



## Lake County Sheriff's Office Identity Theft/Fraud Packet

### Information and Instructions

The **Information and Instructions** portion of this packet is for you to keep and contains information to assist you in the correction of your credit and to help ensure that you are not responsible for the debts incurred by the identity thief. In addition, this packet includes information that will allow you to obtain financial records related to the fraudulent accounts and provide those records to law enforcement, without which we cannot conduct an investigation for prosecution. **We recognize that some victims are only interested in the correction of their credit and do not necessarily wish for prosecution; therefore, we request that you only submit this packet to the Lake County Sheriff's Office if you desire prosecution.**

*It is important to understand that in the event that a suspect is identified and arrested and the case proceeds to court, you as the victim would mostly likely be required to appear and testify in court. You will need to provide us with necessary documentation before we can begin investigating your case for prosecution. Examples of the document evidence we need are on the last page of this packet. Without document evidence, we cannot begin the investigation. In identity theft cases it is difficult to identify the suspect(s) as they often use inaccurate information such as addresses and phone numbers. Frequently the investigator cannot find evidence to prove who actually used the victim's name and/or personal information over the phone or internet. **\*\*\* It is important to note that even if the suspect cannot be identified for prosecution, it will not affect your ability to correct the fraudulent accounts and remove them from your credit. You will need to complete dispute letters and forward them to your financial institutions.\*\*\*** When you report your identity crime to the Lake County Sheriff's Office, all of the relevant information from your case is entered into our database which will allow us to cross-reference your report with potential suspects who are involved in or arrested on other cases.*

**NOTE:** It may not be necessary to complete this packet in the following circumstances.

- **Social Security Administration:** If you suspect someone is using your personal information for employment and there is no evidence of other identity fraud, please contact the **Social Security Administration's** fraud hotline at 1-800-269-0271. Order a copy of your Personal Earnings and Benefit Estimate Statement (PEBES) to check the accuracy of your work history on file with the **Social Security Administration**. You can obtain a PEBES application at your local Social Security office or at <http://www.ssa.gov/online/ssa-7004.pdf>. **Do not contact the employer directly as they may warn the suspect employee.** You may also need to contact the IRS.
- **Internal Revenue Service** – *The IRS Office of Special Investigations can be contacted at [www.irs.gov](http://www.irs.gov) to report false tax filings, potential criminal violations of the Internal Revenue Code and related financial crimes.*
- **Traffic or Criminal violations:** If your name and/or information were used by someone else to avoid a traffic ticket or any criminal prosecution, please contact the agency investigating the original crime.
- **Post Office:** If you suspect that your mail has been stolen or diverted with a false change-of-address request, contact your local postal inspector. You can obtain the address and telephone number of the postal inspector for your area at United States Postal Service website: <http://www.usps.com/ncsc/locators/findis.html> or by calling 800-275-8777.

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## Step 1: Contact your bank and other credit card issuers.

If the theft involved **existing bank accounts** (checking or savings accounts as well as credit or debit card) you should do the following:

- Close the account that was used fraudulently or put stop payments on all outstanding checks that might have been written without your knowledge.
- Close all credit card accounts that were used fraudulently.
- Close any account accessible by debit card if it has been accessed fraudulently.
- Open up new accounts protected with a secret password or personal identification number (PIN)

If the identity theft involved the creation of **new bank accounts**, you should do the following:

- Call the involved financial institution and notify them of the identity theft.
  - They will likely require additional notification in writing. (see step 4)
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## Step 2: Contact all three (3) major credit reporting bureaus.

First request the credit bureaus place a “Fraud Alert” on your file. A fraud alert will put a notice on your credit report that you have been the victim of identity theft. Merchants and financial institutions **may** opt to contact you directly before any new credit is taken out in your name. **Some states allow for a Security Freeze in which a PIN can be designated on your credit file and subsequently the PIN must then be given in order for credit to be extended. Ask the credit reporting bureaus if your state is participating in the Security Freeze Program.**

[www.scamsafe.com](http://www.scamsafe.com) – provides useful information related to identity theft and indicates which states participate in the Security Freeze program.

[www.annualcreditreport.com](http://www.annualcreditreport.com) – provides one free credit report, per credit bureau agency, per year, with subsequent credit reports available at a nominal fee.

The following is a list of the three (3) major credit reporting bureaus for victims to report fraud:

<b>Equifax</b>	<b>TransUnion</b>	<b>Experian</b>
Consumer Fraud Division	Fraud Victim Assistance Dept	Nat. Consumer Assist
800-525-6285	800-680-7289	888-397-3742
P.O. Box 740256	P.O. Box 6790	P.O. Box 9530
Atlanta, GA 30374	Fullerton, CA 92834	Allen, TX 75013

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**Step 3: Contact creditors involved in the Identity Theft by phone and in writing.** This step involves contacting all the companies or institutions that provided credit or opened new accounts for the suspect or suspects. Some examples include banks, mortgage companies, utility companies, telephone companies, cell phone companies, etc. Creditors will provide you with their ID Theft and/or Dispute Affidavit to complete. You may want to provide the creditors with a copy of the FACTA Law.

**FACTA Law:** FACTA (Fair and Accurate Credit Transactions Act of 2003) allows for you to obtain copies of any and all records related to the fraudulent accounts. You are then permitted to provide law enforcement with copies of the records you received related to the fraudulent accounts; thereby allowing us to bypass the sometimes difficult process of obtaining subpoenas for the very same information. A copy of the law is attached to this packet.

### **Helpful Hints:**

- *Remember that each creditor has different policies and procedures for correcting fraudulent accounts.*
- *Do not provide originals and be sure to keep copies of everything you provide to the creditors or companies involved in the identity theft.*
- *Write down all dates, times and the names of individuals you speak to regarding the identity theft and correction of your credit.*

- *If you are contacted by a collection agency about a debt for which you are not responsible, immediately notify them that you did not create the debt and that you are a victim of identity theft. Follow up with the collection agency and creditor in writing, you may choose to provide them with a copy of the FACTA Law at the end of this packet.*

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## **Step 4: File a report with the Federal Trade Commission.**

You can go on-line to file an identity theft complaint with the FTC at [www.FTC.gov](http://www.FTC.gov) or call 1-877-IDTHEFT to file your report over the phone. If you choose to file on line, from the [www.FTC.gov](http://www.FTC.gov) home screen, click on the Consumer Protection tab and then click the File a Complaint tab. You will be asked a series of questions and the program will create your personal Identity Theft Victim's Complaint and Affidavit form that you can save and print. The affidavit requests information regarding you as the victim, how the fraud occurred, documentation, and if you have reported this incident to law enforcement (Please select "I have not filed a law enforcement report"). **Once you file your complaint with the FTC, save and print the affidavit for your records and provide a copy to the deputy if you choose to file a report with the Lake County Sheriff's Office.**

NOTE: The FTC is not an investigating entity, but has a national database that some investigating agencies can access to assist in investigations and to detect patterns of fraud and abuse. **The FTC does not resolve individual complaints, but they can provide information about what next steps to take.**

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## **Step 5: File a report with the Lake County Sheriff's Office IF:**

- **You desire prosecution AND:**
- **You would be willing and available to appear and testify in court should a suspect be identified and arrested.**

**Submit the completed FTC Identity Theft Victims' Complaint and Affidavit from Step 4 AND copies of all information and records obtained from the creditors with regard to the fraudulent accounts to the deputy completing the report.**

If you choose not to file a complaint with the FTC an Identity Theft Affidavit can be found at the end of this packet, however, filing an FTC complaint and submitting a copy to the Sheriff's Office is the preferred method.

**YOU DO NOT NEED TO COMPLETE THIS PACKET IF YOU PRINT YOUR FTC COMPLAINT AND AFFIDAVIT.**

**To file a report call the Lake County Sheriff's Office non-emergency line at 352-343-2101.**

A deputy will respond and take a report.

**My Lake County Sheriff's Office Report is:**

**# \_\_\_\_\_**

You can also file a report in person at:

Lake County Sheriff's Office  
360 W Ruby St., Tavares

LCSO South District Office  
15855 SR 50, Clermont

To avoid confusion and to ensure that all items are forwarded to the assigned detective, we request that you submit everything at once. *The types of document evidence needed are listed on the following pages.*

**Please remember that some victims are only interested in the correction of their credit and do not necessarily wish for prosecution. Therefore, we request that you only submit this packet to Lake County Sheriff's Office if you desire prosecution and would be willing and available to appear and testify in court should a suspect be identified and arrested.**

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## Documentation for Prosecution

Depending on the type of crime that you are a victim of certain documents are going to be needed to conduct a thorough and complete investigation of your case. The following items of evidence should be obtained by the victim. Without this document evidence, we will not be able to begin an investigation.

- **If your existing accounts are being accessed, please obtain the following types of documents:**
  - Bank statements or bills showing where the transactions occurred
    - Please circle or underline the fraudulent transactions
    - Using a highlighter may make it impossible to read photocopies
    - Please attempt to obtain a physical address for the transactions from your bank.
  - Bills from companies showing merchandise ordered
    - Addresses where items were delivered
    - What phone numbers were associated with the order?
  - Any information from the creditor that shows how or where the account was used
  - The name and phone number of any representatives from the businesses you deal with
- **If new accounts have been opened in your name please obtain the following:**
  - Bank statements that you may have received for accounts that are not yours
  - Credit reports showing the accounts that are not yours
    - Please circle or underline all accounts that are not yours
    - Using a highlighter may make it impossible to read photocopies
  - Bills from utilities companies for accounts you did not open
  - Letters or documentation from creditors or utilities companies that contain
    - Copies of applications for credit
    - How the account was opened. (in person, over the phone, on internet)
    - Where the account was opened if done in person
    - Where the account is being used (addresses of transactions)
    - Address where any cards, bills, merchandise or correspondence was mailed.
    - Any phone numbers associated with the fraudulent account
  - The name or employee number and phone number of any representatives from the businesses you deal with.
- **If your case involves checks** please obtain the following:
  - The original check or a copy of it, if the original check is not available.
  - Information as to how this check came into your possession (for example, letters, emails).
- **If your case involves wills, trusts and titles** please obtain:
  - Copies of those documents.
- **If this complaint is about your credit report** please obtain:
  - A copy of the credit report with the discrepancies that you are disputing highlighted.
- **If you have received a call from a bill collector/ collection agency.**
  - We will need the name of the person who called you, the name of the business and/or collections agency, their phone number, the account number in question and the date and time of the call.

**If only a partial account number is listed on the document, please write the entire number on the copy you send to us. This packet needs to be filled out completely with the required documentation attached, prior to any investigation of your case.**

# Fair and Accurate Credit Transactions Act of 2003

## PUBLIC LAW 108-159 DECEMBER 4, 2003

### **SEC. 151. SUMMARY OF RIGHTS OF IDENTITY THEFT VICTIMS.**

(a) IN GENERAL-

(1) SUMMARY- Section 609 of the Fair Credit Reporting Act (15 U.S.C. 1681g) is amended by adding at the end the following:

(d) SUMMARY OF RIGHTS OF IDENTITY THEFT VICTIMS-

(1) IN GENERAL- The Commission, in consultation with the Federal banking agencies and the National Credit Union Administration, shall prepare a model summary of the rights of consumers under this title with respect to the procedures for remedying the effects of fraud or identity theft involving credit, an electronic fund transfer, or an account or transaction at or with a financial institution or other creditor.

(2) SUMMARY OF RIGHTS AND CONTACT INFORMATION- Beginning 60 days after the date on which the model summary of rights is prescribed in final form by the Commission pursuant to paragraph (1), if any consumer contacts a consumer reporting agency and expresses a belief that the consumer is a victim of fraud or identity theft involving credit, an electronic fund transfer, or an account or transaction at or with a financial institution or other creditor, the consumer reporting agency shall, in addition to any other action that the agency may take, provide the consumer with a summary of rights that contains all of the information required by the Commission under paragraph

(1), and information on how to contact the Commission to obtain more detailed information.

(e) INFORMATION AVAILABLE TO VICTIMS-

(1) IN GENERAL- For the purpose of documenting fraudulent transactions resulting from identity theft, not later than 30 days after the date of receipt of a request from a victim in accordance with paragraph (3), and subject to verification of the identity of the victim and the claim of identity theft in accordance with paragraph (2), a business entity that has provided credit to, provided for consideration products, goods, or services to, accepted payment from, or otherwise entered into a commercial transaction for consideration with, a person who has allegedly made unauthorized use of the means of identification of the victim, shall provide a copy of application and business transaction records in the control of the business entity, whether maintained by the business entity or by another person on behalf of the business entity, evidencing any transaction alleged to be a result of identity theft to-

(A) the victim;

(B) any Federal, State, or local government law enforcement agency or officer specified by the victim in such a request; or

(C) any law enforcement agency investigating the identity theft and authorized by the victim to take receipt of records provided under this subsection.

(2) VERIFICATION OF IDENTITY AND CLAIM- Before a business entity provides any information under paragraph (1), unless the business entity, at its discretion, otherwise has a high degree of confidence that it knows the identity of the victim making a request under paragraph (1), the victim shall provide to the business entity—

- (A) as proof of positive identification of the victim, at the election of the business entity--
  - (i) the presentation of a government-issued identification card;
  - (ii) personally identifying information of the same type as was provided to the business entity by the unauthorized person; or
  - (iii) personally identifying information that the business entity typically requests from new applicants or for new transactions, at the time of the victim's request for information, including any documentation described in clauses (i) and (ii); and
- (B) as proof of a claim of identity theft, at the election of the business entity--
  - (i) a copy of a police report evidencing the claim of the victim of identity theft; and
  - (ii) a properly completed--
    - (I) copy of a standardized affidavit of identity theft developed and made available by the Commission; or
    - (II) an affidavit of fact that is acceptable to the business entity for that purpose.

(3) PROCEDURES- The request of a victim under paragraph (1) shall--

- (A) be in writing;
- (B) be mailed to an address specified by the business entity, if any; and
- (C) if asked by the business entity, include relevant information about any transaction alleged to be a result of identity theft to facilitate compliance with this section including--
  - (i) if known by the victim (or if readily obtainable by the victim), the date of the application or transaction; and
  - (ii) if known by the victim (or if readily obtainable by the victim), any other identifying information such as an account or transaction number.

(4) NO CHARGE TO VICTIM- Information required to be provided under paragraph (1) shall be so provided without charge. (5) AUTHORITY TO DECLINE TO PROVIDE INFORMATION- A business entity may decline to provide information under paragraph (1) if, in the exercise of good faith, the business entity determines that--

- (A) this subsection does not require disclosure of the information;
- (B) after reviewing the information provided pursuant to paragraph (2), the business entity does not have a high degree of confidence in knowing the true identity of the individual requesting the information;
- (C) the request for the information is based on a misrepresentation of fact by the individual requesting the information relevant to the request for information; or
- (D) the information requested is Internet navigational data or similar information about a person's visit to a website or online service.

## ID Theft Affidavit

### **Victim Information**

1. My full legal name is \_\_\_\_\_  
(First) (Middle) (Last) (Jr., Sr., III)
2. (If different from above) When the events described in this affidavit took place, I was known as \_\_\_\_\_  
(First) (Middle) (Last) (Jr., Sr., III)
3. My date of birth is \_\_\_\_\_  
(day/month/year)
4. My Social Security Number is \_\_\_\_\_
5. My driver's license or identification card state and number are \_\_\_\_\_
6. My current address is \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_
7. I have lived at this address since \_\_\_\_\_  
(month/year)
8. (If different from above) When the events described in this affidavit took place, my address was \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_
9. I lived at the address in Item 8 from \_\_\_\_\_ until \_\_\_\_\_  
(month/year) (month/year)
10. My daytime telephone number is (\_\_\_\_\_) \_\_\_\_\_  
My evening telephone number is (\_\_\_\_\_) \_\_\_\_\_

### **How the Fraud Occurred**

**Check all that apply for items 11 – 16:**

11.  I did not authorize anyone to use my name or personal information to seek the money, credit, loans, goods or services described in this report.
12.  I did not receive any benefit, money, goods or services as a result of the events described in this report.
13.  My identification documents (for example, credit cards; birth certificates; driver's license; Social Security card; etc.) were:  
 stolen     lost on or about \_\_\_\_\_  
(day/month/year)











**Victim's Law Enforcement Actions**

17. (Check only one)

- I am willing to assist in the prosecution of the person(s) who committed this fraud.
  
- I am NOT willing to assist in the prosecution of the person(s) who committed this fraud.

**Documentation Checklist**

Please indicate the supporting documentation you are able to provide to the companies you plan notify. Attach copies (NOT originals) to the affidavit before sending it to the companies.

- 20.  A copy of a valid government-issued photo-identification card (for example, your driver's license, state-issued ID card, or your passport.) If you are under 16 and don't have a photo-ID, you may submit a copy of your birth certificate or a copy of your official school records showing your enrollment and place of residence.
  
- 21.  Proof of residency during the time the disputed bill occurred, the loan was made or the other event took place (for example, a rental/lease agreement in your name, a copy of a utility bill or a copy of an insurance bill.
  
- 22.  A copy of the report filed with the police or sheriff's department. If you are unable to obtain a report or report number from the police, please indicate that in Item 19. Some companies only need the report number, not a copy of the report. You may want to check with each company.

**Signature**

**PLEASE DO NOT SIGN UNTIL ASKED TO DO SO BY THE RESPONDING DEPUTY**

I certify that, to the best of my knowledge and belief, all the information on and attached to this affidavit is true, correct, and complete and made in good faith. I also understand that this affidavit or the information it contains may be made available to federal, state, and/or local law enforcement agencies for such action within their jurisdiction as they deem appropriate. I understand that knowingly making any false or fraudulent statement or representation to the government may constitute a violation of 18 U.S.C. 1001 or other federal, state or local criminal statutes, and may result in imposition of a fine or imprisonment or both

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date Signed)

\_\_\_\_\_  
(Law Enforcement Officer)