Finger Lakes ID Theft Coalition

together with

Presents:

A Consumer Guide to Identity Theft & Financial Fraud

- Founded in 1971
- Mission is to help older adults and their caregivers *take on* both the challenges and opportunities of longer life.
- 30 different programs including:
  - Eldersource
  - Elder Abuse Prevention Program
  - Ombudsmen in long term care facilities
  - Geriatric Addictions Program
  - Volunteer Programs
  - Employment Programs for older workers

CARLOS RODRIGUEZ

- RETIRED N.Y. STATE ASSISTANT ATTORNEY GENERAL/
- CHAIR-LIFESPAN-FINGER LAKES ID THEFT COALITION

What is Identity Theft?

The theft or misuse of personal identifying information in order to gain something of value or facilitate other criminal activity

9.6 Million American Victims in 2010

ID Theft Affects Persons of All Incomes and Backgrounds

GOAL TODAY

- HOW TO MINIMIZE THE CHANCES OF BECOMIMG AN ID THEFT VICTIM

- HOW TO MINIMIZE DAMAGE SHOULD YOU BECOME AN ID THEFT VICTIM

THERE IS NO FOOL-PROOF WAY TO AVOID BEING A VICTIM OF ID THEFT

- WE ARE ALL VULNERABLE
- YOU MAY NEVER DISCOVER THE CAUSE OF ID THEFT
- COULD BE HAPPENING TO YOU TODAY

WHAT DOES IT TAKE TO STEAL YOUR IDENTITY?

- VERY LITTLE INFORMATION IS NEEDED FOR YOUR IDENTITY TO BE STOLEN.
- ONCE INFORMATION IS OBTAINED, THE ID THIEF CAN APPLY AND POSSIBLY OBTAIN A NEW CREDIT CARD IN YOUR NAME AND LEAVE YOU WITH THE BILLS.
- AN ID THIEF NEVER PAYS THE BILLS THAT HE ACQUIRED IN YOUR NAME.

ID THEFT TAKES MANY FORMS

- DUMPSTER DIVING: RUMMAGING THROUGH TRASH LOOKING FOR BILLS OR OTHER PAPERS CONTAINING PERSONAL INFORMATION (BANK STATEMENTS, ETC.)
- STEALING YOUR MAIL
- STEALING YOUR WALLET, PURSE OR OTHER IMPORTANT PAPERS/ITEMS (PDA/ CELL PHONE/SOCIAL SECURITY CARD/ MEDICARE CARD)
- ENGAGING IN A "PHISHING" OR "VISHING" SCAM
- STEALING BUSINESS INFORMATION
- STEALING YOUR SOCIAL SECURITY INFORMATION WHICH IS GOOD AS GOLD
- " SHOULDER SURFING"- WATCHES VICTIM PUNCH IN CREDIT CARD # / PIN #, ETC.

How is it Committed?

Without the:

1. Authorization;
2. Consent; or
3. Permission of the victim

AND with the intent to defraud or benefit

Non-Financial Identity Theft

- **Criminal Identity Theft**
  - occurs when a person who has been stopped by law enforcement falsely supplies another person's information in place of his/her own.
  - This results in tickets and warrants being assigned to an innocent person.

Non-Financial Identity Theft

Medical Identity Theft

- Thief uses someone's name & info (possibly insurance info) to obtain medical services or goods
- Can cause:
  - Creation of false medical record
  - False insurance billing
  - Impact of diagnosis; healthcare errors
  - Debt collections

Non-Financial Identity Theft

Employment Identity Theft

- Results in:
  1. IRS Fraud
  2. Social Security Administration Fraud

Non-Financial Identity Theft

Governmental Fraud

- An imposter uses identity data of another person
- supplies such data as part of an interaction with governmental agencies and databases.

Non-Financial Identity Theft

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Synthetic Identity Theft

- Use of only the victim's Social Security number, in combination with another person's name and birth date, to create a new, fictitious identity.

- Victim experiences problems when the new identity tracks back to the victim's credit or tax records.

Consequences of Identity Theft:

1. **Denial of credit**
2. **Increased rates and financial charges**
3. **Loss of employment**
4. **Inability to get a job**
5. **Bankruptcy**
6. **Arrest**
7. **Loss of money associated with repairs**
8. **Missed opportunities (housing, employment, education)**

A Shock: How the Victim Discovers

Victim may find out when:

1. …bill collection agencies contact for overdue debts never incurred.
2. …applying for a mortgage or car loan and learning of problems with credit history.
3. …getting something in the mail about an apartment never rented, a house never bought, a job never held.
4. …being arrested for a crime NOT committed.

How Does Identity Theft Affect Victims?

- Recovering victims spent an average of $1,870 in out-of-pocket costs.
- Over 3 million experienced issues such as:
  - having utilities cut off
  - being arrested
  - finding erroneous claims on their health records
  - having child support garnished for kids they never had
  - being harassed by collection agencies

How is information stolen?

- Trash diving
- Lost/stolen wallet/purse
- Mail theft
- Burglary
- Skimming
- Computer hacking
- Data breach
- Scams/fraud

Prevention

Documents, Credit Cards, and Mail:

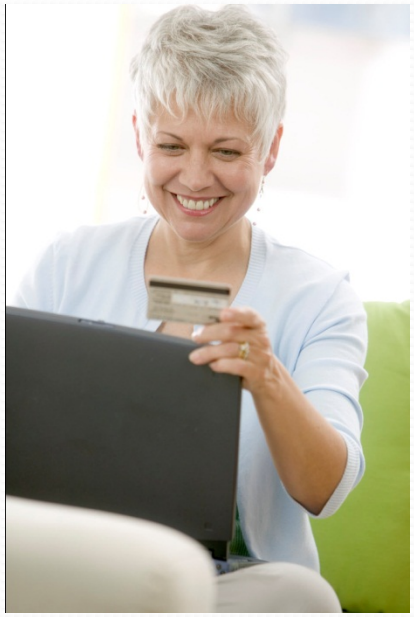
- Shred!
- Ask why someone needs your SSN.
- Lock mailbox or know when mail comes.
- Take outgoing mail to a blue box or post office.
- Opt out of credit card offers.
- Carry only what you need.
- Remove your SSN from your Medicare card.
- Do not carry your Social Security Card

Prevention

Internet &Phone

Do:

Get on the do not call list



Don't:

- Give personal information unless you see "https" or lock
- Donate to charity via email or phone
- wire transfer to someone you don't know – especially overseas
- respond to SPAM
- open email attachments from someone you do not know
- call a phone number for a business that is listed in an email

What is Fraud?
or Anatomy of a Scam

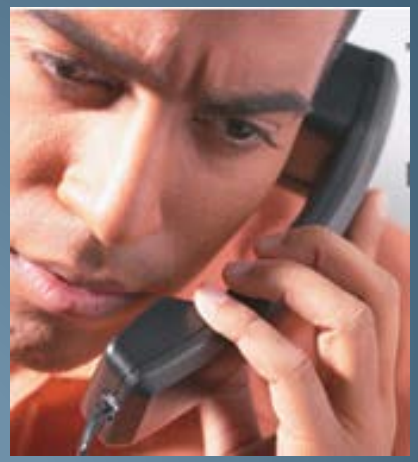
A Legal Definition:

- A false representation of fact
- Made knowingly
- With the intention that the victim rely on it
- To the victim's detriment

In Plain English:

Fraud is telling a lie or omitting important information to get a victim to do something he or she would not otherwise do and that causes the victim harm.

Who initiated the contact? If not you, it's a scam.



COMMON SCAMS

- The Nigerian scam
  - Tale of woe by one claiming to be rich
  - Who cannot get to money
  - Promise of riches to you if . . .
  - Wire transfer or money order to account
- The Lottery scam
  - Victim has won or inherited large amount of money
  - Must pay taxes up front by wire transfer or money order

COMMON PHONE SCAMS

- Scare tactic
  - Caller pretends to be from trusted source
  - Caller says something is wrong
  - Caller asks that victim “verify” personal or account information

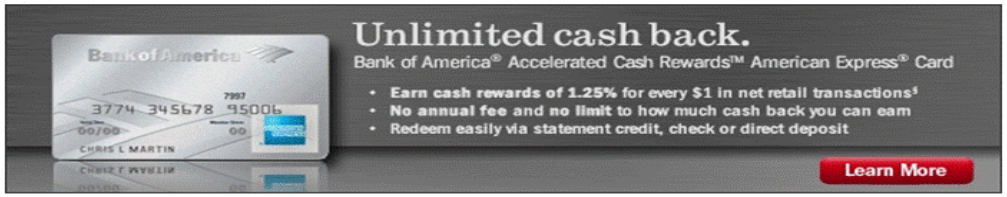
- Fake charity
  - Caller purports to be soliciting for a charity
  - Caller takes credit card and personal information for donation

DON'T FALL FOR THESE!

- Jury Duty
- Easy Credit – Pay in advance
- Foreign lotteries
- Work-at-home or investment schemes
- Fake ebay or craigslist sales
- Fake emails
- Internet dating scams
- Medicare Part D scams

From: Bank Of America (boa_concord_california@yahoo.com)
To: [redacted]
Date: Monday, May 12, 2008 9:18:27 AM
Subject: Welcome to BOA

Bank of America



hi [redacted]

sir,
we are highly honoured to inform you, that, we have received huge amount of money that come in your favor through bank of new york, and in conjunction of the michigan irs and the officer peter morgan. instruction was given to us that, immediately, after you send the taxation we shall remit your account. the taxation of $1050 will be wire transfer to [redacted]
please to reply with your account and routing number to receive your money.

thank you, and god bless
cynthia edina jones
Assistance Bank Manager
www.bankofamerica.com

http://us.f820.mail.yahoo.com/dc/launch?rand=70s5tckfm82f5 05/12/5008

thank you, and god bless

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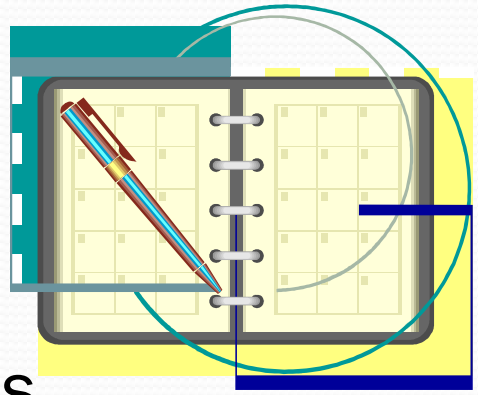
Assistance Bank Manager

www.bankofamerica.com

How to Spot Dishonest Service Providers

- Don't tolerate service providers who:
  - isolate you from friends and family
  - ask about your Will or finances
  - ask to be given power of attorney
  - do not respect your privacy
  - try to make you feel sorry for them
- Report to their boss, tell family members, or call Lifespan for guidance, 244-8400 x 193.

Detection



- ✓ Check your credit report regularly
- ✓ Monitor bank & credit card statements
- ✓ Be alert to mail that does not arrive
- ✓ Do not ignore harassing phone calls or collection letters
- ✓ Check your Social Security Earnings record
- ✓ Check your criminal history

Impact on Victims

- Take over of your most precious commodity –your good name
- Financial loss
- Ruined credit
- Recovery process can take untold hours of follow up
- "ID theft investigation can take up to 500 hours."
- 26% of victims: "Most affected by the emotional impact of ID theft." (FTC survey, 2006)

Defense

IMMEDIATE CONCERNS:

Stop impostor activity

Report the crime

Repair the damage

Stop Activity and Report the Crime

1. Order your credit report and place fraud alert or freeze
2. Close accounts that have been tampered with or opened by impostor
3. Report to law enforcement and FTC

Fraud Alert vs. Credit Freeze

- Call one bureau
- Creditors must take "reasonable steps" to verify identity
- Less effective
- 90 days, 7 years

- Write each bureau
- No one can apply for new credit – must thaw the report
- More effective
- Fee if no police report

Neither will prevent new accounts with merchants that do not check credit reports.

3 Things Needed to Enforce Victim's Rights Under Federal Law

- ✓ Proof of identity, i.e., copy of driver's license or ID card;
- ✓ Police report + ID theft affidavit;
- ✓ Complete description of account, debt, or other item being disputed.

If it's not in writing, it doesn't count!

Identity Theft Report

- Identity Theft Report is a report:
  A. that alleges an ID theft,
  B. that is a copy of an official, valid report filed by a consumer with an appropriate Federal, State, or local law enforcement agency, and
  C. the filing of which subjects the person filing the report to criminal penalties relating to the filing of false information if, in fact, the information in the report is false.
- Police Report & attached ID Theft Complaint and/or Affidavit
  – The attachments provide the required detail in the Police Report to make it an ID Theft Report

Step 4:
File a Police Report

- Call local police as soon as possible
  - Request appt. for in-person report filing
  - Take along completed FTC ID Theft Complaint
  - Request copy of Official Police Report
  - Officer may attach ID Theft Affidavit to police report, or department's own police report's details may suffice
  - Goal: to get an ***Identity Theft Report***
- In NY, Mandatory Police Reports for ID Theft Victims:
  - Executive Law: §646 - The law enforcement agency must take a police report of the matter and provide the complainant with a copy of the report at no charge.

Can't Get Police Report?

1. Provide Officer with:
   - The Mandatory Police Report Law in NY
   - The Memorandum to Police on Importance of Taking Police Reports for Identity Theft
2. If unable to file in person, inquire about filing an "automated report" online or via phone.
3. Seek a report from another jurisdiction, such as where the thief misused info, or from a different law enforcement agency, such as state police.

Step 3:
File a Complaint with the FTC

- FTC hotline phone counselors & web-based consumer guidance to help victims recover
- File an ID Theft Complaint with FTC:
  www.ftc.gov/idtheft
  877-438-4338 or TTY: 866-653-4261
- Filing with FTC does not substitute for a report to criminal law enforcement. FTC does not take enforcement actions on behalf of individuals.

Remember: Victims need ID Theft Report for Blocking Info = FTC ID Theft Complaint + Police Report

FTC Complaint Assistant

Step 1

Step 1: Let's Get Started

Welcome to the FTC Complaint Assistant. So that we can properly record your complaint, you will first be asked to answer a series of questions. After answering these questions, you will have the opportunity to provide us additional details regarding your complaint in your own words. Please start by telling us how we can best contact you.

Contact Information

First Name:

Last Name:

Street Address:

Apt/PO

Identity Theft Affidavit

- Provides critical info in comprehensive, standardized manner (less detailed than FTC ID Theft Complaint)
- Can be used in disputes with creditors, credit reporting agencies – widely accepted
- Start with the FTC online complaint: www.ftc.gov/idtheft
  - Gather info first - credit reports, billing statements, collection letters
  - Include as much detail as possible
- Print complaint, "ID Theft Affidavit"

Average time to complete: 10 minutes

Identity Theft Victims' Complaint and Affidavit

A voluntary form for filing a report with law enforcement and disputes with credit reporting agencies and creditors about identity theft-related problems. Visit ftc.gov/idtheft to use a secure online version that you can print for your records.

Before completing this form:

1. Place a fraud alert on your credit reports, and review the reports for signs of fraud.
2. Close the accounts that you know, or believe, have been tampered with or opened fraudulently.

About You *(the victim)*

Now

(1) My full legal name: _____
First Middle Last Suffix

(2) My date of birth: _____
mm/dd/yyyy

(3) My Social Security number: _____-_____-_____

(4) My driver's license: _____ _____
State Number

(5) My current street address:
_____
Number & Street Name Apartment, Suite, etc.
_____
City State Zip Code Country

(6) I have lived at this address since _____
mm/yyyy

(7) My daytime phone: (____)_____
My evening phone: (____)_____
My email: _____

This section is for the victim's information, even if he or she cannot complete the form.

Leave (3) blank until you provide this form to someone with a legitimate business need, such as when you are filing your report at the police station or sending the form to a consumer reporting company to correct your credit report.

At the Time of the Fraud

(8) My full legal name was: _____
First Middle Last Suffix

(9) My address was: _____
Number & Street Name Apartment, Suite, etc.
_____
City State Zip Code Country

(10) My daytime phone: (____)_____ My evening phone: (____)_____
My email: _____

Skip (8) - (10) if your information has not changed since the fraud.

The Paperwork Reduction Act requires the FTC to display a valid control number (in this case, OMB control #3084-0047) before we can collect – or sponsor the collection of – your information, or require you to provide it.

FAIR CREDIT REPORTING ACT

- Free credit report each year;
- Removal of first 5 digits of SSNs on request;
- Fraud alerts for 90 days / 7 years;
- Block of portions of credit reports attributable to identity theft (4 days on written notification);
- Allows victims to get account documentation if requested in writing;

FAIR CREDIT REPORTING ACT

- Written summary of rights upon request;
- Collection agencies must report ID theft to creditors and provide information about the alleged debt to the victim if requested in writing;
- Prevents a creditor from placing a debt for collection after being notified that the debt was incurred through ID theft.

Who can help?

- **Call your local police or Sheriff's Department**

- **Call Lifespan: 1-800-454-5030 x 193 for additional information or further assistance.**

THANK YOU!

QUESTIONS ??????????