

# The Mercury News

## California should outlaw online impersonation

Mercury News Editorial

June 21, 2010

Impersonating someone with the intent to harm, intimidate, threaten or defraud is illegal in California — except when it's done online. Existing state law, written in 1872, didn't anticipate the existence of Facebook, MySpace or a host of other Internet sites that unintentionally created new ways to harm innocent victims.

State Sen. Joe Simitian has a solution. His SB 1411 would make it a misdemeanor to maliciously impersonate another person online. The Legislature should pass the Palo Alto Democrat's bill, and Gov. Arnold Schwarzenegger should sign into law legal protections against online abuse.

It's sad that Simitian's law is necessary. But online abuses are a growing problem for students, teachers, businesspeople, politicians and people of all ages who are in relationships that have gone amiss.

Facebook and MySpace accounts can be shut down when a problem arises. But when they are created with the intent to do damage, there should be a price. Simitian's law, which includes provisions to protect legitimate forms of free speech, would carry up to a \$1,000 fine and/or up to a year in jail.

Sacramento can't legislate good behavior. But it can and should protect Californians from being further damaged by impersonators who are up to no good.