

Note: Your bank/credit union will normally take the financial loss and should credit your account. Once this is done, they become the victim of the “Uttering of a Forgery” case. A victim of “Uttering of a Forgery” is ultimately determined by whoever suffers the money loss. Even though your signature has been forged, you will only be considered a witness in this case. If the bank/credit union determines that you were negligent and does not credit your account, then you will become the victim of “Uttering of a Forgery”.

### **If You Are the Recipient of Forged Checks (Stolen or Counterfeit)**

If you discover that other unauthorized checks (being stolen or counterfeit) have been cashed or deposited into your account, you should go to your bank/credit union with the “original” forged checks. You will be required to complete and sign “Fraud/Forgery Affidavits”, one for each check. Your bank/credit union will investigate to determine exactly how and when these stolen or counterfeit checks entered into your account. They will then decide one of the following:

-To accept the financial loss and make an “Uttering of a Forgery” report with the law enforcement agency holding jurisdiction of where the check(s) were uttered/presented for payment; or

-Notify the merchant, bank, etc. of whom the check was initially received from, return the check(s) in question and request repayment for their loss. The merchant, bank, etc. will have to make the “Uttering of a Forgery” complaint report with law enforcement agency holding jurisdiction where the check was presented.

If you are the victim of any of the above crimes, contact the three credit reporting companies (listed in the next section of this pamphlet) to alert them of your criminal complaint. You will need to request that a “Fraud Alert” is placed on your personal credit file. This should help prevent any future acts of fraud.

*The following is a list of credit bureaus that may be contacted when there is a dispute over your credit. These bureaus can provide you with a detailed account of your credit history. Victims of economic crimes are encouraged to contact the following companies when their identity has been compromised by criminal activity.*

**EXPERIAN™** 1-888-397-3742  
[www.experian.com](http://www.experian.com)

**EQUIFAX™** 1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

**TRANS UNION™** 1-800-680-7289  
[www.transunion.com](http://www.transunion.com)

To obtain a free copy of your credit report once a year from each credit bureau visit:  
[www.annualcreditreport.com](http://www.annualcreditreport.com)

*This site is the only service authorized by the three credit bureaus for this purpose.*

## **OTHER IMPORTANT NUMBERS**

**Social Security Administration**  
[www.ssa.gov](http://www.ssa.gov)

*Investigates fraudulent use of Social Security Numbers for employment and SSI/SSDI benefit fraud*  
Social Security “Hot Line”  
1-800-269-0271

**Internal Revenue Service (IRS)**  
*Investigates Federal Tax Fraud*  
*(They will ask you to report the incident to local law enforcement – a report will be taken for documentation purposes only)*  
Tax Fraud Hotline 1-800-829-0433

**United States Postal Inspectors**  
[www.usps.gov](http://www.usps.gov)

*Investigates mail fraud and fraudulent applications for credit by mail*  
[www.usps.com](http://www.usps.com) or 1-877-876-2455

**Federal Trade Commission**  
[www.ftc.gov](http://www.ftc.gov)

*Consumer Response Center*  
*(IdentityTheft)*  
1-877-382-4357

**Florida Department of Economic Opportunity**  
*Investigates unemployment fraud*  
[www.floridajobs.org](http://www.floridajobs.org) or 1-800-342-9909

**U.S. Department of State**  
*Investigates fraudulent use of lost/stolen passports*  
[www.state.gov](http://www.state.gov) or 305-810-5850

**Tele-Check**  
*Problems with checking accounts*  
*frauds and opened accounts*  
1-800-366-2425

**Consumer Credit Counseling Service**  
*Advice and direction to victim*  
1-800-388-2227

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**Lake County Sheriff’s Office**

***Peyton C. Grinnell***  
***Sheriff***

**ECONOMIC CRIMES**



***Assumed Identity***  
***Check Forgery***  
***Credit Card Fraud***  
***Debit Card Theft***

If you are the victim of one of the crimes listed above, this pamphlet will provide you with information on organizations that can assist you. These organizations will assist you in securing your credit history and preventing further fraud. This pamphlet will also help you to understand the legal process involved in prosecuting these crimes.

# CREDIT CARD FRAUD

If someone has stolen and/or is fraudulently using credit cards that are issued to you (including any ATM/Debit/Check cards), you will need to take the following steps:

Immediately notify the credit card company or financial institution that issued your card. Do not delay as the stolen cards are normally used quickly after being stolen.

Immediately report the loss or theft of the credit card(s) to the law enforcement agency holding jurisdiction where the loss/theft occurred and obtain a case number. If the credit card was lost or stolen and it has been used fraudulently, a theft has occurred.

The cardholder is the victim of the theft of the card only. Even though a credit card is issued to a cardholder, the issuing credit card company or financial institution (Visa, MasterCard, Suntrust Bank, MBNA, etc.) has total control over this credit account and only extends the privilege of its use to the assigned cardholder(s). A cardholder is not deemed to be a victim of the fraudulent use of the credit card(s) solely by having their name embossed on the card. The credit card company/financial institution issuing this card will normally be the victim of any fraudulent use of the card. The victim of the crime "Fraudulent Use of a Credit Card" is determined by whoever ultimately suffers the financial loss.

The issuing credit card company/financial institution may require the assigned cardholder(s) to complete "Fraud Affidavits" along with any other documents to assist in their investigation. They will decide on one of the following options:

-To reimburse your account;

-To "write off" the fraud due to the low dollar amount of the loss or not being cost effective

to prosecute the case, listing this loss as a "cost of doing business" and will not seek any further investigation by law enforcement;

-To chargeback any fraudulent charges (reverse the charges) to the cardholder or merchant. If this occurs, the cardholder or merchant will become the victim of any "Fraudulent Use of the Credit Card." The cardholder or merchant will have to make a separate complaint report with the law enforcement agency holding jurisdiction where the fraudulent use of the credit card occurred;

-To actively pursue prosecution for any fraudulent charges made within our agency's jurisdiction. The issuing credit card company/financial institution will be required to make a separate complaint report with the law enforcement agency holding jurisdiction where the fraudulent use of the credit card occurred.

Note: As a cardholder, you should keep in contact with the issuing credit card company/financial institution to determine what their investigation reveals and their decision to seek prosecution. If their decision is to take the loss, there will not be any further investigation by this agency.

Contact the three credit reporting companies listed on the back of this pamphlet to report this credit card theft and/or fraudulent use. You need to confirm that a "Fraud Alert" is placed on your personal credit file. This should help prevent any future acts of fraud.

## IDENTITY THEFT

When your personal identification information (name, social security number, driver license number, etc.) has been used fraudulently to open credit accounts, bank accounts, obtain loans, utilities, telephone services, etc., without your knowledge or permission, you are the victim of the crime of "Identity Theft." If you believe that your identity has been stolen, you need to take the following steps.

Immediately contact the company or financial institution's Fraud Department where your information was used to alert them of this fraudulent account and have the account closed or cancelled.

File a police report with the law enforcement agency holding jurisdiction where the Identity Theft occurred and obtain a case number. The location of jurisdiction is where the account(s) were opened or services provided. If your identity has been assumed outside of Lake County and you wish to file an "information report" with the Lake County Sheriff's Office, you may do so. The report will be forwarded to the jurisdiction where the crime occurred. Note: The Statute of Limitations on Identity Theft in most cases is three years and prosecution cannot be pursued once the Statute of Limitations has expired.

Contact the three credit reporting companies listed on the back of this pamphlet to report this Identity Theft complaint. You will need to confirm that a "Fraud Alert" is placed on your personal credit file. This alert should help prevent any future acts of fraud involving your personal identification information where a credit check would be conducted with the three Credit Bureaus.

Note: Identity Theft cases are very difficult to prove "beyond a reasonable doubt" due to a lack of adequate physical evidence. This is in part due to standard business practices (or policies) when conducting day-to-day business. Businesses are normally unable to provide necessary evidence in the form of written documentation such as signed applications, contracts, receipts, etc. or had no actual personal contact with the perpetrator when the fraudulent act using your personal information occurred.

For example, after making contact with the company or financial institution you may receive information such as an address, phone number, or an email address used to commit this fraud. You feel that you now know the location and identity of the perpetrator(s) and do not understand why an immediate arrest is not made. This information is a lead in the investigation and is not sufficient in

and of itself to make an arrest or submit the case to the State Attorney's Office. The evidence must prove in court "beyond a reasonable doubt" that the perpetrator is in fact the specific individual who committed the crime of Identity Theft.

Unfortunately, in today's fast paced society, the preferred method of conducting business is via phone or by the internet, making it extremely difficult in positively identifying the actual perpetrator.

## CHECK FORGERY

If you've discovered that someone has been forging checks on your checking account, you will need to take the following steps:

### Theft of Checks

Immediately notify your financial institution of your checks being stolen. They will "flag" your account and determine if any stolen checks have been cashed (uttered).

Promptly make a police report for the theft of checks with the law enforcement agency holding jurisdiction where the theft of checks occurred and ensure you obtain a case number. Provide a sworn statement to the deputy/officer, listing your bank/credit union name, account number, the check numbers of the checks stolen, any possible suspect information, and the fact that no one had your permission to take, possess and/or use your checks.

### Checks Forged (Stolen) On Your Account

If you discover in your monthly bank statements that someone has stolen your check(s) and has cashed them, forging your name/signature, immediately notify your bank/credit union. Make a police report for "theft of checks" (as described above). You will be a victim of the "Theft of Checks" only. You should then respond to your bank/credit union with the "original" forged checks, complete and sign "Forgery Affidavits", one for each forged check.