

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Senator Lana Oleen at 11:15 a.m. on March 24, 1998, in Room 254-E of the Capitol.

All members were present.

Committee staff present: Mary Galligan, Legislative Research Department
Robin Kempf, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Midge Donohue, Committee Secretary

Conferees appearing before the committee:

Senator Larry Salmans
Representative Bonnie Sharp
Mr. Kyle Smith, Assistant Attorney General assigned to the Kansas Bureau of Investigation
Mr. John J. Federico, Federico Consulting, Topeka
Mr. Don Meyer, Executive Director, Commission on Veterans Affairs

Others attending: See attached list

The chair recognized Senator Vidricksen who introduced Brian Ashcroft and his grandson, Jeff Vidricksen, from Goddard. Jeff and Brian served as pages for the committee today.

Attention was directed to the minutes of the March 17, 18 and 19 meetings.

Senator Gooch moved for approval of the minutes of the March 17, 18 and 19 meetings. Senator Becker seconded the motion, and the motion carried.

The hearing was then opened on:

SB 689 An act concerning the Kansas commission on veterans affairs; relating to location of such commission's meetings; concerning duties of the superintendents of Kansas soldiers' and veterans' homes; relating to reductions in certain positions based on retirements

Senator Oleen explained that the bill had been introduced in the Ways and Means Committee. She advised that Senator Salmans was chair of the subcommittee on the Kansas Commission on Veterans Affairs and was present this morning to comment on the bill's contents.

Senator Salmans provided verbal testimony in support of **SB 689** and explained the provisions of the bill. He said it was felt that it would be productive to hold board meetings throughout the state and that it would be beneficial to veterans in the outlying areas who would otherwise have to travel to Topeka. He told the committee the retirement reduction provision was included to allow institutions to maintain the levels of direct staff care which are required to qualify for federal funds, and it is similar to other hospitals throughout the state.

Senator Salmans explained that the subcommittee included a third amendment which would require the superintendent of the Kansas soldiers' home to report to the executive director because it believed this was the wish of the commission; however, he advised he had learned this morning this was not the commission's intent, and the bill's provisions were not needed in this area. He indicated that Mr. Don Meyer, Executive Director of the Commission, would address this issue in his testimony before the committee today.

The hearing on **SB 689** was briefly suspended to allow testimony to be presented by Representative Sharp who was scheduled to appear before the committee on **HB 2739**, relating to identity theft, and who needed to return to the floor of the House.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 254-E, Statehouse, at 11:15 a.m. on March 24, 1998.

The hearing was opened on:

HB 2739 An act concerning crimes and punishment; relating to identity theft

Representative Bonnie Sharp spoke in support of **HB 2739 (Attachment #1)**. She told the committee that the need for the bill came to her attention this summer when she learned that the use of an individual's Social Security number is classified as "falsifying a document". Because of current interpretation of the law, she pointed out that victims of such violations find it difficult, if not impossible, to file a police report when they discover they have been defrauded. Representative Sharp stated that she felt it is time for the law to be updated to make identity theft a severity level 10, person felony. She remarked that, with increased accessibility of information, misuse of the information increases also. She told the committee **HB 2739** was passed 118 to one in the House and is patterned after federal law. Representative Sharp asked the committee to report the bill favorably.

Mr. Kyle Smith, Assistant Attorney General assigned to the Kansas Bureau of Investigation (KBI), appeared on behalf of the KBI in support of **HB 2739, (Attachment #2)**. Mr. Smith explained that the surreptitious acquisition of information done with the intent to defraud is not currently illegal. He told the committee that law enforcement is trying to keep up with the expanding use of information technology and **HB 2739** would be a valuable tool in responding to the changing forms of criminal activity. During his remarks he emphasized that, under provisions of the bill, identity theft is defined as intentional fraud for economic benefit.

The hearing on **HB 2739** was momentarily suspended, and the chair recognized Senator Schraad. Senator Schraad deferred to Mr. John J. Federico who appeared on behalf of the Kansas Cable and Telecommunications Association to request introduction of a bill concerning delinquent payments for sale of cable television services. He explained that currently there are no state regulations governing this area of sales.

Senator Jones moved for introduction of the bill. Senator Vidricksen seconded the motion, and the motion carried.

The hearing continued on:

HB 2739 An act concerning crimes and punishment; relating to identity theft

Mr. Smith continued to respond to hypothetical scenarios from committee members, stressing in each instance that intent to defraud for economic benefit constitutes identity theft.

Written testimony in support of **HB 2739** was entered into the record from:

Detective Kent P. Willnauer, Johnson County Sheriff's Office, Olathe (Attachment #3)

The hearing concluded with Senator Oleen advising she did not plan to take action on the bill today but would bring it up for discussion later, as there was still testimony remaining to be heard today on **SB 689**. She said there did not appear to be opposition on **HB 2739** based on comments made today, but expressed concern about the number of House bills left to be considered. She said she would hold **HB 2739** for now to make certain, in the next couple of days, if there are other issues referred from the House which need to be addressed, they could be amended into the bill.

The hearing resumed on:

SB 689 An act concerning the Kansas commission on veterans affairs; relating to location of such commission's meetings; concerning duties of the superintendents of Kansas soldiers' and veterans' homes; relating to reductions in certain positions based on retirements

Mr. Don Meyer, Executive Director of the Kansas Commission on Veterans' Affairs, presented testimony in support of **HB 2739 (Attachment #4)**. He spoke to the amendment Senator Salmans referenced which relates to the line of reporting for the superintendent of the Kansas Soldiers' Home by telling the committee the Commission would like for it to remain the same for the time being. In regard to the retirement reduction provision, he explained that it was important to exempt health care employees to maintain adequate staffing at the Kansas Soldiers' Home and the Kansas Veterans' Home.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 254-E,
Statehouse, at 11:15 a.m. on March 24, 1998.

Senator Becker moved to amend the bill by striking the provision relating to the line of reporting for the superintendent of the Kansas Soldiers' Home. Senator Harrington seconded the motion, and the motion carried.

Senator Harrington moved to change the effective date of the bill to upon publication in the Kansas Register. Senator Vidricksen seconded the motion.

Senator Harrington moved to report the bill favorably, as amended, to the full Senate. Senator Jones seconded the motion. The motion carried.

The meeting adjourned at 12:03 p.m. The next meeting is scheduled for March 25, 1998.

SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: 3-24-98

NAME	REPRESENTING
Laney Henderson	DOA/DPS
Don A. MYER	KCWA
DAVE SCHROEDER	KBI
Kyle Smith	KBI
Kathy Olsen	KBA
Brian Richman	Sabetha High School
Adam Eaton	SHS
John J. Moulder	Sabetha High School
Pam O'Neil	KDHE-OVS
Ben Glace	Sabetha High School
Akmal Havibulin	KFSW
Troy Kaeb	Sabetha High School
Carl Anderson	Kansas Lottery
Lindsay Saylor	Sabetha High School
Brian Speltzinger	Sabetha High School
Cindi Geit	Regional Promoter Ctr - Hays
Mary Pegre Helleherst	KSKI, Inc
Theresa Miller	KSKI, Inc.
Dawn Reed	KSWA

SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: 3/24/98

NAME	REPRESENTING
Gene Clark	KCDAA
Brent Akers	Goddard High School
Jeff Vindickson	Goddard High School!
Michelle Peterson	Peterson Public Affairs Group
Bridget Mowen	TFKC
Ramon Rothmann	Sabella High School
John Popperdine	American Cancer Society
Pete Bodyk	KDOR/ABC

BONNIE SHARP
REPRESENTATIVE, THIRTY-FIRST DISTRICT
WYANDOTTE COUNTY
4218 DIXIE COURT
KANSAS CITY, KANSAS 66106
(913) 831-2339

STATE CAPITOL—RM. 278-W
TOPEKA, KANSAS 66612-1504
(913) 296-7680



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: ECONOMIC DEVELOPMENT
FEDERAL AND STATE AFFAIRS
GOVERNMENTAL ORGANIZATION
AND ELECTIONS

SENATE FEDERAL & STATE COMMITTEE

TESTIMONY HB 2739

Thank you Madam Chairman.

I appreciate the opportunity to testify in support of HB 2739. The bill is also referred to as the Identity Theft Bill, and is patterned after federal bill S512, 105th Congress.

Jill Wolters, Assistant Revisor, assisted me in preparing HB 2739 this summer when the need for such a bill became apparent to me. When I found out that the use of a person's Social Security number by another individual to obtain illegal checking accounts and credit cards is classified by the Wyandotte County District Attorney's office as "falsifying a document" I was appalled. Because of the current interpretation of the law, victims of such a violation find it difficult, if not impossible, to file a police report when they discover they have been defrauded in this way.

I think most of us would agree that a person's Social Security number is also their main source of identification. Although the original intent of a Social Security number was a source of taxation, not identification, times have changed.

I believe it is time that the law be updated to make identity theft a severity level 10, person felony. Technology has certainly made personal data accessible to the general public.

Unfortunately with increased accessibility of information misuse of this information increases as well. The law should protect citizens from this potentially devastating crime.

Thank you for your consideration of HB 2739. I ask for your support and I stand for questions.

Sen. Federal & State Affairs Comm.
Date: 3-24-98
Attachment: #1



Kansas Bureau of Investigation

Larry Welch
Director

Carla J. Stovall
Attorney General

TESTIMONY
KYLE G. SMITH, ASSISTANT ATTORNEY GENERAL
KANSAS BUREAU OF INVESTIGATION
BEFORE THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE
IN SUPPORT OF HB 2739
MARCH 24, 1998

Mr. Chairman and Members of the Committee:

I am Kyle Smith, Assistant Attorney assigned to the Kansas Bureau of Investigation, and I am here today on behalf of the KBI in support of HB 2739, creating the crime of identity theft. This is one more example of the exponentially expanding involvement in information technology in the criminal field.

Attached to my testimony are some articles regarding identity theft. While the multiple possible crimes that may result from the theft of identification, information and documents are already illegal, the surreptitious acquisition of information done with the intent to defraud is not currently illegal. For example, the motel clerk that passes on your Master Card number for \$5, or the 'trasher' that gets your Social Security Number, thus accessing other information about you which can lead to thefts, are not committing a crime although ultimately their intent is to assist in the commission of some criminal act.

Law enforcement is trying to keep up with the expanding use of information technology by criminals, although resources, people and training are limited. This legislation would give us a valuable tool in responding to the changing forms of criminal activity.

I would be happy to answer any questions.

Sen. Federal & State Affairs Comm.
Date: 3-24-98
Attachment: # 2

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Identity Theft: Stealing Your Name and Your Money

In what many are calling America's fastest growing type of robbery, crooks are working without the usual tools of the trade. Forget sawed-offs and ski masks: your social security number will do the trick. Or that blank, preapproved credit application you tossed out with the coffee grounds. Even talking on your phone could allow someone you may never meet to rob you of the one thing you may have thought safe from attack: your identity.

Identity fraud is digging deep into consumer's pockets - millions of dollars were lost in the past year by financial institutions across the country. The perpetrator may use a variety of tactics to drain your finances: posing as a loan officer and ordering your credit report (which lists account numbers); "shoulder surfing" at the ATM or phone booth to get your PIN code; "dumpster diving" in trash bins for unshredded credit applications, canceled checks or other bank records; or, until recently, notifying the Postal Service to redirect your mail to the address of choice, such as a mail drop, which allows anonymity.

It may be months before you're aware you're a victim. But when you get turned down for a mortgage on your dream house because you've got a bad credit rating and you know you've paid the bills, beware: the ID thief may have struck again.

Do you carry your social security number in your wallet? Consider this: that nine-digit code gives crooks access to your medical, financial, credit and educational records. There are no legal restrictions on private company use of social security numbers (SSNs); in fact, a data base of names with associated SSNs recently was found published on the Internet. What's worse, most states still use your SSN for your driver's license number - a policy that is, fortunately, changing.

If you think you're safe after your wallet was stolen because you canceled your credit card and put a "stop" on your checking account, think again. Once identity thieves have the information, they may open new accounts or lines of credit - under your name, for their use.

I didn't have to go far to find a victim of identity fraud: a co-worker had learned about it the hard way. His bank called him in April this year and asked, "Did you authorize a \$4,500 cash advance on your credit card in Miami, FL today?"

He was stunned. The bank had called only hours after the withdrawal was made, following an alert initiated because certain account parameters indicated something might be wrong. Luckily for him, the bank simply asked that he sign an affidavit that he had not been in Miami and hadn't made the withdrawal. He wasn't held liable for the money. And he never found out what ID the crook had used to get access to his account.

Unfortunately, my coworker's ordeal wasn't over. He received a call in June from a cellular phone company, asking if he'd opened an account with them in Miami. Someone had racked up \$1,800 in calling charges under his name and then disappeared.

"What really disturbed me was that they asked if I lived at an address in Hallendale, FL. This guy was using my name and social security number - he was pretending to be me! He could kill someone or rob a bank with my ID in his pocket!"

Once again, he signed an affidavit disclaiming knowledge of the charges, and the account was cleared. This time, he called the three main credit bureaus and reported the fraud. He's thinking about buying a new house this year, and he's worried these incidents could mar his otherwise clean credit history.

My co-worker is just one of thousands of individuals who are victimized each year. The July 1995 edition of Kiplinger's Personal Finance Magazine reported that TRW, one of the three largest credit bureaus was getting 600 to 700 new fraud cases every day, and more recent tallies show those figures are still on the rise. The culprits may be found among employees (or patrons) of mailrooms, airlines, hotels or personnel offices--anyone who has access to a person's financial information. They can use your credit card or instead use encoding equipment, sold by business supply companies, and blank cards with magnetic strips on the back, to encode your account number onto a counterfeit card with a different name. Crooks sometimes seek jobs specifically to get access to financial information; alternately, they may bribe employees in such positions to supply them with the data they want.

Need a phony ID to "prove" you're the person whose name is on the credit card? Try surfing the Web. There are scores of sites with complete instructions on creating a "new you." And if you've got your own computer, "scanner" and color printer (or copier), you can create your own false documents.

In a typical case in the first half of this year, Postal Inspectors arrested eight West African nationals who were allegedly operating a multimillion dollar counterfeit and stolen credit card enterprise nationwide. And Postal Inspectors in New York arrested 16 members of a gang that allegedly ran a passport photo business, supplying false identifications for cashing checks stolen from the mail.

In response to recommendations by the Chief Postal Inspector and Inspector General of the Postal Service, a recent prevention measure that addresses some of consumers' concerns was adopted by the U.S. Postal Service. Aware that a crook could submit an address change to divert customers' mail without their knowledge, post offices now send a "Move Validation Letter" to both the old and new address when a change is filed. The letter requests you call an "800" number if you did not file the change.

Postal Inspectors have jurisdiction to investigate and enforce over 200 federal statutes involving the U.S. Mail. Under Title 18, U.S. Code, Section 1708, they may arrest individuals suspected of stealing mail or filing a fake change of address; the penalty is a \$2,000 fine or up to five years' imprisonment, or both. If someone applies for a credit card in your name, they may be prosecuted under Title 18, USC 1341; the penalty is a \$1,000 fine or up to five years' imprisonment, or both--unless a financial institution is affected, in which case the fine may be raised to \$1 million and imprisonment for up to 30 years.

Other preventive steps are being taken to combat ID theft: the card activation system (an idea proposed by a Postal Inspector) which requires that credit card owners call the issuer upon receipt to ensure the cards are in the right hands; credit checks, in which creditors check card applications against various fraud data bases before issuing a new card; and new methods of encoding the magnetic strip on credit cards to increase their security.

But don't depend on these measures for your peace of mind. Read the information in the boxes to protect yourself from those that prey on your money. And your name.

Securing Your Finances

òIf you think you're a victim of fraud, call your credit card issuers to close or "flag" your accounts, and call your bank to put an alert on your checking accounts. òEmpty your wallets of extra credit cards (and Ids) - or better yet, cancel the ones you don't really use and keep a list of the ones you do use. òNever give out personal information over the phone, such as your date of birth, mother's maiden name, credit card number, social security number or bank PIN code, except to someone you know or an established firm. òShred pre-approved credit applications, credit cards receipts, bills and other financial information you don't want before tossing them in the trash. òFinancial institutions or businesses that handle personal information should protect consumers' privacy by storing such material securely and ensuring it has limited access. It is essential to shred such material before disposing of it.

Consider removing your name from the marketing lists of the three major credit reporting bureaus: TRW at 800-353-0809, Equifax at 800- 219-1251 and TransUnion at 800-241-2858. This reduces the number of pre-approved applications you receive in the mail.

Order your credit report once a year to check for accuracy or fraudulent use.

Who To Call for Help

Report credit card fraud to the three major credit reporting bureaus: TRW at 800-301-7195, Equifax at 800-525-6285 and TransUnion at 800-680-7289.

If you've had stolen or bank accounts set up fraudulently in your name, call these check guarantee companies: Telecheck at 800-366-2425; and the National Processing Company at 800-525-5380. They can flag your file so that counterfeit checks will be refused.

If your social security number was used fraudulently, report the problem to the Social Security Administration's Fraud Hotline at 800-269-0271. In extreme cases of fraud, it may be possible for you to get a new SSN.

If fraudulent charges appear on your account, call the Consumer Credit Counseling Service at 800-388-2227 for help in clearing false claims from your credit report.

If you're a victim of identity theft that involves the U.S. Mail, call your nearest Postal Inspection Service office, and your local police.

This article was written by Debbi Baer, Congressional & Public Affairs, National Headquarters, with special thanks to Postal Inspector Henry Herrera, Philadelphia Division, and Postal Inspector John Scott, Program Manager, Criminal Investigations, National Headquarters.

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NACM home page

Could Someone Steal Your Identity?

BOB HARTLE, 46, IS NOT a felon or a fugitive. He is one of thousands of victims of a new kind of nightmare—identity theft. Hartle's life was upended, his credit was ruined, and his good name was tainted. Creditors pursued him for tens of thousands of dollars in debts he had never incurred. And, to add insult to injury, law-enforcement authorities told him they could do nothing to help—legally, he was not a crime victim.

This year, the Senate will consider a bill that would make it a federal felony to use someone else's identity for deceitful purposes. The Identity Theft and Assumption Deterrence Act was introduced by Sen. Jon Kyl (R., Ariz.). "We need to

modernize the law and protect the victims," Senator Kyl said. In identity theft, a fraud artist uses personal data on an individual—things like address, date of birth, Social Security number and mother's maiden name

—to acquire phony credit lines, charge cards, mortgages and other credit accounts in the individual's name. As the law is now written, the only "real" victims are the banks and merchants duped into issuing credit to the identity thieves.

"Identity theft is the consumer ripoff of the information age," Jon Golinger told me. Golinger is a consumer advocate with the California Public Interest Research Group (CALPIRG). "It's a new problem," he said, "and there's still no one source that tracks it. People report it to local police, to the FBI, the Postal Inspector or credit bureaus themselves. There are no hard numbers, but two of



The Victims,

Bob and JoAnn Hartle of Phoenix. In 1994, an identity thief used Hartle's name for purchases totaling more than \$100,000, including trucks, motorcycles and even a mobile home. In front of the couple sits a pile of bills and letters that followed.

the poster boy for identity theft."

In 1994, Hartle discovered that someone was using his name to open credit accounts. Hartle alleged that the perpetrator was Scott Gilbert and that he had bought trucks, motorcycles and even a mobile home. These and other purchases totaled more than \$100,000. Hartle tried to fight back. "I wrote to creditors explaining the situation," he said. "Usually, they just started sending me bills."

For months, Hartle and his wife, JoAnn, were unable to interest local, state or federal law-enforcement agencies in the case—a common problem for identity-theft victims. Most of the creditors who had been fooled simply demanded that Hartle make good on the loans. They did not report the fraud to authorities.

Of course, even when victims of iden-

This crime is more common than you might think. It can damage your reputation and cost you money. Here's how it happens and what you can do about it.

the largest credit bureaus, Trans Union and Equifax, are both now receiving 1200 calls each day about fraud—and identity theft is the fastest-growing segment of those calls. They're getting twice as many calls as they did in 1996."

According to Bank One, a major credit-card issuer, MasterCard's losses from identity theft increased 362% in just the first six months of 1996, and the numbers are growing rapidly. "We've made identity and credentials important in this society," Assistant U.S. Attorney Dan Drake of Phoenix told me. "Once something becomes valuable, people will try to steal it. Unfortunately, Bob Hartle became

Protect Yourself From Identity Theft

● **CHECK YOUR CREDIT REPORT.** Agencies such as Equifax, Experian and Trans Union provide credit reports for a fee of up to \$8.

(Residents of Georgia, Massachusetts, Maryland, Vermont, Colorado and New Jersey can get reports for free.) If you are denied credit, you can get a free copy of your report within 60 days. You may correct any wrong information. Call Equifax at 1-800-685-1111, Experian at 1-888-397-3742 or Trans Union at 1-800-888-4213.

● **TEAR UP UNSOLICITED "PREAPPROVED" CREDIT OFFERS.**

If you don't want the card, destroy the offer. The same goes for your copies of credit-card charges. "Crooks get information by combing through trash cans," says the consumer advocate Jon Golinger.

● **NEVER GIVE PERSONAL INFORMATION TO PHONE SOLICITORS.** Many identity thieves lure victims into giving out personal information by telling them that they have "won fabulous prizes in a sweepstakes."

● **DON'T WRITE YOUR CREDIT-CARD NUMBER ON YOUR CHECKS.**

They may be handled by dozens of employees of banks and businesses, any one of whom could copy your number and personal data. The same rule goes for Social Security numbers.

● **DON'T GIVE YOUR ADDRESS AND PHONE NUMBER WHEN YOU MAKE A PURCHASE IN A STORE.** Employees could steal them.

● **CHECK YOUR BILLS.** The author of this article was billed \$20 a month for six months for videos. When he called the credit-card company, they traced the purchase to a buyer in another city who was using the account number to ship the goods to his address.

BY MICHAEL RYAN

ity theft can convince creditors of their innocence. Hartle eventually did, the lender was not the ultimate victims. Credit card issuers pass fraud losses along to other customers—all of us—in the form of higher rates. When Hartle was absolved of blame for the mobile home loan, the loan's guarantor, the U.S. Department of Housing and Urban Development, took responsibility. HUD's bills are paid by the taxpayers.

But people who've had their identities stolen feel violated too. When a thief assumed Elsie Strong's identity, she was so upset that she founded the group Victims of Identity Theft to counsel others who experience this type of fraud. "I tried to talk to the credit-card companies, and I got nowhere," said Strong, who lives in Los Angeles. "I was treated very badly. I was humiliated."

To add to her frustration, Strong never found out how her identity had been stolen. She finally hired an attorney and sued five credit-card companies for issuing cards in her name without her authorization. They settled out of court.

"You are guilty unless you can prove otherwise," declared Jennifer Bloom, an identity-theft victim from

Massachusetts. As Jon Golinger pointed out, "Victims often have to speak to hundreds of people and companies, and spend literally thousands of hours on the phone and writing letters, explaining that they are not the person who opened the account."

Identity thieves operate in several ways. Some, like Scott Gilbert, work their way into the confidence of a victim or his family. (Gilbert had romanced and eventually married Hartle's ailing, widowed mother.) More often, they steal information: Employees of banks and credit agencies have been implicated in many identity thefts. Some crooks rummage through trash to find preapproved credit applications, then fill them out with a changed address.

Because his mother and Gilbert were living in Phoenix, Hartle moved there

to clear his name. He then enlisted two U.S. Senators to help him solve his problem. Senator Kyl and Sen. Tom Harkin (D., Iowa) got the Justice Department to act. "It is far too easy for this kind of thing to happen," Senator Harkin said.

Under prodding from Hartle and Senator Harkin, the U.S. attorney in Phoenix prosecuted Scott Gilbert in 1995—but not for identity theft, because it wasn't considered a crime at the time. Instead, Gilbert pleaded guilty to making false statements to procure firearms and a credit card. He was sentenced to prison in 1995 and may be released as early as this month.

Outraged by the Hartle case, the Arizona Legislature enacted a law in 1996 making Arizona the first state to prosecute identity theft as a crime.



The Criminal. Scott Gilbert pleaded guilty in 1995 to making false statements to procure firearms and a credit card—but not to stealing Bob Hartle's identity, because it wasn't considered a crime at the time. Gilbert was sentenced to prison for the other crimes and may be released this month.

(A similar law went into effect on Jan. 1 in California.) Senator Kyl's federal bill also would force the thieves to reimburse their victims for the cost of restoring good credit and would have the Secret Service collect statistics on the crime.

But that won't ease the suffering of thousands of victims. "Statistics don't reveal the

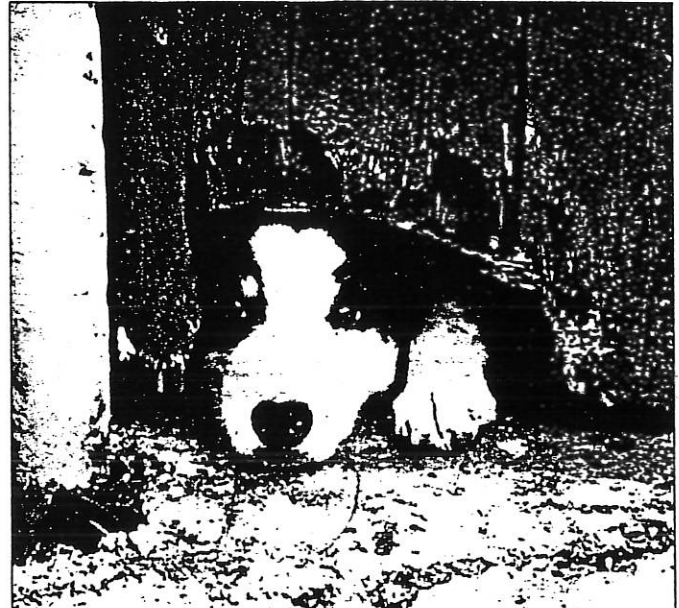
hardship these crimes can cause," said Senator Kyl. "Even when fraudulent charges are cleared from a victim's record, he or she can't be sure that the perpetrator won't strike again."

Bob Hartle, who now works seven days a week at a factory to recover the \$12,000 in legal and moving expenses his ordeal has cost him, hopes that the Kyl bill passes. "This crime does not just affect the person whose name is stolen," he told me. "It affects families, friends, businesses, consumers—everybody. It must be stopped." ■

For a free copy of an identity-theft fact sheet or to contact Victims of Identity Theft, send a self-addressed, stamped envelope to: CALPIRG, Attn: Identity Theft, 926 J St., Suite 523, Dept. P, Sacramento, Calif. 95814.

Photo Contest — Over \$150,000.00 in Prizes

International Library of Photography to award 70 prizes to amateur photographers in coming months, including \$1,000.00 Grand Prize



The International Library of Photography awards prizes to talented amateur photographers. This Grand Prize Winner by Greg Boger of Florida, won \$1,000.00 and will be seen by millions of people.

Owings Mills, Maryland — The International Library of Photography has just announced its upcoming amateur photography competition. The contest is open to everyone and entry is free.

"We're looking to identify new and emerging talent in the field of photography," stated Jeffrey Bryan of The International Library of Photography. "We have a ten-year history of awarding large cash prizes to talented amateur artists who have never before won any type of artistic contest."

The deadline for entry into the competition is January 31, 1998. Another contest begins February 1, 1998.

The International Library of Photography was founded to recognize and promote the artistic accomplishments of amateur photographers. The libraries have awarded over \$150,000.00 to talented artists in recent years.

Possible Publication

Many submitted photos will also be considered for publication by The International Library of Photography. Previous anthologies published by the organization include *A Question of Balance*, *The Other Side of the Mirror*, and *Wind in the Night Sky*, among others. These

anthologies routinely sell out because they are truly enjoyable and are also a sought-after sourcebook for artistic talent.

How to Enter

Anyone may enter this competition simply by sending ONLY ONE photograph in one of the following categories: People, Animals, Nature, Action, Humor, Portraiture, or Other. Your photo must be a color or black and white print (unmounted), 8" x 10" or smaller, and should be sent to:

The International Library of
Photography
Suite 101-P5004
3600 Crondall Lane
Owings Mills, MD 21117

Be sure to include your name and address on the back of your photograph, as well as the category in which you wish to enter and the title of the photograph (photos cannot be returned). Entries must be postmarked by January 31, 1998.

"All photographers who enter will receive a response concerning their artistry," indicated Bryan. "I hope you urge your readers to enter the contest. They could be our next big winner."

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JOHNSON COUNTY SHERIFF'S OFFICE

RED ALLEN BRAND
SHERIFFJOHN L. FOSTER
UNDER SHERIFF

COURT HOUSE

OLATHE, KANSAS 66061

782-5000

March 23, 1998

Testimony of:

Detective Kent P. Willnauer
Johnson County Sheriff's Office
Concerning House Bill Number 2739

The Johnson County Sheriff's Office is in favor of and supports the passage of House Bill No. 2739, regarding the theft of ones identity.

As a financial crimes investigator for the last 10 years, I have investigated many different forms of financial crime consisting of embezzlement, credit card fraud, and forgery. These crimes have resulted in financial losses to the victims of thousands of dollars.

In the past, many of the thieves were simply satisfied with obtaining money that was immediately available from the use of the credit card or forged check, however over the past couple of years, the thieves have begun to steal more than the victim's money. Often the thieves will utilize the personal identifiers of their victims to obtain goods or services through various fraudulent means. With a little creativity the thief can use a name, Social Security number, date of birth, and address of another to obtain a fraudulent state identification card, and a checking, savings, or credit account. The thief can even file for bankruptcy or be arrested and create a criminal record in the name of another.

The State of Kansas already has existing laws to prosecute individuals who violate these laws, but the State does not have any specific law to enforce with regards to the theft and fraudulent use of one's identity. Upon the commission of such a crime, the victims may never learn of the theft and use of their identity until they apply for some form of credit or are contacted by a collection agency demanding payment for debt incurred by the thief.

Although there are federal laws prohibiting the use of another's Social Security number, the Federal Government traditionally does not investigate such matters unless the loss incurred is greater than \$25,000.00

Financial crime investigators, myself included, strongly support the passage of this bill and look forward to enforcing the law and closing a legal loophole which has enabled far too many criminals to commit financial crimes without fear of reprisal from the State of Kansas.

**Testimony by Don A. Myer,
Executive Director,
Kansas Commission on Veterans Affairs
on SB 689
before the
Senate Federal and State Affairs Committee
March 24th, 1998**

Ms. Chairman and members of the committee, my name is Don Myer and I am the Executive Director of the Kansas Commission on Veterans Affairs (KCVA). Any time I use the pronouns "he" or "him", or at any time make masculine reference to veterans, I am referring to both the men and women who served our country. I am here today to provide information on SB 689, a bill that proposes changes to the enabling legislation of the Kansas Commission on Veterans Affairs.

This legislation makes several changes which are welcomed by the commission. The first change allows the commission to hold it's meetings at any location in the state, rather than limiting the options of the commission to either Central Offices located in Topeka, or the Kansas Soldiers Home. Especially with the future expansion of the KCVA to include the Kansas Veterans Home, and possibly the Wichita Annex, this flexibility will be very beneficial.

The next change adds the Kansas Soldiers Home and the Kansas Veterans Home to the list of state institutions whose direct care providers will no longer be subject to the provisions of K.S.A. 75-6801. This will reduce the pool of KCVA employees affected by the statute. In order to maintain KDHE and Veterans Administration standards, direct care staff have to this point not been reduced upon retirement by the KCVA, shifting the burden disproportionately to other programs. I believe this change will be much more equitable to the agency.

The final change to my agency specified in the bill is in reference to the relationship of the superintedents of the Soldiers Home and the Veterans Home with that of the executive director of the KCVA. It would require the superintedents to report to the executive director on all matters relating to the administration of their facilities. The commission believes that such a change may be necessary in the future, but that it is too early to ascertain that such a change is needed now. The commission would like to retain the current concept of operation, where the superintedents would cooperate with the executive director, but report directly to the commission.