



IDENTITY THEFT AND IDENTITY FRAUD

What are Identity Theft and Identity Fraud?

The short answer is that identity theft is a crime. Identity theft and identity fraud are terms used to refer to all types of crime in which someone wrongfully obtains and uses another person's personal data in some way that involves fraud or deception, typically for economic gain. Unlike your fingerprints, which are unique to you and cannot be given to someone else for their use, your personal data especially your Social Security number, your bank account or credit card number, your telephone calling card number, and other valuable identifying data can be used, if they fall into the wrong hands, to personally profit at your expense. In the United States and Canada, for example, many people have reported that unauthorized persons have taken funds out of their bank or financial accounts, or, in the worst cases, taken over their identities altogether, running up vast debts and committing crimes while using the victims' names. In many cases, a victim's losses may include not only out-of-pocket financial losses, but substantial additional financial costs associated with trying to restore his reputation in the community and correcting erroneous information for which the criminal is responsible.

What to do if you become a victim of Identity Theft?

Stop Ongoing Damage to Your Credit

Close all bank, credit, utility and service accounts that have been fraudulently opened or compromised. Request that a fraud alert or security freeze be placed on your credit report to stop new accounts from being fraudulently opened in your name. Get a copy of your credit report and check to see that all accounts shown on the report are accounts which you authorized and that their related information is accurate (such as current balances). Close any unauthorized accounts that appear on your credit report.

Free Credit Report

Placing a fraud alert on your credit report entitles you to receive a free copy of the report from each credit reporting agency. If it is not offered to you, request it.

Once you receive your report, compare the list of accounts that you previously made with the list of accounts shown on your credit report. If any unfamiliar accounts appear on your credit report, notify that creditor immediately, close the account and dispute the charges. Explain that the account may have been opened without your knowledge by an identity thief. Send a letter to the same effect to the credit reporting agency and request that the information regarding the fraudulent account be permanently removed from your record.

Report Identity Theft Crime to Law Enforcement

1. Report the crime to your local law enforcement agency.
2. Ask for a copy of the police report and case number.

Most creditors require you to provide a police report when you contest fraudulent charges. Therefore, you must report the crime to your local police or sheriff's department and obtain a copy of the corresponding police report. Even if you do not know who used your information or if your information was used in another state, you can file a complaint with local law enforcement.

Under Chapter 32.51 of the Penal Code, the venue for reporting identity crime is the city or county of residence of the person whose identity was stolen or any county in which an offense was committed. The Texas Identity Theft Enforcement and Protection Act requires peace officers to create a written report and provide a copy of it whenever a person living in their jurisdiction alleges being a victim of identity crime.

Remember to keep the original police report in your files and make extra copies so that you can send them to creditors who request it. Also, remember that an identity theft victim who has a police report can request and lift a security freeze for free, so having this report will save you money.

What does the law say?

See: <http://www.statutes.legis.state.tx.us>

Select:

<u>Code:</u>	Penal Code
<u>Article/Chapter:</u>	Chapter 32. Fraud
<u>Art. /Sec.:</u>	<i>Multiple Sections</i>

Available Resources:

To make a non-emergency police report: Call 311

The Office of the Attorney General provides information about preventing Identity Theft on their website: www.texasfightsidtheft.gov/index.shtml. The OAG also has a free Identity Theft Kit with these and other comprehensive steps you can take if you are an identity theft victim. You may download it at: www.texasfightsidtheft.gov/ifvictim.shtml

VICARS – Victims Initiative for Counseling, Advocacy and Restoration of the Southwest: 1 (888) 343-4414
www.idvictim.org

Call the fraud units of the three principal credit reporting companies:

Equifax:

- To report fraud, call (800) 525-6285 or write to P.O. Box 740250, Atlanta, GA 30374-0250.
- To order a copy of your credit report (\$8 in most states), write to P.O. Box 740241, Atlanta, GA 30374-0241, or call (800) 685-1111.
- To dispute information in your report, call the phone number provided on your credit report.
- To opt out of pre-approved offers of credit, call (888) 567-8688 or write to Equifax Options, P.O. Box 740123, Atlanta GA 30374-0123.

Experian (formerly TRW)

- To report fraud, call (888) EXPERIAN or (888) 397-3742, fax to (800) 301-7196, or write to P.O. Box 1017, Allen, TX 75013.
- To order a copy of your credit report (\$8 in most states): P.O. Box 2104, Allen TX 75013, or call (888) EXPERIAN.
- To dispute information in your report, call the phone number provided on your credit report.
- To opt out of pre-approved offers of credit and marketing lists, call (800) 353-0809 or (888) 5OPTOUT or write to P.O. Box 919, Allen, TX 75013.

Trans Union

- To report fraud, call (800) 680-7289 or write to P.O. Box 6790, Fullerton, CA 92634.
- To order a copy of your credit report (\$8 in most states), write to P.O. Box 390, Springfield, PA 19064 or call: (800) 888-4213.
- To dispute information in your report, call the phone number provided on your credit report.
- To opt out of pre-approved offers of credit and marketing lists, call (800) 680-7293 or (888) 5OPTOUT or write to P.O. Box 97328, Jackson, MS 39238.

Contact the major check verification companies if you have had checks stolen or bank accounts set up by an identity thief. In particular, if you know that a particular merchant has received a check stolen from you, contact the verification company that the merchant uses:

- CheckRite -- (800) 766-2748
- ChexSystems -- (800) 428-9623 (closed checking accounts)
- CrossCheck -- (800) 552-1900
- Equifax -- (800) 437-5120
- National Processing Co. (NPC) -- (800) 526-5380
- SCAN -- (800) 262-7771
- TeleCheck -- (800) 710-9898

"What are Identity Theft and Identity Fraud?" obtained from <http://www.justice.gov/criminal/fraud/websites/idtheft.html>
"Stop Ongoing Damage" "Free Credit Report" and "Report Identity Theft" information obtained on 1/4/11 from the Texas OAG website:
<http://www.texasfightsidtheft.gov/index.shtml>. *Neither TCSO nor the information presented on this web site are endorsed by the State of Texas or any state agency.