

August 12, 2010

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol
Sacramento, CA 95814

Re: SB 1411 "Criminal E-personation"

Dear Governor Schwarzenegger:

This letter is to respectfully request your signature on Senate Bill 1411 relative to the act of "criminal E-personation."

Senate Bill 1411 makes it unlawful to knowingly and without consent credibly impersonate another person through or on an Internet Web site or by other electronic means with the intent to harm, intimidate, threaten or defraud another person. An impersonation is credible where another person would reasonably believe, or did reasonably believe, that the defendant was or is the person who was impersonated.

As our reliance on the internet increases, many opportunities for abuse have and will present themselves. The victims of such harassment and defamation as a result of impersonation perpetrated through the Internet are typically left without adequate legal protection to stop this abuse. Senate Bill 1411 will rectify this problem by expanding the current impersonation statute to include impersonation done on an Internet Web site or through other electronic means such as email, Facebook, Twitter, and other social media websites.

Senate Bill 1411 would make online impersonation a standard misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000) and/or imprisonment in county jail for not more than one year. Senate Bill 1411 would add upon existing criminal penalties by providing a civil remedy, whereby anyone who suffers damage or loss as a victim of false impersonation perpetrated through the Internet or other electronic means may bring a civil action against the violator for compensatory damages and injunctive relief.

Senate Bill 1411 has received bipartisan unanimous support in both houses of the Legislature; and to my knowledge there is no opposition. The bill enjoys support from law enforcement, crime victims and privacy advocates. I respectfully request your signature on Senate Bill 1411.

Sincerely,

S. Joseph Simitian
State Senator, Eleventh District

cc: Michael Pro시오, Legislative Secretary and Deputy Chief of Staff
Aaron Maguire, Deputy Legislative Secretary

SJS:tg