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**Public Safety & Emergency  
Preparedness Committee**

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**SB 5878**

**Brief Description:** Concerning the filing of police incident reports for victims of identity theft.

**Sponsors:** Senators Hargrove, Kline, Eide, Marr, Shin, Jacobsen, Kohl-Welles, Rasmussen and Keiser.

**Brief Summary of Bill**

- Authorizes identity theft victims to file an incident report with a law enforcement agency and requires that the law enforcement agency create a police report of the matter.

**Hearing Date:** 2/20/08

**Staff:** Yvonne Walker (786-7841).

**Background:**

Under the Fair Credit Reporting Act, in order for a victim to have certain information blocked on his or her consumer report due to an identity theft crime that has occurred, the victim must provide the consumer reporting agency with a copy of the police report. Generally, a police incident report indicating an offense has occurred is required in order to freeze credit, to place a long-term fraud alert on a credit report, and to obtain records of fraudulent accounts from merchants.

Police incident reports are used for many reasons such as: recording arrests, domestic disputes, traffic accidents, burglaries, fraud, thefts, stalkings, violence, recording injuries, crimes, and other incidents. Washington law does not specify when, where, or if an incident report has to be created, by a law enforcement officer during incidents where an identity theft crime has occurred.

**Summary of Bill:**

If at any time a victim learns or suspects that he or she has been a victim of an identity crime, that victim may file an incident report with a local law enforcement agency. The incident report may

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be filed with the local law enforcement agency in the jurisdiction where the crime occurred or in the jurisdiction of the victim's residence or place of employment.

The law enforcement agency must create a police incident report of the matter, provide the complainant with a copy of that report, and may refer the incident report to another law enforcement agency. The law enforcement agency taking the incident report is not required to investigate the identity theft report and any incident report filed is not required to be counted as an open case for purposes of compiling open case statistics.

**Appropriation:** None.

**Fiscal Note:** Requested on February 18, 2008.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.