



EXHIBIT 2  
DATE 1/13/05  
HB 110

January 13, 2005

TO: Chair Rep. Rice and Members of the House Judiciary Committee  
FROM: Claudia Clifford, AARP Montana  
RE: HB110 Identity Theft Passport Legislation

Madame Chair, thank you for the opportunity to testify on one of the top concerns of our members in Montana. My name is Claudia Clifford for AARP Montana, a nonpartisan, nonprofit membership organization dedicating to bettering the lives of persons 50 and older. We have 143,000 members in Montana.

In our Membership Survey released yesterday, our members said overwhelming that among their top concerns are *fear of being a victim of identity theft, and concern about the safety and security of their pension/retirement savings.*

In our 2003 Member Survey, 61% of our members thought identity theft needed to be a top priority for the Legislature.

In the last 11 months, AARP and the Montana Senior Citizens Association traveled the state putting on over two dozen senior fraud seminars and 22 law enforcement trainings where we heard many stories of Montanan experiences with identity theft:

- o People whose identities are stolen can spend months or years, and a great deal of money, cleaning up the mess thieves have made of their good name and good credit.
- o In the meantime, victims may lose job opportunities, be refused loans for housing or cars, or even get arrested for crimes they did not commit.

We need this legislation. Montana has a law that makes identity theft a crime, but this legislation seeks to help consumers avoid some of the terrific problems that result. We hope this law will encourage law enforcement to not only take a complaint and a request for a passport, but also to communicate this information to the Justice Department.

Unfortunately, law enforcement officials do not always prioritize identity theft. Police reports are not always taken when victims call or come to their agencies. In order to encourage law enforcement agencies to complete police reports, several states (Illinois,

Louisiana, Vermont, California and D.C.) have enacted legislation that deals with this issue.

We hope that from this legislation and the AG's office implementation of it:

1. Encourages Montanans to contact law enforcement to report victimization in the first place;
2. Encourages additional training of law enforcement officers to be able to respond to this increasing crime problem;
3. Encourages cooperation between law enforcement and the Attorney General's office in helping people get their good credit back; and
4. Gives victimized people an official document to help them deal with credit reporting agencies, creditors and even law enforcement after they have been victimized to help minimize trauma associated with the offense.

We offer our strong support of this legislation and appreciate Rep. Furey and the Attorney General's Office for their ongoing concern for Montana consumers and protection from fraud and theft. Thank you for this opportunity to testify.