

# PALO ALTO DAILY NEWS

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## Davis signs identity theft legislation

SACRAMENTO (AP) — Access to complete copies of California's birth and death record indexes will be limited to prevent identity thieves



**SPEIER**

from gaining private information under a bill signed yesterday by Gov. Gray Davis.

The bill by Sen. Jackie Speier, D-Hillsborough, arose after the senator demonstrated in a Senate hearing last year how she could go to an online genealogy site and find her mother's maiden name.

Because that is a common identifier at banks, that could lead to identity theft, Speier said.

Not everyone agreed, especially genealogists and adoptees seeking birth records.

"It is a terrible precedent," said

Terry Francke, general counsel for the California First Amendment Coalition. "There was no demonstrated harm. And I mean none."

Speier's bill prohibits the state from selling CD-ROMs of the birth index that contains mothers' maiden names, and the death index that contains Social Security numbers. The public will be able to access, and buy, the edited indexes.

Another Speier bill signed yesterday limits the issuance of certified birth certificates. Under this bill, individuals can get a certified copy of a birth certificate, and so can their immediate family, law enforcement and others who are authorized. But anyone not authorized will get only an informational copy that clearly states it cannot be used to establish identity.

Not all identity theft cases are for

financial gain, said Assemblyman Joe Simitian, D-Palo Alto. His bill aims to help people whose names were fraudulently used by suspects in criminal cases.



**SIMITIAN**

In those cases, someone arrested for a crime gives the wrong name, which gets entered into the law enforcement database and criminal court records. Victims

are often unaware there's an outstanding arrest warrant naming them until it comes up on a background search or during a routine traffic stop, he said.

The bill lets the court clear up the confusion over the names on its own, without requiring the victim to hire a lawyer and start legal proceedings, Simitian said.