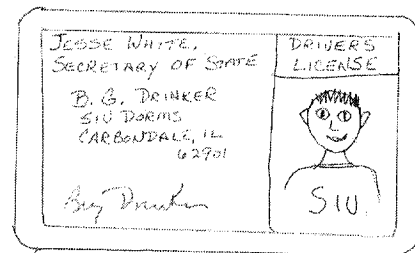


FALSE ID'S

Violations Include:

Violations apply to falsifying or misusing:

- Student ID
- Driver's license and State of Illinois ID card
- Automobile registration
- Voter's registration



The violations which are considered misusing state or federal identification include any of the following:

1. Altering your driver's license to show any incorrect information which includes your age and date of birth;
2. Possessing another's id or driver's license;
3. Using another's identification to obtain your own false identification;
4. Duplicating or manufacturing or possessing any document which purports to be an official driver's license which was not in fact issued by the Secretary of State.

If arrested for attempting to use a false ID, you may be prosecuted under any or all of the following statutes:

The Federal Law:

Under the "False Identification Crime Control Act of 1982," a person found guilty of any violation may be subject to "no more than 5 years in prison and/or a maximum fine of up to \$25,000. The Act also sets up penalties for intent to distribute false id's.

The State Law:

Conviction of a violation of 15 ILCS 335/14, is a Class A misdemeanor (minimum fine \$500 or 50 hours of community service). This section of Illinois law makes it unlawful to possess or display a canceled or revoked id or to represent another person's id as your own or lend another person your id. A second violation of this section becomes a Class 4 Felony.

Conviction of a violation of 15 ILCS 335/14A, is a Class 4 felony. This section makes it unlawful to possess, display, or manufacture any fictitious or unlawfully altered identification card.

Conviction of a violation of 15ILCS335/14B is a Class 4 felony. This section makes it illegal to possess, display, manufacture or distribute any fraudulent identification card. "A fraudulent identification card" is one that purports to be an official identification card created by the Secretary of State or the United States Government or another state or political subdivision.

Article III of the Illinois Vehicle Code concerns violations of driver's license provisions.

Conviction of a violation of 625ILCS5/6-301 is a Class A misdemeanor. It states that it is a violation to display or possess a canceled, revoked or suspended license or to lend your license to another or to use someone else's license.

Conviction of a violation of 625ILCS5/6-301.1 (Fictitious or unlawfully altered driver's license or permit) is a Class A misdemeanor for possession of a fictitious or unlawfully altered driver's license and a Class 4 felony for its use.

Conviction of a violation of 625ILCS5/6-301.2 (Fraudulent driver's license or permit) is a Class 4 felony, except that advertising or distributing any information that promotes the furnishing of fraudulent licenses is a Class B misdemeanor.

Carbondale Law:

Section 14-4-6 of the Carbondale City Code deals with the use of False Identification. It is unlawful to alter or deface an identification card or use an id which contains false information. It is illegal to carry a false or forged id on your person. **“It shall be prima facie evidence of intent to use the card of another for prohibited purposes if a person under 21 years of age is found carrying the card of another upon the premises of a liquor establishment or in possession of alcohol.”**

Carbondale local ordinances violations are fine-only convictions; however, the fine may be quite high (up to and including \$750), particularly if you are convicted of an underage drinking violation at the same time.



Our Advice:

- If arrested, present your valid ID. It is better to be charged with underage drinking than use of a false ID. Beware of the custodial search of your wallet—the false id may be found at that time.
- Don't carry your friend's ID for her because she doesn't want to carry her purse. Technically it is a violation of the law to possess another's id and the defense that you were just holding it for someone else has been used too many times for any judge or police officer not to be suspicious.
- Usually, unless you have multiple false id convictions, you will be charged with a local ordinance violation. However, the police officer does have the discretion to charge you with a state violation and if you are on Federal property (Crab Orchard, Little Grassy, Bell Smith Springs e.g.) you could be charged with a Federal violation.

*Compliments of
SIU Students' Legal Assistance Office
Third Floor, Student Center
618-536-6677*