



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of SB 905 - Criminal Law – Identity Fraud – Artificial Intelligence and Deepfake Representations**

February 26, 2025

Chair Smith, Vice-Chair Waldstreicher, and members of the Judicial Proceedings Committee:

Thank you for your consideration of Senate Bill 905, *Criminal Law – Identity Fraud – Artificial Intelligence and Deepfake Representations*. This legislation is essential in strengthening Maryland’s ability to combat identity fraud by addressing the evolving threats posed by artificial intelligence (AI) and deepfake technology.

The rapid advancement of AI technology has made it easier than ever to create highly realistic synthetic media: including altered images, videos, and audio recordings. While these tools have legitimate applications, they also present serious risks when misused for fraud, harassment, or deception. The malicious use of AI-generated content to impersonate individuals threatens personal privacy, financial security, and public trust in digital systems. The consequences of this misuse include:

- Financial harm- Victims suffer economic losses from fraudulent unauthorized transactions and identity fraud. This is made much easier with AI being used to fake someone’s voice for voice identification purposes.
- Criminal activity- AI-generated content can help criminal enterprises create counterfeit identification documents, including fake driver’s licenses and fraudulent credentials for law enforcement, government, and banking institutions.<sup>1</sup>
- Emotional and psychological distress- Individuals experience severe personal and reputational harm due to manipulated content.
- Erosion of trust- The integrity of digital communication and online systems is undermined.
- Exploitation and manipulation- Bad actors use AI to impersonate individuals for personal gain.

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<sup>1</sup><https://www.ic3.gov/PSA/2024/PSA241203#:~:text=Identifying%20information%20about%20the%20individuals,%E2%86%A9>

Earlier last year, a troubling incident at Pikesville High School highlighted the urgency and threat of this issue. The school's athletic director used deepfake technology to create a false audio recording of the school's principal, leading the public to believe he had made racist and antisemitic remarks. This falsified audio, while not technically advanced, required only a basic recording of the principal's voice and a \$ 5-a-month AI tool.<sup>2</sup> The incident served as an important warning and call to action: anyone with minimal resources can now use AI to commit identity fraud.

Other states are already taking action. Last year, New Jersey introduced bipartisan legislation extending identity theft laws to include fraudulent impersonation through AI and deepfake technology.<sup>3</sup> Maryland must take similar steps to protect its residents from this growing threat.

Ultimately, presenting a false representation of someone utilizing AI is a form of identity theft. SB 905 ensures that Marylanders are safeguarded against AI-driven identity fraud by:

**1) Expanding Definitions**

- a) Updating the legal definition of “personal identifying information” to include biometric data and digital signatures.
- b) Incorporating legal definitions for AI, deepfake technology, and false personation records, covering any AI-generated media used to impersonate individuals.

**2) Providing Civil Restitution and Victim Support:**

- a) Empowering courts to order civil damages for victims, including reimbursement for clearing credit histories and resolving fraudulent debts.

**3) Prohibiting Misuse of Personal Information:**

- a) Criminalizing the unauthorized acquisition, use, or sale of personal identifying information for fraudulent purposes.
- b) Prohibiting the creation and distribution of deepfake or synthetic media that impersonate individuals without consent and causes harm.

**4) Strengthening Penalties:**

- a) Establishing penalties based on the value of benefits obtained from the crime or the harm caused to the victim(s).
- b) Imposing stricter consequences for violations involving multiple victims, election interference, or harm to minors.

**5) Enhancing Enforcement:**

- a) Granting law enforcement broader authority to investigate and prosecute identity fraud cases across jurisdictions.

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<sup>2</sup><https://www.thebaltimorebanner.com/education/k-12-schools/pikesville-principal-ai-GXGDPO5W6JHFBGES25SYQ2KM5M/>

<sup>3</sup> [https://pub.njleg.gov/Bills/2024/A4000/3912\\_11.HTM](https://pub.njleg.gov/Bills/2024/A4000/3912_11.HTM)

- b) Establishing clear guidelines for interagency coordination and reporting to ensure effective enforcement.

Maryland must act now to address the dangers posed by AI-driven identity fraud. SB 905 provides the necessary legal tools to combat these emerging threats and to safeguard our communities.

**Thank you for your consideration, I urge a favorable report of SB0905.**

Sincerely,

A handwritten signature in cursive script, appearing to read "Katie Fry Hester".

Senator Katie Fry Hester  
Howard and Montgomery Counties