



Exhibit No. 4
Date 3-7-05
Bill No. HB 110

March 7, 2005

TO: Chair Senator Wheat and Members of the Senate Judiciary Committee
FROM: Alex Ward, Associate State Director, AARP Montana
RE: HB110 Identity Theft Passport Legislation

Mr. Chairman, thank you for the opportunity to testify on one of the top concerns of our members in Montana. My name is Alex Ward, Associate State Director for AARP Montana, a nonpartisan, nonprofit membership organization with 143,000 members in Montana.

In our 2004 Membership Survey, 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 the same survey, 61% of our members thought identity theft needed to be a top priority for the Legislature.

In the last year, AARP and the Montana Senior Citizens Association traveled the state with the State Auditor putting on over two dozen senior fraud seminars and 22 law enforcement trainings. In the trainings, 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, and California) have enacted legislation that deals with this issue.

We hope this legislation will provide these benefits for Montana citizens:

1. Encourage Montanans to contact law enforcement to report victimization.
2. Encourage additional training of law enforcement officers to be able to respond to this increasing crime problem.

3. Encourage cooperation between law enforcement and the Attorney General's office in helping people get their good credit back.
4. Give victimized people an official document when dealing 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.