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From the index, she apparently found a number that corresponded to the page number of the birth certificate in the book. She was therefore able to get the birth certificate in seconds.

"That will be \$1," she said after typing a copy back in her office. "Whom do I make the receipt out to?"

"Could you make it out to him?"

"Sure."

She put the copy and receipt in an envelope and handed it to me.

"Thank you, you've been very helpful. And I'll let you know how my project comes out."

"Okay," she said, smiling.

I didn't feel safe until I was five blocks away.

False identification is a growing national problem. In 1974, a committee was formed by the U.S. Department of Justice to study it. Its 136-page report was released in November 1976.

THE COMMITTEE saw the criminal use of false identification as a multibillion dollar problem, and it recommended a notice of death on the birth certificate.

It also proposed enactment of federal and state legislation to penalize the fraudulent application and possession of birth certificates.

Many states, including North Carolina, are working on such measures.

One law dealing with false identification has already been drawn up. This model act—a law written by a group of attorneys and other professionals that a state can examine, perhaps modify and adopt—would make it a violation to have a birth certificate of a dead person in one's possession.

The final version of the act should be released by the end of 1977. North Carolina

will apparently wait until then before it amends its own laws.

"You have not broken any law presently. If you take the birth certificate (copy) and try to get a driver's license with it, then you have broken the law."

SUCH WAS the information given to me a week later by Patrice Solberg, an assistant professor in the Institute of Government and a specialist in public health law.

"I don't see why you need to go any further because you're just going to get in trouble," she said.

Earlier she had called Glenn Flinchum, head of the Vital Records Branch in the N.C. Division of Health Services.

"He says there's no statute that prohibits them from giving these things to anybody they want," she said.

"They could give a copy of the birth certificate to family, to an attorney, to a federal or state agency, and, as far as giving them to another person, that they would make a general request for why the person would want to have a copy of it."

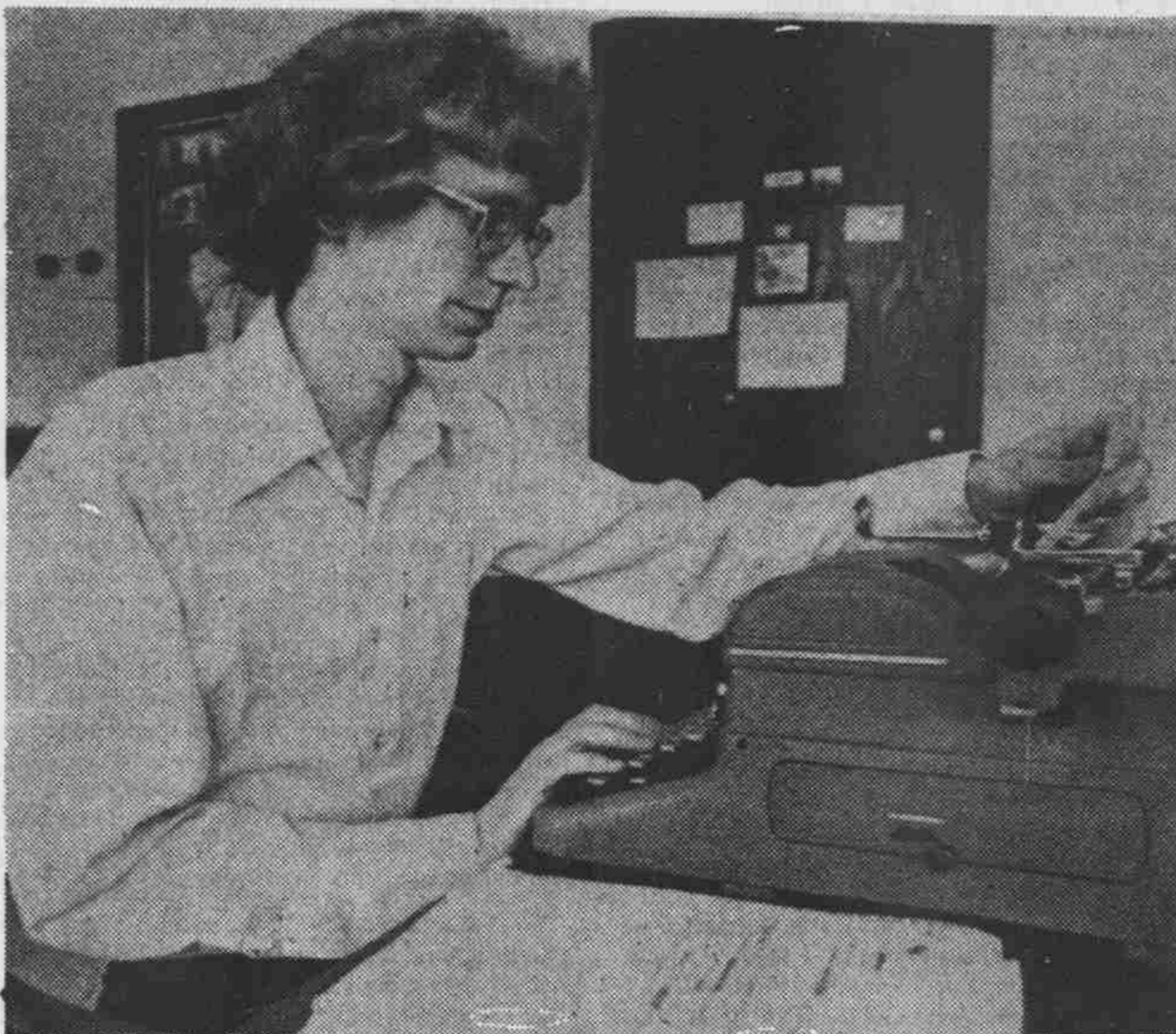
If there is a reasonable request, then they would comply.

SOLBERG said that the branch has been trying to put a stamp on the birth certificate to indicate the death of the person. It is a long process, however, and progress is slow.

The branch also has been urging local registers of deeds to do the same, but there is a lot of backlog everywhere, Flinchum told her.

"He said that as a matter of routine, whenever a birth certificate is requested, that at the end of the week or month or something, they'd go back and make sure

All you need is a birth certificate...



Staff photos by House Wilson

"According to the state general statutes, the deceptive use of... (legal documents) is a general misdemeanor."

that the person whose birth certificate it was, was not dead.

"We caught a fellow last week who came in here and asked for a birth certificate," she quoted him as saying. "We found out that the person had died. We called him back in here," which indicated that they had some record of his name or how to get hold of him,

and asked him what he wanted the certificate for."

She said that Flinchum had already reported the incident to the State Bureau of Investigation.

IT'S NOT illegal, Flinchum told Solberg, but usually when somebody wants a birth certificate of a dead person, they're going to

use it illegally.

According to the state general statutes, the deceptive use of such a document is a general misdemeanor. If it is used to obtain any money, goods, property or services, then it is a felony, with a penalty of not less than four months nor more than 10 years, plus a fine.

Flinchum also told her about the model act. But this would not solve the problem, she said. "They still have to catch people."

In addition to a notice of death on the birth certificate, she proposed a law saying that no other person other than the subject of the certificate, or his parents or guardian, is entitled to a copy.

She advised me not to attempt more fake identification, nor to do all the other things I had thought of. It's been done before, she said.

And unless I could get some protection, I would be committing crimes and could be prosecuted.

"Even though you would have been a reporter, that wouldn't really help you at all," she added.

BEING A reporter did not help James C. Bardon much. A staff writer for the *Kinston Daily Free Press*, he had done the same thing I did. Then he got a driver's license, a bank account and a gun permit. He even applied for Social Security and unemployment.

He would write a check for merchandise, show his fake driver's license and get the items. But he would tell the merchants what he was doing before the sales were rung up.

The merchants were reported to be surprised but reasonable.

On Jan. 21, Bardon was arrested and charged with false pretenses, which is a felony, and also using a fictitious name to obtain a driver's license. That is a

misdemeanor. He was released from the Lenoir County jail on a \$400 bond.

On March 9 Bardon went to court, where he was given prayer for judgment on both charges. His newspaper, from which he had permission to do the story, is paying the court costs and assisting with the legal fees.

Bardon said later that he told the court he had no felonious intent. He got the fake identification and merchandise for his article.

IS HE sorry he did it? "I don't know," he said. "It wasn't worth the trouble I went to. The story came out before I wrote it."

"It's still fairly easy for a person to obtain another person's birth certificate under false pretenses because the majority of the requests come to the office in writing," Glenn Flinchum said several weeks later.

"If an individual comes to the office in person, then if there was any question in our minds, we could ask them for identification. Obviously we can't do that with mail requests."

HIS OFFICE, he said, started to match the deaths against the births about six months ago. He has a person working full-time who makes notations on birth certificates when people die.

"We really have two obligations here," he said. "One is to make available information from these records to whomever has need of it, which we do. The other is to protect the individual from any unwarranted invasions of his privacy that might do him harm."

"We have to kind of go in-between, to walk in the middle."

But without tighter restrictions on exactly who can obtain copies of birth certificates, the door is open to anyone. And once one has the birth certificate, it is easy to fill one's wallet with all sorts of identification. And thus change identities.

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LOCATION:

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