



NEW YORK STATE SENATOR

Jose Peralta

Senate Passes Senator Peralta's Bill to Fight Identity Theft and Cybercrime

JOSE PERALTA March 13, 2017

| ISSUE: **COMPUTER CRIMES, IDENTITY THEFT**

State Senator Jose Peralta's bill to include cybercrimes and identity theft in the New York Enterprise Corruption Statute passed the State Senate this afternoon. The bill, referred to as the 21st Century Gang Crime Bill, will give prosecutors additional tools to combat these new-age crimes.

"Organized crime and gangs are becoming more involved in computer crimes, identity theft and money laundering. This legislation will provide a commonsense tool for prosecutors, and it will bring the statute into the modern era" said Senator Peralta. "Years ago, stolen credit card information was traded in the dark, but now that information is up for sale on websites."

This legislation also eliminates duplicative legal proceedings. Currently, prosecutors charge a defendant with two separate indictments when perpetrating a larceny through the use of identity theft or computer crimes, creating two different prosecutions for same offenses.

"This means a defendant gets two arrests numbers, two indictments, is arraigned twice, and will get tried for the same criminal conduct twice," noted Senator Peralta. "This current system is not efficient and we must modernize it."

According to the National Gang Intelligence Unit of the FBI, gangs are becoming more involved “in white-collar crimes, including identity theft, bank fraud, credit card fraud, money laundering, fencing stolen goods, counterfeiting and mortgage fraud, and are recruiting member who posses those skills sets.” And in 2014, according to the Bureau of Justice Statistics, more than 16 million Americans became victims of identity theft, which represents 7% of the U.S. residents 16 years of age or older.

“Cybercrime is on the rise, but this bill will allow law enforcement to take gangs down more efficiently,” said Senator Peralta. “The law has not kept up with technology and we must act to fight against these crimes more effectively.”

Senator Peralta hopes the New York Assembly will follow suit and pass the bill.