

Bellingham Police Department

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Bellingham Police Department **IDENTITY THEFT PACKET**

This packet will provide victims with a list of resources and instructions when dealing with an identity theft situation. The Bellingham Police Department will assist victims associated with this crime, but unfortunately, the victims themselves are burdened with resolving their own credit problems. Victims of identity theft must act quickly and assertively to minimize the damage to their good name and credit history.

When dealing with the authorities and financial institutions, try to keep a log of all your conversations, including dates, times, names, and phone numbers. In this packet, there will be a worksheet for your convenience when logging this contact information. There will also be an id theft affidavit supplied by the Federal Trade Commission, which has been adapted by all financial and credit institutions when filing fraudulent activities to your personal accounts. This packet contains ten (10) pages.

IF YOU FIND THAT YOU'RE A VICTIM OF IDENTITY THEFT

THE BELLINGHAM POLICE DEPARTMENT URGES YOU TO TAKE THE FOLLOWING STEPS:

THE FAIR AND ACCURATE CREDIT TRANSACTIONS ACT

(FACTA)

The Fair and Accurate Credit Transaction Act of 2003 (FACTA) added new sections to the federal Fair Credit Reporting Act (FCRA, 15 U.S.C. 1681 et seq.) intended primarily to help consumers fight the growing crime of identity theft. Accuracy, privacy, limits on information sharing, and new consumer rights to disclosure are included in FACTA. (Pub. L. 108-159, 111 Stat. 1952)

In response to new findings about identity theft, Congress adopted a number of provisions aimed at prevention and help for victims. The FTC recently published a revised guide for identity theft victims, which includes new FACTA provisions. *Take Charge: Fighting Back Against Identity Theft* can be found at www.ftc.gov/bcp/conline/pubs/credit/idtheft.htm. Facts on FACTA can also be found at, <http://www.privacyrights.org>

Some **key points** in this new FACTA Act are as follows:

A. Free Reports

The only way to get your free reports is through a centralized source, a combined effort by the three national bureaus. Free reports are available through a dedicated web site, www.annualcreditreport.com. You may order by telephone at (877) 322-8228 or by mail.

B. Fraud Alerts and Active Duty Alerts

If you are the victim of identity theft, FACTA gives you the right to contact a credit-reporting agency to flag your account. To place a fraud alert, you must provide proof of your identity to the credit bureau. The fraud alert is initially effective for 90 days, but may be extended at your request for seven years when you provide a police report to the credit bureaus that indicates you are a victim of identity theft.

FACTA creates a new kind of alert, an active duty alert that allows active duty military personnel to place a notation on their credit report as a way to alert potential creditors to possible fraud. While on duty outside the country, military members are particularly vulnerable to identity theft and lack the means to monitor credit activity. An active duty alert is maintained in the file for at least 12 months.

If a fraud alert or active duty alert is placed on your credit report, any business that is asked to extend credit to you must contact you at a telephone number you provide or take other “reasonable steps” to see that the credit application was not made by an identity thief.

FACTA gives you the right to a free copy of your credit report when you place a fraud alert. With the extended alert (seven years), you are entitled to two free copies of your report during the 12-month period after you place the alert.

New FACTA provisions also allow you to “block” certain items on your credit report that resulted from identity theft. Like the fraud alert, “blocking” was already an option for consumers in some states. With FACTA, Congress has made “blocking” the national standard.

C. Truncation: Credit Cards, Debit Cards, and Social Security Numbers

FACTA sets a national standard requiring truncation of credit card information. FACTA says credit and debit card receipts may not include more than the last five digits of the card number. Nor may the card's expiration date be printed on the cardholder's receipt. However, the effective date of this provision is a long way off, and there are a couple of loopholes:

- This section does not apply to receipts for which the sole means of recording a credit or debt card number is by handwriting or by an imprint or copy of the card.
- For machines in use *before* January 1, 2005, the merchant has *three* (3) years to comply.
- For machines in use *after* January 1, 2005, the merchant has one (1) year to comply.

Another FACTA section allows consumers who request a copy of their file to also request that the first 5 digits of their Social Security number (or similar identification number) *not* be included in the file.

D. Information Available to Victims

For victims, obtaining copies of the imposter's account application and transactions is an important step toward regaining financial health. A business that provides credit or products and services to someone who fraudulently uses your identity must give you copies of documents such as applications for credit or transaction records. The business must also provide copies of documents to any federal, state, or local law enforcement agency you specify.

To obtain account documentation, you must supply proof of your identity. The business may also ask you to provide a police report and an identity theft affidavit. For a copy of the FTC's fraud affidavit, will be attached to this identity theft packet

You must also:

- Make your request in writing.
- Mail the request to the business at an address it specifies.
- If the business asks, include relevant information about dates and account numbers.

A business does not have to provide this information if:

- There is not a "high degree of confidence" in your true identity.
- The request contains a misrepresentation of fact.
- The information is Internet navigational data or similar information about a person's visit to a web site or online service.

The business can be sued only by a government agency for not turning information over to the victim but the business cannot be held civilly liable if it makes a “good faith” effort to comply.

E. Collection Agencies

A call from a collection agency is often the first sign of trouble for an identity theft victim. Under FACTA, if you are contacted by a collection agency about a debt that resulted from the theft of your identity, the collector must so inform the creditor. You are entitled to receive all information about this debt -- such as applications, account statements, late notices from the creditor -- which you would be entitled to see if the debt were actually yours. In addition, FACTA says that a creditor once notified that the debt is the work of an identity thief cannot sell the debt or place it for collection.

ADDITIONAL INFORMATION

1. Contact the fraud departments of each of the three major credit bureaus and report the theft. Ask that a **"fraud alert"** be placed on your file and that no new credit be granted without your approval.
 - **Equifax:** 1-800-525-6285 www.equifax.com
 - **Experian:** 1-888-397-3742 www.experian.com
 - **Trans Union:** 1-800-680-7289 www.transunion.com
2. For any accounts that have been fraudulently accessed or opened, contact the security department of the appropriate creditor or financial institution. Close these accounts and put passwords (**not** your mother's maiden name or Social Security number) on any new accounts you open.
3. To report fraudulent use of your personal checks, contact the following national checking agencies:
 - **CheckRite:** 1-800-766-2748
 - **Chexsystems:** 1-800-428-9623
 - **CrossCheck:** 1-800-843-0760
 - **Certigy/Equifax:** 1-800-437-5120
 - **International Check:** 1-800-526-5380
 - **SCAN:** 1-800-262-7771
 - **TeleCheck:** 1-800-710-9898
4. You must file a report with your local police department or the police department where the identity theft took place. Get the report number or a copy of the report in case the bank, Credit Card Company or others need proof of the crime later.
5. Call the ID Theft Clearinghouse toll-free at 1-877-IDTHEFT (1-877-438-4338) to report the theft. Counselors will take your complaint and advise you on how to deal with the credit-related problems that could result from ID theft. The Identity Theft Hotline gives you one place to report the theft to the federal government and receive helpful information.

6. The following (non-profit) websites are great resources on identity theft:

- Federal Trade Commission www.consumer.gov/idtheft
- Identity Theft Resource Center www.idtheftcenter.org
- Privacy Rights Clearinghouse www.privacyrights.org
- Social Security Online www.ssa.gov/pubs/idtheft.htm
- U.S. Postal Inspection Service www.usps.com/postalinspectors

IF YOU NEED FURTHER ASSISTANCE

CONTACT THE BELLINGHAM POLICE DEPARTMENT

(508) 966-1212



SAMPLE

DISPUTE LETTER

Date
Your Name
Your Address
Your City, State, Zip Code

Complaint Department
Name of Company
Address
City, State, Zip Code

Dear Sir or Madam:

I am writing to dispute the following information in my file. The items I dispute also are encircled on the attached copy of the report I received.

This item (identify item(s) disputed by name of source, such as creditors or tax court, and identify type of item, such as credit account, judgment, etc.) is (inaccurate or incomplete) because (describe what is inaccurate or incomplete and why). I am requesting that the item be deleted (or request another specific change) to correct the information.

Enclosed are copies of (use this sentence if applicable and describe any enclosed documentation, such as payment records, court documents) supporting my position. Please investigate this (these) matter(s) and (delete or correct) the disputed item(s) as soon as possible.

In addition, pursuant to FACTA ... as a victim of identity theft, I am requesting that you provide me with copies of any and all applications and business transaction records related to the fraudulent account(s). The copies of the records can be mailed to me at the address listed above.

In addition, please make these records available to the Bellingham Police Department, 8 Mechanic Street, Bellingham, MA. 02019 upon their request.

Sincerely,

Your name

SAMPLE

DISPUTE LETTER EXISTING ACCOUNTS

Date
Your Name
Your Address, City, State, Zip Code
Your Account Number

Name of Credit Card Issuer
Billing Inquiries
Address, City, State, Zip Code

Dear Sir or Madam:

I am writing to dispute a billing error in the amount of \$_____ on my account. The amount is inaccurate because the merchandise I ordered was not delivered. I ordered the merchandise on (date). The merchant promised to deliver the merchandise to me on (date), and the merchandise was not delivered. (In addition, when I ordered the merchandise, the merchant did not tell me that it would charge before shipping.)

I am requesting that the error be corrected, that any finance and other charges related to the disputed amount be credited to my account, and that I receive an accurate statement.

Enclosed are copies of (use this sentence to describe any enclosed information, such as sales slips, payment records, documentation of shipment or delivery dates) supporting my position and experience. Please correct the billing error promptly.

In addition, please make these records available to the Bellingham Police Department, 8 Mechanic Street, Bellingham, MA. 02019 upon their request.

Sincerely,

Your name

Enclosures: (List what you are enclosing.)

SAMPLE

CREDIT REPORTING ACT DISPUTE LETTER

Date
Your Name
Your Address, City, State, Zip Code

Complaint Department
Name of Credit Reporting Agency
Address
City, State, Zip Code

Gentlemen:

I am writing to dispute the following information in my file. The items I dispute are also encircled on the attached copy of the report I received.

[Identify item or items disputed by name of source (such as creditors or tax court), and identify type of item (such as credit account, judgment, etc.)]

This item is [inaccurate or incomplete] because [describe what is inaccurate or incomplete and why]. I am requesting that [the item be deleted, or whatever other specific change you want] to correct the information.

[If applicable]: Enclosed are copies of [describe any enclosed documentation, such as payment records, court documents] supporting my position.

Please reinvestigate and [delete or correct] the disputed item(s) as soon as possible.

Sincerely,

Your Name

Enclosures: (List what you are enclosing.)

Identity Theft Victim – Worksheet

Credit Bureaus – Request a fraud alert be placed in your file and a victims statement asking that creditors call you before opening any new accounts or changing your existing accounts. Ask for a free copy of your credit report (if inaccurate due to fraud)

Bureau	Phone Number	Date Contacted	Contact Person	Notes
Equifax	1-800-525-6285			
Experian	1-888-397-3742			
Trans Union	1-800-680-7289			

Banks, Credit Cards, and Other Creditors – Contact each creditor promptly then follow-up with a letter to protect your legal rights. Check for fraudulent charges and/or changes-of-addresses. Close the accounts that have been compromised and open new ones, being sure to use different, non-obvious Pins and passwords.

Creditor	Address Phone	Date Contacted	Contact Person	Notes

Law Enforcement Authorities – File a police report and get a copy of it to use as proof of the crime when dealing with creditors. Also contact the Federal Trade Commission and file a claim in regards to your case.

Agency / Dept	Phone Number	Date Contacted	Contact Person	Report # / Notes
Bellingham Police Dept.	1-508-966-1212			
MA State Police	1-508-820-2370			
MA R.M.V.	1-800-858-3926			
U.S. Postal Inspector	1-617-556-4400			
Federal Trade Comm.	1-877-438-4338			
Social Security Admin	1-800-269-0271			

Public Utilities – Request a security password be placed in your account file and make sure these utilities understand your dilemma.

Company	Phone Number	Date Contacted	Contact Person	Notes
Electric				
Phone Service				
Heating				
Cable Service				

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Attach the FTC Affidavit