Legislation Details (With Text)

File #:	Res 0448-2002	**Version:**	*	**Name:**	Create the crime of identity theft.
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Title: Resolution calling upon the New York State Legislature to create the crime of identity theft and to impose appropriate penalties upon those who obtain or traffic in personal identifying information.

Sponsors:

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Date	Ver.	Action By	Action	Result
8/15/2002	*	City Council	Introduced by Council	
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12/31/2003	*	City Council	Filed (End of Session)	

Res. No. 448

Resolution calling upon the New York State Legislature to create the crime of identity theft and to impose appropriate penalties upon those who obtain or traffic in personal identifying information.

By Council Members Vallone, Addabbo, Avella, Clarke, Comrie, Felder, Fidler, Gennaro, Jackson, Katz, Koppell, Lopez, Monserrate, Nelson, Quinn, Reed, Rivera, Sanders, Sears, Weprin, Gallagher, Lanza and Oddo; also Council Member Provenzano

Whereas, Identity theft now stands among the nation's fastest growing crimes; reported identity theft incidents to credit agencies have skyrocketed, from just over 35,000 in 1992 to between 500,000 and 700,000 occurrences annually; and

Whereas, New York State has the second-largest reported number of identity theft occurrences in the nation and New York City has the most identity theft complaints of any city in the United States; and

Whereas, Identity theft has become a national security issue in addition to being a burgeoning crime; forged passports, phony drivers' licenses, and other documents significantly aided terrorist operatives in their attacks on New York and Washington on September 11, 2002; and

Whereas, The increased amount of information available in computer databases, the growth in purchases being made with credit, debit, and ATM cards, and the growth of commerce over the internet have left personal information vulnerable to theft; and

Whereas, Current New York State law is not adequate to fight this rapidly evolving form of theft; penalties are weak and the laws are simply outdated; they do not cover the new and sophisticated methods of committing identity theft; and

Whereas, For example, current statutes make it illegal to steal physical credit cards, but do not make collecting credit card numbers without authorization a crime; credit card numbers and personal information are now sufficient to make many purchases and are as valuable as the cards themselves; and

Whereas, As another example, current law allows identity thieves to steal services such as running up hotel room and meal charges of unlimited value, risking only a misdemeanor penalty; instead, theft of services of substantial value should be a felony, just as the penalties for theft of valuable items are more severe; and

Whereas, New York State must keep up with the changing nature of crime and make sure that its laws are current and relevant to today's reality; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to create the crime of identity theft and to impose appropriate penalties upon those who obtain or traffic in personal identifying information.

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