SAMPLE SUPPORT LETTER

Submit through Legislative Portal

And to Domonique.Jones@asm.ca.gov

DATE

Assemblymember Tim Grayson, Chair

Assembly Committee on Banking and Finance

State Capitol, Rm. 6031

Sacramento, CA 95814

**RE: Support – AB 430 (Grayson): Debt Collection: Identity Theft**

Dear Assemblymember Grayson:

YOUR ORGANIZATION supports AB 430, which would require creditors to accept the Federal Trade Commission’s Identity Theft Report as evidence of identity theft.

INSERT INFORMATION ABOUT YOUR ORGANIZATION AND REASON FOR SUPPORTING THE BILL.

As Californians continue to struggle in the COVID-related recession, it is increasingly clear that financial insecurity is a leading obstacle to safety for survivors of intimate partner abuse and elder abuse. Coerced and fraudulent debt is a widespread problem (52% of survivors report experiencing it) and these debts are significant. A harm-doer incurs an average of $15,936 of debt in a survivor’s name without their knowledge or consent each year and at least 42% of survivors experience damaged credit as a result of these debts.

Despite increased personal efforts and access to protective measures, identity theft continues to be a particularly difficult problem for vulnerable groups. Creditors and collectors require extensive documentation of identity theft, which consumers often do not have. Considering that identity theft happens more and more frequently online and in ways where a consumer is unable to obtain physical evidence, and that police departments are not always willing to accept a report of identity theft, the FTC Identity Theft Report can be a particularly powerful tool.

AB 430 bill would make it mandatory for creditors/debt collectors/debt buyers to accept the FTC Identity Theft Report as sufficient for making a claim of identity theft related to a particular debt. The Identity Theft Report is signed under penalty of perjury, and arguably is more comprehensive and thorough than a police report or the Identity Theft report form that the creditor/collector usually requests the consumer complete.

Additionally, AB 430 would amend the Rosenthal Fair Debt Collections Practices Act to allow consumers a private right of action, with damages of $1,000 per violation, for any creditor/collector that does not accept the report as proof of identity theft of a particular debt. This bill would work in concert with the Civil Code statute that allows a consumer to file suit for declaratory relief that a particular debt is the result of identity theft.

At a time when the state’s most vulnerable populations are deeply impacted by COVID and the recession, this bill provides straightforward protections, including the ability of victims of abuse to safely file a report without the daunting task of speaking to law enforcement about the sensitive and sometimes dangerous situations they may be facing at home.

For these reasons, YOUR ORGANIZATION is proud to support AB 430.

Sincerely,

NAME
TITLE
ORGANIZATION