



IDENTITY THEFT: A SEMINAR FOR SERVICE PROVIDERS

***Learn how you can provide
effective assistance to
identity theft victims in your
community***





National Identity Theft Victims Assistance Networks Project

- **Funding: U.S. Dept. of Justice, Office of Justice Programs, Office for Victims of Crime (OVC). Cooperative agreement between OVC & Maryland Crime Victims' Resource Center (MCVRC).**
- **The existing victim support network is limited in infrastructure, coordination, & training to assist ID theft victims.**
- **By creating a national network of 10 coalitions, project seeks to build field's capacity, help provide a coordinated response to problem, improve outreach & capacity of programs to better address ID theft victims' rights & needs.**





Idaho Coalition Against Identity Theft

- Idaho Legal Aid was one of the 10 groups awarded a grant under the National Project
- The Idaho Coalition:
Serving victims in our communities.
 - Focus is seniors and “near seniors” age 50+
- Why the Coalition was formed:
 - Identity theft is a growing problem in Idaho.
 - Seniors are often particularly vulnerable to identity theft.
 - Victims in Idaho are not currently being served in a coordinated fashion





**To find out more about the Idaho Coalition
Against Identity Theft (ICAIT) contact**

Sunrise Ayers at

sunriseayers@idaholegalaid.org or

208-345-0106, ext. 1511

facebook.com/idahocoalitionagainstidtheft

**To find out more about the national network
of Coalitions, visit:**

www.identitytheftnetwork.org



Part I

The Crime:

What is Identity Theft
and What Impact Does the
Crime Have on Victims?

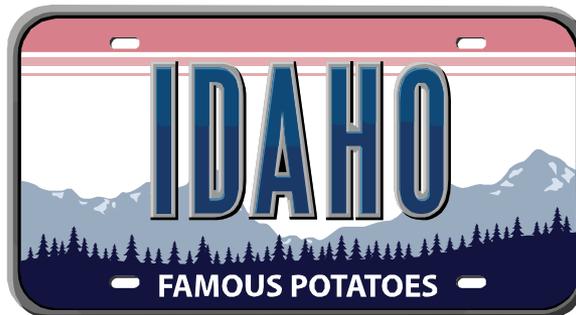


Identity Theft: Federal Law

- The use or attempt to use personal information of another person to commit fraud.
- Defined in the Fair Credit Reporting Act (FCRA):
 - “Identifying information” is any name or number that may be used, alone or in conjunction with any other information, to identify a specific person . . .

Idaho Identity Theft Laws

- §18-3126: It is unlawful for any person to obtain or record personal identifying information of another person without the authorization of that person, with the intent that the information be used to obtain, or attempt to obtain, credit, money, goods or services without the consent of that person.





Financial Identity Theft

The most common form of identity theft involves the fraudulent use of a victim's personal info for financial gain.

1. the use of the victim's existing credit, bank or other accounts; or
2. the opening of new accounts in the victim's name.



Non-Financial Identity Theft

- Criminal Identity Theft
- Medical Identity Theft
- Governmental Fraud
 - IRS tax fraud
 - SSA
 - Dept. of Social Services
- Synthetic Identity Theft
- ID Theft Assumption

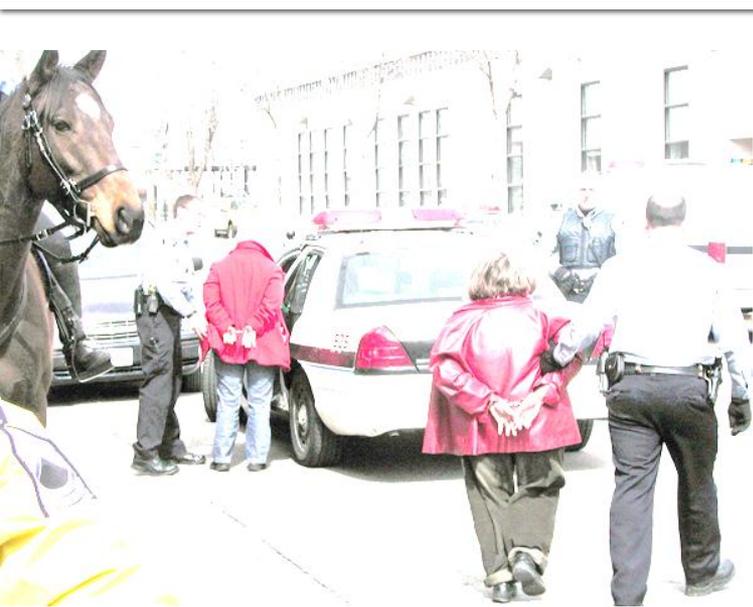


Targeted Populations

- 
- **Elderly**
 - **Homeless**
 - **Battered Women**
 - **Children**
 - **Military**

**Identity Theft and
the Big Picture:
The Impact of Victimization**

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)



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

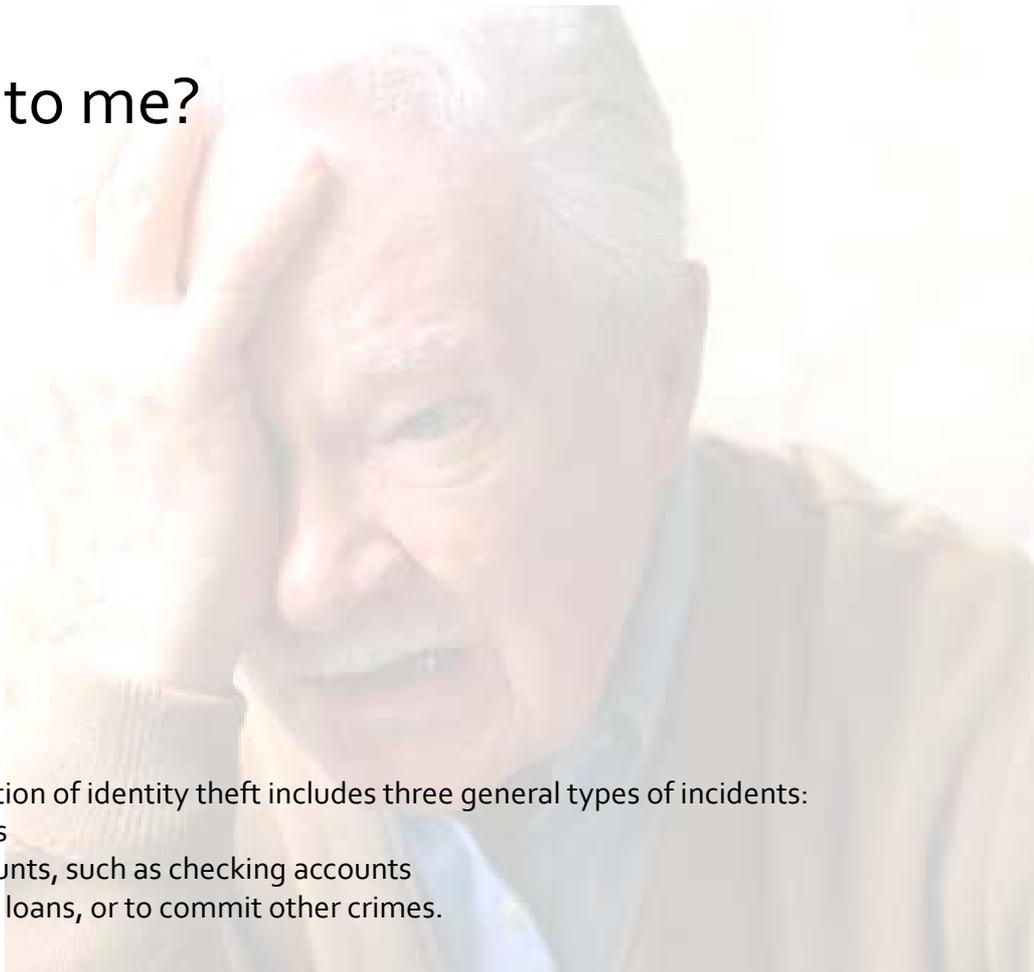


How Does Identity Theft Affect Victims?

53% of victims feel moderate to severe distress from the identity theft

- Why did this happen to me?
- The police don't care
- Anger/Frustration
- Vulnerable/Violated
- Helpless/Stressed
- Depressed
- Suicidal

For the National Crime Victimization Survey (NCVS), the definition of identity theft includes three general types of incidents:

- unauthorized use or attempted use of existing credit cards
 - unauthorized use or attempted use of other existing accounts, such as checking accounts
 - misuse of personal information to obtain new accounts or loans, or to commit other crimes.
- 

Part II

The Recovery: How to Assist Victims After Identity Theft Occurs



Immediate Steps to Recovery

1. Contacting Companies/Close Accounts
2. Contacting Credit Reporting Agencies (CRAs)
3. Filing a Complaint with the FTC
4. Filing a Police Report



Step 1: Contact Companies where Thief Committed Fraud

Advise victim to:

- Contact fraud dept. - not customer service
- Instruct company to immediately close or freeze accounts fraudulently opened/used
- Send written dispute including ID Theft Affidavit – police report should *not* be required
- Request closure letter from company describing results of their actions
- Request ID theft-related documents
- Ask where to send dispute & document request



Step 2: Contacting CRAs

Placing an Initial **Fraud Alerts** on Credit Reports

- Signals potential creditors that someone else is using consumer's identity
- Only have to contact one of the 3 CRAs
- Last 90 Days
- Creditor *must* take additional steps to confirm the applicant's identity before issuing new credit, raising limit, etc.
- Entitles victim to free credit report when requested



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



Step 4: File a Police Report

1. Request an appointment for in-person report filing
2. Take along completed FTC ID Theft Complaint
3. 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 the goal is to get an ***Identity Theft Report***



Idaho Credit Freeze Law: CREDIT REPORT PROTECTION ACT

- Must be requested with each CRA.
- The consumer reporting agency is not allowed to charge any fees to victims of identity theft for placing, removing or temporarily lifting a security freeze on a credit report.
- To prove you are a victim, you must also send a valid copy of a police report, investigative report, or a complaint to a law enforcement agency about unlawful use of your personal information by another person. (ID Theft Report).
- Starting September 1, 2008, consumer reporting agencies must temporarily lift a security freeze under reasonable circumstances within fifteen (15) minutes if the request is sent using the electronic method selected by the agency and is made between 6:00 am and 9:30 pm Mountain time.
- There is a fee for lost pin numbers (\$6)

Interactive Forms for Identity Theft Victims

- Start here:
www.idaholegalaid.org/IdentityTheftPortal
- Can view articles, links to helpful resources, or access the forms by clicking on Dealing with Identity Theft
- 3 Forms available



Letter to Creditor

- Assists the client with drafting a letter to creditors to dispute billing errors caused by identity theft.
- Takes 15-30 minutes
- Also gives information on other steps the victim should consider taking
- 5-6 questions
- Need invoice/billing #'s and dates of the erroneous charges

Letter to Debt Collector

- Assists the client with responding to a company or law firm that is a debt collector to stop collection on a debt that is a result of identity theft.
- Takes 15-30 minutes to complete
- 5 questions plus an opportunity to write a paragraph describing why you believe this is a mistake and not your bill.

Letter to Credit Bureau

- Assists the client with drafting a letter to one of the credit bureau agencies to request removal from a credit report items/entries that were the result of identity theft.
- Takes 15-30 minutes to complete
- 5 questions (more if you have more than one error to report)
- Can save or print the letters
- Gives instructions of where to send it and any supporting documentation you should send

How to Navigate to the Forms

- <http://www.idaholegalaid.org>
- Identity Theft Assistance Portal (look for the hand!)
- Dealing with Identity Theft
 - scroll down on the first page; or
 - Click on Links and it is the top link



Questions?



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