

**CITY OF BALTIMORE
COUNCIL BILL 09-0123R
(Resolution)**

Introduced by: Councilmembers Holton, Branch, Henry, Welch, Young, D'Adamo, Middleton,
Conaway, Curran, Clarke
Introduced and adopted: March 23, 2009

A COUNCIL RESOLUTION CONCERNING

**In Support of State Legislation – Senate Bill 202 - Financial Crimes -
Seizure and Forfeiture of Property**

FOR the purpose of expressing support for passage of Senate Bill 202 that establishes seizure and forfeiture procedures for property obtained through or used in connection with crimes of identity theft; urging the Honorable Chair and Members of the House Judiciary Committee to give the bill a favorable report; and requesting the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to work to secure final passage of Senate Bill 202 in the 2009 Maryland General Assembly session.

Recitals

The U.S. Department of Justice defines identity theft and identity fraud as all types of crime in which someone wrongfully obtains and uses another person's personal data in some way that involves fraud or deception, typically for economic gain. Identity theft is the fastest growing white collar crime. The Federal Trade Commission reports that, in 2006, Maryland ranked eleventh in terms of the number of identity theft complaints per 100,000 population.

Report on the Attorney General's Identity Theft Forum, February 8, 2006, states: "When the Federal Trade Commission (FTC) began keeping specific statistics on identity theft in 2000, the number of complaints it received from identity theft victims was 31,000. Last year that number had grown to over 250,000. As disturbing as these numbers are, they are an underestimate of the identity theft problem since they only count complaints received by the FTC. Although estimates of the number of identity theft victims vary, one of the most thorough recent reports estimated that the number of identity theft victims last year was 9.3 million, and the amount of the thefts was \$52.6 billion."

"The impact of identity theft on victims is considerable. Dealing with the consequences of identity theft is a time-consuming and often frustrating process for victims. A study by the FTC indicated that the average victim spends 30 hours resolving problems related to identity theft. Victims also spend an average of \$500 during the process of correcting problems caused by the identity thieves." And, as noted by the bill's sponsor – anyone who has ever been the victim of ID theft never forgets the panic and sick sinking sensation of realizing that someone is out there using their name and credit to buy a car, get a loan, and purchase all manner of consumer goods.

Senate Bill 202 seeks to further the protections against identity theft that Maryland offers its citizens. The legislation addresses an omission in existing law that allows thieves to keep their ill-gotten gains or the goods they illegally purchase. It establishes procedures by which the

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 goods or proceeds must be forfeited or surrendered to law enforcement agencies. The items
2 subject to the forfeiture procedure are limited to cash, real property, and motor vehicles.

3 As reported by the FTC – while the impact of identity theft on Marylanders is significant, the
4 largest number of those affected reside in Baltimore City. Criminals who prey on our citizens
5 through identity theft must not be allowed to profit from their misdeeds.

6 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this
7 Body supports passage of Senate Bill 202 that establishes seizure and forfeiture procedures for
8 property obtained through or used in connection with crimes of identity theft; urges the
9 Honorable Chair and Members of the House Judiciary Committee to give the bill a favorable
10 report; and requests the Honorable Chairs and Members of the Baltimore City Senate and House
11 Delegations to work to secure final passage of Senate Bill 202 in the 2009 Maryland General
12 Assembly session.

13 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
14 Governor, the Attorney General, the President of the Senate, the Speaker of the House, the Chair
15 and Members of the House Judiciary Committee, the Chairs and Members of the Baltimore City
16 Senate and House Delegations to the 2009 Maryland General Assembly, Senator Dolores G.
17 Kelley, the Director of the Mayor’s Office of State Relations, and the Mayor’s Legislative
18 Liaison to the City Council.