



IDENTITY THEFT VICTIM GUIDE



Becoming the victim of identity theft is an emotionally distressing event in anyone's life.

This guide is intended to provide some help by suggesting steps you can take to stop the fraudulent use of your identity and assist the officers of the Richmond Police Department to apprehend those responsible for this crime.

This Identity Theft Victim Guide has been prepared to help you respond to identity theft in the following ways:

- It tells you how to respond to different types of identity fraud.
- It provides telephone numbers to call to report fraud and halt continued use of your identity.
- It offers guidelines to help you gather information useful to the officers investigating the crime.
- It provides you with a list of additional resources you may wish to review to fully inform yourself about identity theft.

Gathering Information

The following information will help an investigator when they visit or call:

- How did you first discover the fraud or theft? Who notified you? What was the circumstance?
- Names and account numbers of all accounts you suspect are being fraudulently used.
- Locations where fraudulent applications were presented.
- Locations listed as home address and names used as primary or secondary account holders on those applications.
- Dates, times, names and phone number of any and all company investigators or customer service representatives you have spoken with and a brief statement.
- Any letters, account statements or correspondence received regarding your case.

Additional Tips

- Keep a log of all conversations regarding your case, including dates, names and phone numbers.
- Note time spent and any expenses incurred in your case. You may be able to request restitution in a later judgment or conviction against the thief.
- Confirm conversations in writing. Send correspondence by certified mail, return receipt requested.
- Keep copies of all letters and documents bearing on your case.



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Useful Resources

Federal Trade Commission (FTC):

You may get help for and file your case with the FTC Consumer Response Center

- Phone: 1-877-IDTHEFT
- Internet: www.consumer.gov/idtheft

FTC Consumer Response Center:

- Phone: (202) FTC-HELP or (202) 382-4357
- Email: crc@ftc.gov
- Internet: www.ftc.gov

Privacy Rights Clearing House:

This website contains many publications regarding identity theft.

- Internet: www.privacyrights.org
- Phone: 1-619-298-3396.

Identity Theft Survival Kit:

- Phone 1-800-725-0807 or (949) 364-1511
- Internet: www.identitytheft.org

Identity Theft Resource Center:

This web site at is dedicated exclusively to identity theft.

- Internet: www.idtheftcenter.org

To Remove Your Name From Mail and Phone Lists:

- Direct Marketing Association: www.the-dma.org
- Mail Preference Service: P. O. Box 9008, Farmingdale, NY 11735
- Telephone Preference Service: P. O. Box 9014, Farmingdale, NY 11735

What Do I Need to Do First to Regain My Identity?

Credit Bureaus

Immediately call the fraud units of the three credit reporting companies to stop any fraudulent accounts from being opened by an imposter:

- EQUIFAX:
 - P.O. Box 105069, Atlanta, GA 30348.
 - Report Fraud: 1-800-525-6285.
 - Order Credit Report: 1-800-685-1111
 - Internet: www.equifax.com



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Credit Bureaus (continued)

- EXPERIAN (formerly TRW):
 - P.O. Box 9532, Allen, TX 75013
 - Report Fraud/Order Credit Report: 1-888-397-3742
 - Internet: www.experian.com

- TRANS UNION: P. O. Box 6790, Fullerton, CA. 92834
 - Report Fraud: 1-800-680-7289
 - Order Credit Report: 1-800-888-4213
 - Internet: www.transunion.com

If appropriate, report the theft of your credit cards or account numbers. Ask that your file be flagged with a *Fraud Alert*. Add a victim's statement to your report which reads, "My ID has been used to apply for credit fraudulently. Contact me at (your contact number) to verify all applications." Request a credit report (free to ID theft victims) every three months so you can monitor any new fraudulent activity. Ask the credit bureaus to notify those who have received your credit report in the last six months in order to alert them to the disputed and erroneous information. Provide a copy of your police report to the bureaus upon receipt; they must remove the fraudulent accounts from your credit report (CA Civil Code 1785.116[k]).

Creditors

Contact all creditors with whom your name has been used fraudulently by phone and in writing. You may need to fill out fraud affidavits. Get replacement cards with new account numbers. Ask that old accounts be processed as *Account Closed at Consumer's Request*. Carefully monitor your credit card bills for evidence of new fraudulent activity and report it immediately.

Law Enforcement

Report this crime to your local law enforcement agency. Be sure to provide as much documented evidence (with account numbers) for the report as possible. Keep the report number and officer/detective name for creditors. Be sure to obtain a copy of your police report for future reference. California Penal Code 530.5 requires the local enforcement agency document all reports of identity theft.

Stolen Checks

If your checks have been stolen or bank accounts were set up fraudulently:

- Notify your bank and the appropriate check verification companies.
- Cancel your checking and/or savings accounts and obtain new accounts.
- Place "stop payments" on any outstanding checks you are unsure of.
- Place a password on your accounts.
- Contact the following Check Verification Companies to alert them to the theft of your checks and identification:
 - CheckRite: 1-800-766-2748



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Stolen Checks (continued)

- Chexsystems: 11-800-428-9623
- CrossCheck: 1-800-843-0760
- SCAN: 1-800-262-7771
- Equifax: 1-800-437-5120
- International Check Service: 1-800-526-5380
- TeleCheck: 1-800-710-9898

ATM Cards/Debit Cards

If your ATM or debit card has been stolen or compromised, report it immediately to your bank. Be sure to cancel your compromised card and have a new card, account number and password issued. When creating your password, don't use common numbers like the last four digits of your Social Security number or date of birth. Monitor your account statements.

Fraudulent Change of Address

Notify the local Postal Inspector if you suspect an identity thief has filed a change of your address with the Post Office or used the mail to commit fraud. Call 1-800-275-8777 to obtain the phone number for the Postal Inspector. Find out where fraudulent items were sent. Notify the local Postmaster for that address to forward all mail in your name to your own address. You may also need to talk with your mail carrier.

- Internet: www.usps.gov/websites/depart/inspect

Secret Service Jurisdiction

The Secret Service, a division of the U.S. Treasury Department, has jurisdiction over financial fraud. Secret Service does not investigate individual cases unless the dollar amount is high or you are one of many victims of a fraud ring. You may request the local Law Enforcement agency to contact the Secret Service to see if they are interested in your case.

- Internet: www.treas.gov/uss

Social Security Number Misuse

Call the Social Security Administration (SSA) at 1-800-269-0271 to report fraudulent use of your Social Security number. Call the SSA at 1-800-772-1213 to order a copy of your Personnel Earnings and Benefit Statement and check it for accuracy. The thief might be using your Social Security number for employment purposes. The Social Security Administration generally doesn't take action unless the case is extreme. If yours is such a case (high dollar amount, workplace impersonation, crimes committed in your name and Social Security number), you might want to consider changing your number. Be aware the Social Security Administration will only allow the change if you fit their fraud victim criteria. We generally recommend against changing your Social Security number in most cases because it tends to make you appear as though you have done something wrong.

- Internet: www.ssa.gov



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Passports

Whether you have a passport or not, write the passport office to alert them to anyone ordering a passport fraudulently.

- Internet: www.travel.state.gov/passport_services.html

Health Insurance Card

Health insurance identity theft is on the rise, according to the Coalition Against Insurance Fraud, (Internet: www.insurancefraud.org) If your insurance card is stolen, report it to your health insurer. Monitor your health insurance statement for any signs of fraud. It is possible to become a victim of insurance fraud without your card being stolen, especially if the insurance company uses the Social Security Number as the identification number.

Phone Service and Gas/Electric Utilities

If your long distance calling card has been stolen or you discover fraudulent charges on your bill, cancel the account and open a new one. Provide a password, which must be used any time the account is changed. Some identity thieves open local phone accounts in other cities. This may go undetected by the phone company until the account goes to collections that search for the true account holder. You can place a password on your local phone account in order to ensure that you are protected from fraudulent activity. This can also be completed with your gas, electric and water utilities.

Driver's License Number Misuse

You may need to change your driver's license number if someone is using yours as identification to cash bad checks or for other types of fraud. Call the Department of Motor Vehicle Fraud Support Unit at 1-866-658-5758 to see if another license was issued in your name. Put a fraud alert on your license. Also request a new driver's license with a new driver's license number. Fill out the DMV complaint form to begin the investigative process.

- Internet: www.dmv.ca.gov

Victim's Statement

If an individual is apprehended by law enforcement and stands trial, write a victim impact letter to the judge handling the case. Urge the judge to impose the maximum sentence on the suspect. Contact the Victim-Witness Assistance Program in your area for further information on how to make your voice heard in the legal proceedings.

False Civil and Criminal Judgments

Sometimes victims of identity theft are wrongfully accused of crimes committed by the suspect. If a civil judgment has been entered in your name for actions taken by your suspect, contact the court where the judgment was entered and report that you are a victim of identity theft. If you are wrongfully prosecuted for criminal charges, contact the state Department of Justice and the FBI. Ask how to clear your name.



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Legal Help

You may want to consult an attorney to determine legal action to take against creditors and/or credit bureaus if they are not cooperative in removing fraudulent entries from your credit report or if negligence is a factor. Some victims are also suing the company that did not properly safeguard their personal information and/or hired an individual with a criminal record. Call the local Bar Association to find an attorney who specializes in consumer law and the Fair Credit Reporting Act. If you have been criminally charged because of a crime committed by an imposter, you may need to hire a criminal defense attorney.

Don't Give In!

Finally, do not pay any bill or portion of a bill that is a result of identity theft. Do not cover any checks that were written and/or cashed fraudulently. Do not file for bankruptcy. Your credit rating should not be permanently affected, and no legal action should be taken against you. If your merchant, financial institution or collection agency suggests otherwise, simply restate your willingness to cooperate, but don't allow yourself to be coerced into paying fraudulent bills.

Dealing With Emotional Stress

Psychological counseling may help you deal with the stress and anxiety commonly experienced by victims. Know that you are not alone. Contact U.S. Public Interest Rights Group (USPIRG), California Public Interest Rights Group (CALPIRG) or the Privacy Rights Clearinghouse for information on how to network with other victims.

- Internet: www.uspirg.org/ (US Public Interest Rights Group)
- Internet: www.calpirg.org/ (California Public Interest Rights Group)

Making Changes

Write to your state and federal legislators. Demand stronger privacy protection and fraud assistance by creditors and credit bureaus. Contact U.S. PIRG or CALPIRG for information on pending state or federal legislation.

** Portions of the above material were taken from Privacy Piracy! A guide to protecting yourself from Identity Theft by Mari Franks, Attorney & Identity Theft Expert and Beth Givens, Founder & Director of Privacy Rights Clearing house. Published by Office Depot Idea book.*