

What is the Identity Theft Penalty Enhancement Act?

The Identity Theft Penalty Enhancement Act of 2004. The law established a new federal crime, aggravated identity theft, outlined under “offenses” in the Act:

Offenses – (1) In general – Whoever, during and in relation to any felony violation enumerated in subsection (c), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 2 years. (2) Terrorism offense – Whoever, during and in relation to any felony violation enumerated in section 2332b(g)(5)(B), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person or a false identification document shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 5 years.

Who is affected?

Unlike most other privacy and identity theft protection measures which set out rules to safeguard information, this law is intended to punish those who misuse information and therefore affects all U.S. residents.

What does the Identity Theft Penalty Enhancement Act have to do with information management?

According to a study by the University of Michigan, as much as 70 percent of all identity theft cases involve people inside companies. Companies that implement safe information handling practices play an important role in keeping identifying information out of the hands of criminals. Companies should consider how and what information they collect, the policies in place to ensure secure storage, who has access to personal information, protocols for sharing and disclosing information, and the company’s practices for disposing of confidential information.

What do companies have to do to comply with the Identity Theft Penalty Enhancement Act?

There are no compliance regulations. However, companies are advised to ensure they have safe information handling practices in place to reduce the risk of the information they store falling into the wrong hands.

How can we help?

As part of any safe information handling protocol, companies need to carefully assess document management, including storage and destruction to ensure that they are taking care to protect personal information.

Securit provides safe, off-site document storage enabling companies to ensure that files they do not use daily are protected while onsite locked boxes provide employees with a safe, convenient location to deposit confidential information. Securit also reduces the company’s risk by shredding everything onsite. For peace of mind, contact Securit today at 1 800 697-4733.

For more information:

Identity Theft Resource Center – www.idtheftcenter.org

Comments by President George W. Bush on the signing of the legislation – www.whitehouse.gov/news/releases/2004/07/20040715-3.html

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