

Senate blocks mandatory ID implants in employees

The bill would prevent employers in the state from requiring workers to have the devices.

By Patrick McGreevy, Los Angeles Times Staff Writer
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Tackling a dilemma right out of a science fiction novel, the state Senate passed legislation Thursday that would bar employers from requiring workers to have identification devices implanted under their skin.

State Sen. Joe Simitian (D-Palo Alto) proposed the measure after at least one company began marketing radio frequency identification devices for use in humans.

The devices, as small as a grain of rice, can be used by employers to identify workers. A scanner passing over a body part implanted with one can instantly identify the person.

"RFID is a minor miracle, with all sorts of good uses," Simitian said. "But we shouldn't condone forced 'tagging' of humans. It's the ultimate invasion of privacy."

Simitian said he fears that the devices could be compromised by persons with unauthorized scanners, facilitating identity theft and improper tracking and surveillance.

The bill has been approved by the state Assembly and now goes to the governor.

Nine senators opposed the measure, including Bob Margett (R-Arcadia), who said it is premature to legislate technology that has not yet proved to be a problem. "It sounded like it was a solution looking for a problem," Margett said. "It didn't seem like it was necessary."

One company, VeriChip, has been licensed by the Food and Drug Administration to sell implanted identification devices, and about 2,000 people have had them implanted, Simitian said. A representative of the firm did not return calls seeking comment Thursday.

CityWatcher.com, a Cincinnati video surveillance company, has required employees who work in its secure data center to have a microchip implanted in an arm.

Similar technology has been used for years to help identify lost pets.

Meanwhile, the Assembly approved a bill that would allow Los Angeles County Sheriff Lee Baca and other law enforcement officials to put thousands of inmates on detention in their homes, with electronic monitoring equipment attached to their ankles.

Baca sought the legislation to help relieve overcrowding in L.A. County jails and said he would assign about 2,000 inmates with low-level offenses to involuntary home detention if the governor signs the bill. Currently, inmates must volunteer for home detention. The Senate has passed the bill.

In other legislative action Thursday:

* The Senate passed SB 655, previously approved by the Assembly, which allows a \$1,000 fine for county jail inmates found possessing a cellphone, as well as a \$250 fine for inmates found with tobacco in county jails where possession is outlawed. Baca sponsored the measure.

* The Senate gave final approval to SB 924, which would place a measure on the February ballot asking voters whether they support the immediate and orderly withdrawal of U.S. troops from Iraq. The governor has not taken a public position on the bill.

* The Senate gave final approval to SB 33, which prohibits people younger than 18 from using cellphones or text message devices while driving. The governor has not taken a public position on the measure.

* The Assembly Appropriations Committee recommended passage of SB 974, which allows a \$60 fee on each filled 40-foot container in the ports of Los Angeles, Long Beach and Oakland to pay for programs to relieve traffic congestion and air pollution caused by port activity.

The committee amended the bill, which now goes to the full Assembly, to allow a local panel of officials to decide how to spend the 50% of the revenues that would go to traffic congestion relief. It did not adopt an amendment sought by Los Angeles Mayor Antonio Villaraigosa that would have allowed some of the money to be spent on the replacement of two large bridges.

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