.

Making the Victim Whole Providing disincentives to commit crime in the form of fines and incarceration is a strong point of this bill, but it also focuses on the victim, and attempts to compensate him for his loss. It imposes a restitution provision that orders the perpetrator to pay the victim his losses, and extends the statute of limitations from two years to three years to aid the victim. There is also a victim’s fund in the bill to aid in assuring that compensation is realized.

Your Most Important Identifier is Protected Perhaps the number that renders you most vulnerable is your Social Security number. It is a tie in to most of your valuable personal information, and this bill imposes restrictions on how and when, and by whom and to whom it may be displayed. It reduces significantly the number of opportunities for an identity thief to obtain this information, and makes violation of this provision a violation of the unfair or deceptive practices act, with its own set of penalties and victim’s remedies.

Give it Back This bill requires that all ill-gotten proceeds, cash, property, or goods, from an identity theft shall be subject to forfeiture.

Privacy is of considerable concern to AARP members, and surveys that we have conducted across the country show that most do not believe that their personal information is being adequately protected. AARP is supportive of S.B. 30 and the above referenced protections that will help protect Connecticut residents from this potentially devastating crime. We would welcome the opportunity to work with the members of the committee and the governor to further develop this legislation.

Thank You.