

SENATE BILL REPORT

SB 5939

As Reported By Senate Committee On:
Financial Institutions, Housing & Consumer Protection, February 24, 2005

Title: An act relating to providing police reports to victims of identity theft.

Brief Description: Requiring police reports to be given to victims of identity theft.

Sponsors: Senators Fairley, Delvin, Kohl-Welles, Rockefeller, Oke, Rasmussen and Shin.

Brief History:

Committee Activity: Financial Institutions, Housing & Consumer Protection: 2/23/05, 2/24/05 [DPS].

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & CONSUMER PROTECTION

Majority Report: That Substitute Senate Bill No. 5939 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benton, Ranking Minority Member; Benson, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel.

Staff: Joanne Conrad (786-7472)

Background: Identity theft is one of the fastest growing crimes in Washington State. Consumers who have been victimized find that they may need to obtain a police report, in order to put a "fraud alert" on their credit history, and to facilitate the process of clearing the fraud from their financial records. Some victims report reluctance on the part of some police departments to provide a police report for identity theft crimes.

Summary of Substitute Bill: Washington State's Identity Theft statute is revised to require that all police and sheriff's departments in Washington provide police reports, at the request of victims of identity theft. However, this does not require that a law enforcement agency investigate incident reports claiming identity theft.

Substitute Bill Compared to Original Bill: It is clarified that the police report requirement does not mean that a law enforcement agency would have to perform an investigation every time a person requests a police report claiming that an identity theft has occurred.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: ID Theft victims need help. Inability to obtain police reports needed for their recovery from the crime should not be allowed to compound their problems. They need the reports as a tool to help clear their consumer records.

Testimony Against: None.

Who Testified: PRO: Rep. John Lovick; Lt. John Martin, WA State Patrol; James McMahan, WA Assn of Sheriffs and Police Chiefs.

CON: No one.