

TESTIMONY

Theodore W. Wern

April 16, 2001

Senator Richard J. Durbin
United States Senator, Illinois
332 Dirksen Senate Office Building
Washington, D.C. 20510

Re: A License to Break the Law? Protecting the Integrity of Driver's Licenses

Dear Senator:

I respectfully submit the following written testimony in connection with the following hearing held by the Senate Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia: *A License to Break the Law? Protecting the Integrity of Driver's Licenses*.

I was a victim of identity theft for approximately four years. The perpetrator used my personal information to establish approximately \$48,000 in fraudulent credit and for various other financial crimes. He also used that information in the course of his own traffic violations. On four separate occasions, he was stopped by traffic police -- once for driving under the influence of alcohol -- and was able to incur the violations under my identity. On another occasion, the perpetrator assumed my identity during a judicial proceeding resulting from one of his traffic violations. He was able to plead guilty and walk away from the courthouse while never having to reveal his own name. All along, his violations resulted in numerous arrest warrants issued under my driving record. My perpetrator is now serving a 6 month sentence in a state prison in Mansfield, Ohio.

I will not dwell on the anger and frustration that resulted from my experience. Certainly, such emotions pale in comparison to those that resulted from the events of September 11. As we all know, those events were set in motion by many individuals who were able to assume fraudulent identities. What I offer today is a basic awareness of the inadequacies of current administrative and law enforcement efforts to prevent identity theft.

The first remedial effort should be focused at the state agency level. As contemplated in the proposed draft of the Driver's License Integrity Act of 2002 ("DLIA"), *all states* should be forced to adopt more aggressive standards for the issuance of driver's licenses.

The second remedial effort should be aimed at law enforcement. What good is a validly issued driver's license if an identity thief can use *the information* contained in that driver's license to commit crimes with impunity? In my case, three different city police officers (two of which were from different jurisdictions) and one state highway patrol officer failed to take any practical steps to ensure that the violator was who he said he was. Those officers only accepted the perpetrator's word that he was "me." No effort was made to confirm that identity, *even though* the perpetrator failed to show any identification and *even though* the perpetrator's physical appearance bears no resemblance to mine. Therefore, as contemplated in the DLIA, the effort should not end with uniform driver's license standards; rather, it should also extend to law enforcement officers and any other persons or entities who are charged with determining the validity of a person's identity.

Thank you for the opportunity to address this panel. I would be honored to provide any further service to the cause that brings us together today.

Sincerely

Theodore W. Wern

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