



## DEPARTMENT OF THE ATTORNEY GENERAL

### News Release

**LINDA LINGLE**  
GOVERNOR

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#### **ODOMETER ROLLBACK, THEFT INDICTMENT ANNOUNCED**

HONOLULU-Attorney General Mark Bennett announced today that Honolulu residents Ernest C. Hill and Dian Creeden, were arrested today in connection with an Oahu Grand Jury indictment returned on July 16, 2003 charging them with multiple counts of identity theft in the second degree, one count of theft in the second degree, one count of attempted theft in the second degree and two counts of misrepresenting the mileage on an automobile in connection with the sale of a 1993 Toyota Previa on April 9, 2003 and the attempted sale of a 1993 Toyota Previa on June 17, 2003.

Ernest Hill, 53, is charged with five counts of identity theft in the second degree for allegedly using the names Ernest Hall, Ernest Fields, John Branker, and John Clarke with the intent to commit theft in the second degree.

Dian Creeden, 60, is charged with three counts of identity theft in the second degree for allegedly using the names Dana Burke and Diane Slater with the intent to commit theft in the second degree.

Both defendants are charged with one count of theft in the second degree, one count of attempted theft in the second degree, and two counts of misrepresenting the mileage on motor vehicles to prospective buyers.

Hill and Creeden are accused of using false names to acquire and register motor vehicles, rolling back the odometers and then selling or attempting to sell the vehicles to consumers. Law enforcement authorities were tipped off to this activity by a wary consumer.

An indictment is an accusation only. Ernest Hill and Dian Creeden are presumed innocent until proven guilty at trial. Identity theft in the second degree is a class B felony punishable by up to ten years in prison and by a fine of up to \$25,000 or twice the pecuniary gain from the crime whichever is greater.

Theft in the second degree and attempted theft in the second degree are class C felonies punishable by up to five years in prison and by a fine of up to \$10,000 or twice the pecuniary gain from the crime whichever is greater.

Misrepresenting the mileage on an automobile in connection with the sale of a car to a prospective buyer is a misdemeanor punishable by up to one year in jail and by a fine of up to \$2,000 or twice the pecuniary gain from the crime whichever is greater.

In addition, individuals who misrepresent the mileage on a car to a buyer are liable for civil damages equal to three times actual damages or \$1,500.00 whichever is greater as well as costs and reasonable attorney fees.

Last year more than 450,000 automobiles with rolled back odometers were fraudulently passed off on American consumers at a cost of more than one billion dollars.

Special Agent Gregory Gonsalves and the men and women of the Investigations Division of the Department of the Attorney General did an outstanding job in the investigation and apprehension of Creeden and Hill.

The Department of the Attorney General has a zero tolerance policy concerning odometer rollbacks. If you believe that you may have information concerning an odometer rollback scam, you should contact your local police department or the Investigations Division of the Department of the Attorney General at (808) 586-1240.

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