

**SB**

**259**

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 19, 2000

FURTHER REFERRALS:

Date of Committee Action: 4/20/00

The FINANCE Committee considered:

CSSB 259(JUD)

CS FOR SENATE BILL NO. 259(JUD)

CRIMES: REPRESENTATIONS/I.D./COMPUTERS

"An Act relating to crimes and offenses relating to aural representations, recordings, access devices, identification documents, impersonation, false reports, and computers; and providing for an effective date."

recommends it be replaced with the following committee substitute HCS CS SB 259 (JUD)  the same title  a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) \_\_\_\_\_

fiscal note(s) SFC 4/13/00

DDA 4/19/00 Law 4/19/00

zero fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Gene Thernault</i>	Thernault	X			
<i>Gene Mulder</i>	Mulder	X			
<i>Chris Bunde</i>	Bunde				
<i>Alan Austerman</i>	Austerman	X			
<i>John J. Davies</i>	J. Davies			X	
<i>John Gussendorf</i>	Gussendorf	X			
<i>John G. Davis</i>	J. G. Davis	X			
<i>William Williams</i>	Williams	X			
<i>John Foster</i>	Foster	X			

CO CHAIR'S SIGNATURE

*Gene Thernault* *Gene Mulder*  
 Thernault Mulder

FISCAL NOTE

STATE OF ALASKA  
2000 Legislative Session

Bill Version: CSSB 259  
(S) Publish Date: 4/5/00

Revision Date: 04/05/00  
Title: An Act relating to crimes involving computers, access devices, other technology and identification documents  
Sponsor: Senator Robin Taylor  
Requester: Senate Finance Committee

Dept. Affected: Public Safety  
BRU: AK State Troopers  
Component: Criminal Investigations Bureau

Component Serial No. 830

Expenditures/Revenues		(Thousands of Dollars)					
OPERATING EXPENDITURES	FY01	FY02	FY03	FY04	FY05	FY06	
Personal Services	0.0						
Travel	0.0						
Contractual	7.8	7.8	7.8	7.8	7.8	7.8	
Supplies	0.0						
Equipment	15.0						
Land & Structures	0.0						
Grants & Claims	0.0						
Miscellaneous	0.0						
<b>TOTAL OPERATING</b>	<b>22.8</b>	<b>7.8</b>	<b>7.8</b>	<b>7.8</b>	<b>7.8</b>	<b>7.8</b>	

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

FUND SOURCE		(Thousands of Dollars)					
1002 Federal Receipts	0.0						
1003 GF Match	0.0						
1004 GF	22.8	7.8	7.8	7.8	7.8	7.8	
1005 GF/Program Receipts	0.0						
1037 GF/Mental Health	0.0						
1091 Designated Program Receipts	0.0						
<b>TOTAL</b>	<b>22.8</b>	<b>7.8</b>	<b>7.8</b>	<b>7.8</b>	<b>7.8</b>	<b>7.8</b>	

Estimate of any current year (FY00) costs: 0.0

POSITIONS

Full-time					
Part-time					
Temporary					

ANALYSIS: *(Attach a separate page if necessary)*

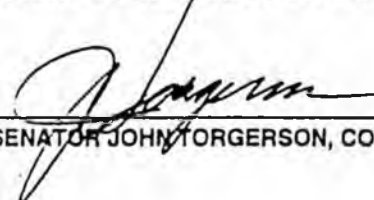
CSSB 259 (JUD) amends and expands the substantive criminal law to address the use of computers and other technology in the widespread perpetration of crimes.

This fiscal note funds an equipment request in FY01 to provide computer equipment adequate to meet new and expanded responsibilities provided for in this legislation. In addition, the request by the Department of Public Safety to provide training in this new field is included in the fiscal note at \$7.8 per year.

Prepared By: SENATE FINANCE COMMITTEE

  
SENATOR SEAN PARNELL, CO-CHAIR

Date: 4/5/00  
Phone: 465-2995

  
SENATOR JOHN TORGERSON, CO-CHAIR

Date: 4/5/00  
Phone: 465-2828

**FISCAL NOTE**

Bill Version: HCSCSSB 259 (JUD)  
 (H) Publish Date: 4/19/00

**STATE OF ALASKA  
 2000 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) 4-Apr-00 Dept. Affected Administration  
 Title An Act relating to crimes and offenses relating BRU Legal and Advocacy Services  
to aural representations, recordings ... Component Public Defender Agency  
 Sponsor Senator Taylor  
 Requester (S) FIN Component No. 1631

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel	3.3	3.3	3.3	3.3	3.3	3.3
Contractual	11.7	11.7	11.7	11.7	11.7	11.7
Supplies						
Equipment	6.5	5.0	5.0	5.0	5.0	5.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>21.5</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	21.5	20.0	20.0	20.0	20.0	20.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>21.5</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>

Estimate of any current year (FY2000) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

See attached.

Prepared by: Barbara Brink, Director Phone 264-4414  
 Division Public Defender Agency Date/Time \_\_\_\_\_  
 Approved by Commissioner – Robert Poe, Jr. [Signature] Date 4/4/00  
 Agency Department of Administration

## FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO: CSSB 259 (JUD)

### Analysis (continued)

This bill amends current law and adds new statutes to enable prosecution of a wide variety of computer-related offenses.

Prosecution and defense of these offenses will require sophisticated technical expertise. The Public Defender Agency does not currently have the computer equipment and the staff who have the technical knowledge necessary to defend criminal cases that could be brought under this new legislation.

It is difficult to predict how many additional cases the Public Defender Agency would be appointed to if this bill becomes law. The Department of Law has estimated that there would only be ten additional cases prosecuted in the first year and says it does not anticipate much in the way of increased workload. The Public Defender Agency is concerned about these estimates. This is a very broadly worded bill that would make unlawful a wide range of activity on individual personal computers, computer networks, and on the Internet. Although the Agency has concerns about the impact of this legislation in coming years, we will use the Department of Law's estimates.

The Public Defender Agency does not currently have the sophisticated computer equipment, software, peripherals, and associated communication devices that are necessary for the defense of these cases. We are requesting a one-time equipment purchase for our Anchorage office and plan to use this equipment as a resource for the rest of the state, too. We are paralleling the Department of Law's requests in terms of maintenance of this equipment, contractual services for training and employee travel. We are adding a small additional amount in contractual services anticipating that one case will go to trial in which we will need the services of an expert witness.

# FISCAL NOTE

Bill Version: HCSCSSB 259 (JUD)  
(H) Publish Date: 4/19/00

## STATE OF ALASKA 2000 LEGISLATIVE SESSION

Revision Date/Time (Note if correction)	Dept. Affected	Law
Title	BRU	Criminal Division
to aural representations, ... access devices ... computers: ...	Component	1st Judicial Dist; 4th Judicial Dist;
Sponsor	Senator Taylor	Criminal Appeals/Special Litigation
Requester	Senate Judiciary Committee	Component No. 2196:2201:2203

### Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel	3.3	3.3	3.3	3.3	3.3	3.3
Contractual	6.7	6.7	6.7	6.7	6.7	6.7
Supplies						
Equipment	5.0	5.0	5.0	5.0	5.0	5.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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### FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	15.0	15.0	15.0	15.0	15.0	15.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>

Estimate of any current year (FY2000) cost:

#### POSITIONS

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

CSSB 259 (JUD) amends and expands the substantive criminal law to address the use of computers and other technology in the widespread perpetration of crimes. Child pornography, theft of personal information with the intent to defraud, theft of personal information resulting in damage to a person's financial reputation, deceptive business practices, "hacking" to get unauthorized information or introduce false information, and introducing damaging viruses, are all offenses where technology has offered new ways for criminals to victimize individuals. The amendments in this bill will update existing law to help law enforcement prosecute those who cause harm to others through the use of computers and other technology.

Prepared by:	Joan M. Kasson <i>Joan M. Kasson</i>	Phone	465-5370
Division	Attorney General's Office	Date/Time	3/21/00, 11:39 AM
Approved by	Commissioner <i>Bruce M. Botelho</i> Bruce M. Botelho, Attorney General	Date	3/21/00
Agency	Department of Law		

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# COMMITTEE COPY

FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. CSS8 259 (JUD)

ANALYSIS CONTINUATION

Much of the bill expands on existing crimes already being prosecuted, and is not anticipated to cause increased workload. The new crimes defined in the bill are expected to result in approximately ten new prosecutions in the first year, with the number increasing in future years. These new white-collar cases will be handled by existing staff. Although no new personnel are believed to be necessary, other resources will be needed.

Investigation and prosecution of cybercrimes require that the prosecutor keep up with the constantly changing world of information technology. Those who use computers to commit crimes are very knowledgeable about technology, and usually have state-of-the-art equipment. Prosecutors must have the same or better knowledge and equipment as those who use the equipment for illegal purposes.

The Department of Law intends to have three of its prosecutors specialize in this technology driven area of law: one in Anchorage OSPA, and one each in the Juneau and Fairbanks district attorney's offices. These assistant district attorneys will need on-going training to stay ahead of the inventive ways people come up with to use technology to cause harm to others and to keep up with how law enforcement is responding in other jurisdictions. The department estimates \$10.0 per year will be spent on training, divided equally between the three components. \$5.0 per year is included to maintain state-of-the-art computer equipment, software, peripherals, and associated communications devices in Anchorage OSPA as a resource for the entire Criminal Division to use in preparing and presenting its cases.

# Alaska State Legislature

Chairman,  
Judiciary Committee  
Administrative Regulations  
Revenue Committee

Vice Chairman,  
Resources Committee



*Senator Robin L. Taylor*

State Capitol  
Juneau, Alaska 99801-2125  
(907) 465-8877  
Fax: (907) 465-8122

50 Front Street  
State 200  
Ketchikan, Alaska 99901  
(907) 225-8188  
Fax: (907) 225-0713

## SB 259 Sponsor Statement Senate Bill

**“An Act relating to crimes and offenses relating to actual representations, recordings, access devices, identification documents, impersonation, false reports and computers; and providing for an effective date”**

Alaska has always been the “Last Frontier.” For most of us who came to this great state it was the mystique and adventure. For others it was a place to escape too. Unfortunately, some of the latter group are escaping from the law and have stolen someone else’s identity to do that.

Acting under an assumed name, with false identification to support the claim, they obtain credit cards and checking accounts often not paying the bills. This leaves honest Alaskans with the problem of dealing with Credit Agencies, or the government with little or no recourse.

But there is more than fraud to deal with. Today criminals can access information by sitting at a computer or giving information over the telephone. These new criminals are not a part of current statute. SB 259 will correct this by updating existing law and establishing that Alaska considers stealing someone’s identity a crime with serious consequences.

Once passed these additions will give law enforcement an additional tool to keep Alaskans safer from fraud and deceit by those who not what they seem.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

FISCAL NOTE

STATE OF ALASKA  
2000 Legislative Session

4  
bill Version: CSSB 259 (JUD)  
(S) Publish Date: 4-15-00

Revision Date: 04/05/00  
Title: An Act relating to crimes involving computers, access devices, other technology and identification documents  
Sponsor: Senator Robin Taylor  
Requester: Senate Finance Committee

Dept. Affected: Public Safety  
BRU: AK State Troopers  
Component: Criminal Investigations Bureau

Component Serial No. 830

Expenditures/Revenues

(Thousands of Dollars)

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CAPITAL EXPENDITURES						
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FUND SOURCE

(Thousands of Dollars)

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Estimate of any current year (FY00) costs: 0.0

POSITIONS

POSITIONS	FY01	FY02	FY03	FY04	FY05	FY06
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

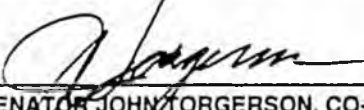
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Prepared By: SENATE FINANCE COMMITTEE

  
SENATOR SEAN PARNELL, CO-CHAIR

Date: 4/5/00  
Phone: 465-2995

  
SENATOR JOHN TORGERSON, CO-CHAIR

Date: 4/5/00  
Phone: 465-2828

**FISCAL NOTE**

Bill Version: HCSCSSB 259 (JUD)  
 (H) Publish Date: 4/19/00

**STATE OF ALASKA  
 2000 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) 4-Apr-00 Dept. Affected Administration  
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to aural representations, recordings ... Component Public Defender Agency  
 Sponsor Senator Taylor  
 Requester (S) FIN Component No. 1631

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Miscellaneous						
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CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE (Thousands of Dollars)**

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1005 GF/Program Receipts						
1037 GF/Mental Health						
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<b>TOTAL</b>	<b>21.5</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>

Estimate of any current year (FY2000) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached.

Prepared by: Barbara Brink, Director Phone 264-4414  
 Division Public Defender Agency Date/Time \_\_\_\_\_  
 Approved by Commissioner - Robert Poe *Robert Poe* Date 4/4/00  
 Agency Department of Administration

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## FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO: CSSB 259 (JUD)

### Analysis (continued)

This bill amends current law and adds new statutes to enable prosecution of a wide variety of computer-related offenses.

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**FISCAL NOTE**

Bill Version: HCSCSSB 259 (JUD)  
 (H) Publish Date: 4/19/00

**STATE OF ALASKA  
 2000 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Law  
 Title \*An Act relating to crimes and offenses relating BRU Criminal Division  
to aural representations, ... access devices ... computers; ... Component 1st Judicial Dist; 4th Judicial Dist;  
 Sponsor Senator Taylor Criminal Appeals/Special Litigation  
 Requester Senate Judiciary Committee Component No. 2198;2201;2203

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel	3.3	3.3	3.3	3.3	3.3	3.3
Contractual	6.7	6.7	6.7	6.7	6.7	6.7
Supplies						
Equipment	5.0	5.0	5.0	5.0	5.0	5.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE (Thousands of Dollars)**

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Other (Specify Type)						
<b>TOTAL</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>

Estimate of any current year (FY2000) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

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Prepared by: Joan M. Kasson *Joan M. Kasson* Phone 465-5370  
 Division Attorney General's Office Date/Time 3/21/00, 11:39 AM  
 Approved by: Commissioner Kedor *Kedor* Bruce M. Botelho, Attorney General Date 3/21/00  
 Agency Department of Law

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FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. CSSB 259 (JUD)

ANALYSIS CONTINUATION

Much of the bill expands on existing crimes already being prosecuted, and is not anticipated to cause increased workload. The new crimes defined in the bill are expected to result in approximately ten new prosecutions in the first year, with the number increasing in future years. These new white-collar cases will be handed by existing staff. Although no new personnel are believed to be necessary, other resources will be needed.

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# Impostor gains access to couple's savings

By AMANDA BOHMAN  
Staff Writer

When Nancy Kuhn received a letter from her credit union asking to verify her change of address to Juneau, she knew there was a mistake.

The Kuhns, who live in Fairbanks, hadn't moved to Juneau and didn't plan to.

Kuhn called Alaska USA Federal Credit Union to tell them the address change was wrong. That's when she learned of the four withdrawals from her account.

Someone posing as her husband not only changed the address of the account but had most of the money—\$4,900—wired to Georgia.

"This is a case of stolen identity," Kuhn said. "It's a thing we all read about, but it never happens to us."

The impostor made the first three withdrawals, each for \$1,000, the same day as the address change on Jan. 14. The fourth withdrawal, for \$1,900, was made a day later.

In Jonesboro, Ga., the impostor showed up at a Western

Union office carrying a fake military identification card with Eugene Kuhn's name and Social Security number on it, Nancy Kuhn said. Credit union officials told her. The person knew Eugene's credit union savings account number and the date the account was opened. The only thing the impostor got wrong, Kuhn said, was her husband's birthdate.

Jack Simmonds, senior vice president of operations at Alaska USA, said the credit union asked Western Union to compare the signature at the wire service with the signature on the account. When they didn't match, the credit union reimbursed the Kuhns.

"I don't think people should be concerned," Simmonds said. "The credit union has made this person whole. The member has not lost any money."

Simmonds said the credit union's insurance company would probably investigate the fraud, along with the FBI.

He said that for security reasons he could not comment on account details.  
See THEFT, Page A-8

Fairbanks Daily News-Miner, Saturday, February 19, 2000

## THEFT: Impostor steals \$4,900

Continued from Page A-1

access accounts at the credit union. But he said credit union members have the option of having a password. "We take every reasonable step to keep accounts secure."

The credit union was almost too secure for Kuhn at one point. She said she closed one of the couple's accounts in a huff last fall because the credit union demanded both her driver's license number and her Social Security number for a withdrawal receipt. Kuhn said she was willing to show that information but re-

fused to let the bank put it on her receipt, in case it fell out of her purse or something, she said.

Kuhn said the credit union told her it would need the name, types of accounts at the credit union, Social Security number and date of birth from someone to access bank records. The couple is perplexed as to how someone could get that information, which is supposedly private.

Kuhn said her husband is "a little bit sloppy" but that he's never lost anything. "I don't think he ever misplaced one of

the statements. I keep track of those."

The couple opened the savings account in 1975, before the credit union was bought by Alaska USA, Kuhn said.

She and her husband don't know anybody in Jonesboro, which is a busy suburb of Atlanta.

Fairbanks police referred Kuhn's complaint to the FBI. Neither the Fairbanks FBI bureau or the Anchorage bureau have begun investigating.

# Alaska Association of Chiefs of Police



April 5, 2000

Senator Robin Taylor  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Dear Senator Taylor:

On behalf of the Alaska Association of Chiefs of Police, I am writing in support of Committee Substitute for Senate Bill 259.

Several important issues are addressed by this bill, including the crime of assuming another's identity by use of various access devices. The bill would provide severe penalties for those who obtain devices and documents to use in the further commission of crimes and who destroy the lives, businesses, credit, and credentials of innocent victims in the process.

CS for SB 259 also addresses the need for criminal liability in cases where self defense is used all too frequently to avoid prosecution for a criminal act. Current Alaska law makes it extremely difficult to prosecute defendants who use self defense as an excuse to cover up illegitimate and often times deadly behavior. Limitations must be made to protect the lives of innocent victims as well as punish those who harm others intentionally.

Sincerely,

A handwritten signature in cursive script, reading "Duane S. Udland", is written over a faint, larger version of the same signature.

Duane S. Udland, President  
Alaska Association of Chiefs of Police

Anch. Daily News 4/19/00

Jim: Could this help with SB 259?

R.K.

body complains about "special interests." But comes to the Legislature, there is no more potent, minded, persistent special interest than the law-

work.

Republicans passed a constitutional amendment a runoff if no gubernatorial candidate receives it in the general election. In the event of a runoff, nor would take office in February — after a bone-

christmas-to-Super-Bowl campaign.

endment is a "twofer," changing two sections of I of the Constitution.

III of Article III says simply, "The governor shall by the qualified voters of the state at a general elec-

candidate receiving the greatest number of votes unction." This is the approach most states take. IV says, "The term of office of the governor is s, beginning at noon on the first Monday in De-

llowing his election and ending at noon on the lay in December four years later." louse of Representatives and the voters approve ment, Alaskans will have some governors taking December and some in February. It is also possi-

me governors will take office in December and December while others take office in December in February. Or the governor could take office in and leave in December. Republicans say they are changing the law to

democracy" and "majority rule." But if "democ- "majority rule" are their goals, why didn't they same principle to themselves? Why didn't they senators receive a majority of the vote and es-

runoff for solons? appeal to "democracy" and "majority rule" is as as Harpo Marx's response to the outraged host it Harpo fooling around with the cocktail-party

ir, I was not kissing your wife. I was whispering th." stitutional amendment is about one thing. The ts have had little luck electing a governor in re-

l elections. They figure a runoff would help. of hypocrisy about democracy can change that.

health problems. You'd think consumers would want worm-free food

A similar panel in Britain, the Nuffield Council on Bioethics, conducted an 18-

farmers to grow rice with less water and less fertilizer on less land.

board. Readers may write to her at jjacobs@sjmercury.com.

# Theft of identity can lead to ruined credit

## STACY SULLIVAN

I am one of some 30,000 people who discovered last year that their Social Security numbers had been pilfered.

The theft of my identity actually began in 1996, when I was living overseas. Without my knowledge, someone used my Social Security number to order telephone service in Los Angeles County and then disappeared, owing the phone companies thousands of dollars.

I moved back to New York in 1997 and rented an apartment, but in time the phone companies sent the unpaid bills to collection agencies and the agencies, unable to recover the debts, passed the information on to three major national credit bureaus. I was labeled a financial delinquent.

I didn't find out about my status until last year, when I tried to rent another apartment in New York. After weeks of hunting, I found a place I liked. The landlord said I could move in as soon as he ran the routine credit check. The next day he told me that my negative credit rating made me too risky a tenant.

Relegated to a sublet, I was just beginning to make

inquiries at three credit bureaus when the telephone company refused to give me a telephone because of an unpaid bill of \$1,163.67. Someone I'd never met had used my Social Security number to establish telephone service in Hawaiian Gardens, Calif., a city I have never seen. Despite the fact that the phone service was set up in a man's name, the debt was reported on my credit rating.

Once I proved that I was not that person — by showing the telephone company my photo ID and Social Security card — I was absolved of blame and given a telephone. But two weeks later I received a letter that said I would have to pay a \$100 deposit if I wanted to keep my line, because of yet another unpaid bill from a different telephone company.

This time somebody had used not only my Social Security number but also my name to establish phone service in Sun Valley, Calif., another city I have never seen.

When I asked my phone company why I should have to pay a deposit because

someone impersonated me at a company I had never done business with, the customer-service manager acknowledged that this was unfair, but politely explained that, unless I paid the deposit, my telephone would be disconnected.

So began a six-month battle of trying to clear my name. I provided the telephone companies, the credit bureaus and two collection agencies with telephone bills, W-2 forms, health-insurance receipts, credit-card statements and bank statements that proved I was not living in California at the time telephone service was ordered there. Despite my efforts, I received four letters holding me responsible for the bill.

Trapped in a Kafkaesque maze, I decided to file a police report. The police officer who heard my story told me he received an average of four complaints of identity theft each day.

Months passed, and still my name had not been cleared. So I called the collection agency investigating my case and threatened to file a

lawsuit if it did not resolve my fraud claim. I promptly received a letter stating that I was not being held responsible for the remaining delinquent telephone bill.

But the collection agency said that it takes as long as 90 days for this information to be conveyed to the national credit bureaus, and that even then there may be mistakes or delays for which neither the collection agencies nor the credit bureaus will take responsibility.

Nearly four years since my identity was stolen, the unpaid bills are still reflected on my credit rating and I am still unable to rent an apartment.

The most maddening aspect of all this is that it could have been prevented, had the telephone companies simply checked the identity of the person who established telephone service in my name.

Is it too much to ask companies that issue credit cards, sell merchandise or provide services to take simple precautions to identify their customers?

Stacy Sullivan, a New York-based writer, is writing a book about the Kosovo Liberation Army.

FISCAL NOTE No. 3LJFC

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

Bill Version: CS93259(500)  
(S) Publish Date: 3-22-00

Revision Date/Time (Note if correction) 21-Mar-00 Dept. Affected Administration  
 Title "An Act relating to criminal impersonation" BRU Legal and Advocacy Services  
 Component Public Defender Agency  
 Sponsor Senator Taylor  
 Requester (S)JUD Component No. 1031

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services	46.5	46.5	46.5	46.5	46.5	46.5
Travel	3.5	3.5	3.5	3.5	3.5	3.5
Contractual	26.3	26.3	26.3	26.3	26.3	26.3
Supplies	1.9	1.9	1.9	1.9	1.9	1.9
Equipment	6.5	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>84.7</b>	<b>78.2</b>	<b>78.2</b>	<b>78.2</b>	<b>78.2</b>	<b>78.2</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	84.7	78.2	78.2	78.2	78.2	78.2
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>84.7</b>	<b>78.2</b>	<b>78.2</b>	<b>78.2</b>	<b>78.2</b>	<b>78.2</b>

Estimate of any current year (FY2000) cost:

POSITIONS

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill amends current law and adds new statutes to enable prosecution of a wide variety of computer-related offenses.

Prosecution and defense of these offenses will require sophisticated technical expertise. The Public Defender Agency does not currently have staff who have the technical knowledge necessary to defend criminal cases that could be brought under this new legislation.

The Public Defender Agency will need to hire a Programmer Analyst I in order to consult with and train the attorneys appointed to defend these cases. The Programmer Analyst will be based in Anchorage. In addition to providing technical assistance on individual cases in Anchorage, the Programmer Analyst would also be responsible for training attorneys and investigators in all Public Defender Agency offices on technical issues in these cases. One-time equipment costs for computer equipment is also included in the first year.

Prepared by: Barbara Brink, Director Phone 264-4414  
 Division Public Defender Agency Date/Time \_\_\_\_\_  
 Approved by Commissioner - Robert Poe, Jr. Date 3/21/00  
 Agency Department of Administration

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