

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: April 24, 2014

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations
Committee

FROM: Gerry F. Miller *Gerry F. Miller for* Council File No: 14-0002-S30
Chief Legislative Analyst Assignment No: 14-03-0191

SUBJECT: Resolution (Englander - Blumenfield) to support S. 2032/HR 4065, the
Smartphone Theft Prevention Act

CLA RECOMMENDATION: Adopt Resolution (Englander - Blumenfield) to include in the City's 2013 – 2014 Federal Legislative Program SUPPORT for S. 2032 (Klobuchar)/HR 4065 (Serrano), the Smartphone Theft Prevention Act, which would require mobile device manufacturers to give consumers the ability to remotely delete data from their mobile devices, and give consumers the ability to remotely render these devices inoperable.

SUMMARY

On March 19, 2014, a Resolution (Englander - Blumenfield) was introduced in support of S. 2032 (Klobuchar)/HR 4065 (Serrano), the Smartphone Theft Prevention Act, which would require mobile device manufacturers to give consumers the ability to remotely delete data from their mobile devices, and give consumers the ability to remotely render these devices inoperable. The Resolution states that the theft of mobile devices is an increasing problem across the United States, with one in three robberies involving the theft of a mobile device. The Resolution further states that, according to the Federal Communications Commission, mobile device theft costs American consumers \$30 billion each year. The Resolution also states that because most mobile devices cannot be disabled remotely, thieves are able to use or sell stolen devices, and have access to a victim's personal information that is stored on the device.

The Resolution states that the Smartphone Theft Prevention Act would address this by requiring mobile device manufacturers to give consumers the ability to remotely delete data and render their device inoperable. The Resolution, therefore, seeks an official position of the City of Los Angeles to support S. 2032 (Klobuchar)/HR 4065 (Serrano), the Smartphone Theft Prevention Act, which would require mobile device manufacturers to give consumers the ability to remotely delete data from their mobile devices, and give consumers the ability to remotely render these devices inoperable.

BACKGROUND

Smartphones are ubiquitous throughout the United States, and have become a tempting target for thieves due to their high resale value and access to personal information stored on them. While overall, crime rates have declined over the last ten years, smartphone theft has bucked this trend and is increasing at a significant rate. In 2012, the Federal Communications Commission released survey results that found that mobile device theft costs consumers \$30 billion each year,

and that one in three robberies in the United States involve the theft of a mobile device. S. 2032/HR 4065, the Smartphone Theft Prevention Act, seek to address this problem by requiring mobile device manufacturers to install “kill switches” in their devices.

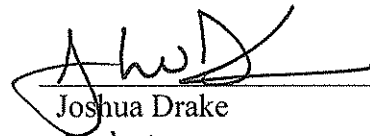
A kill switch would enable a victim of smartphone theft to remotely access their device, delete personal information and render their device inoperable. Under the bill, no one but the owner would be able to reactivate a phone that had been deactivated by a kill switch. Supporters of the Smartphone Theft Prevention Act state that the use of kill switches would make smartphones less tempting targets for thieves, as they would not be able to resell stolen devices to be reused, or have access to valuable personal information. This bill offers victims a way of protecting their personal information from thieves, and would effectively address the problem of smartphone thefts in the United States.

DEPARTMENTS NOTIFIED

Police Department

BILL STATUS

02/12/2014	S. 2032 referred to the Senate Committee on Commerce, Science, and Transportation
02/14/2014	HR 4065 referred to House Committee on Energy and Commerce
02/21/2014	HR 4065 referred to the Subcommittee on Communications and Technology



Joshua Drake
Analyst

GFM:MF:jwd

Attachment: Resolution (Englander - Blumenfield)

14-0002-S30

MAR 19 2014

RULE, ELECTIONS & INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the theft of mobile devices is an increasing problem across the United States, with one in three robberies involving the theft of a mobile device; and

WHEREAS, according to the Federal Communications Commission, mobile device theft costs American consumers \$30 billion each year; and

WHEREAS, because many mobile devices cannot be disabled remotely, thieves are able to use or sell these devices, and have access to a victim's personal information stored on these devices; and

WHEREAS, technological protections would limit the ability of thieves to utilize stolen devices and make mobile devices less attractive to thieves; and

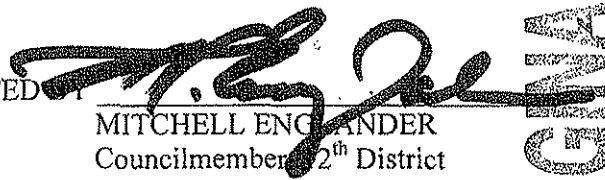
WHEREAS, S. 2032 (Klobuchar) and HR 4065 (Serrano), the Smartphone Theft Prevention Act, would require technological protections to be provided to consumers; and

WHEREAS, the Smartphone Theft Prevention Act would give consumers the ability to remotely delete data and render their mobile device inoperable; and

WHEREAS, the Smartphone Theft Prevention Act would make mobile devices a less attractive target for thieves;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013 - 2014 Federal Legislative Program SUPPORT for S. 2032 (Klobuchar)/HR 4065 (Serrano), The Smartphone Theft Prevention Act, which would require mobile device manufacturers to give consumers the ability to remotely delete data from mobile devices, and the ability to render these devices inoperable.

PRESENTED BY


MITCHELL ENGLANDER
Councilmember 2th District

SECONDED BY



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MAR 19 2014