A program of the Texas Legal Services Center supported by Grant No. 2007-VF-GX-K032 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

A Consumer Guide to
Identity Theft & Financial Fraud
What is Identity Theft?

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

Texas Penal Code § 32.51:

to obtain, possess, transfer, or use a person’s “identifying information” or “telecommunication access device” with the intent to harm the person.
Identity Theft Complaints By Age, FTC 2008

The bar chart shows the percentage of identity theft complaints by age group in FTC 2008. The age groups are 19 and Under, 20-29, 30-39, 40-49, 50-59, and 60 and Over. The percentages are displayed for each age group, with the 20-29 age group having the highest percentage in each category.
## Types of ID Theft in Texas

### 2008

<table>
<thead>
<tr>
<th>Type</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment-Related</td>
<td>8,545</td>
<td>27%</td>
</tr>
<tr>
<td>Government Documents or Benefits</td>
<td>5,596</td>
<td>18%</td>
</tr>
<tr>
<td>Credit Card</td>
<td>4,620</td>
<td>15%</td>
</tr>
<tr>
<td>Bank</td>
<td>3,418</td>
<td>11%</td>
</tr>
<tr>
<td>Phone or Utilities</td>
<td>3,204</td>
<td>10%</td>
</tr>
<tr>
<td>Loans</td>
<td>1,401</td>
<td>4%</td>
</tr>
<tr>
<td>Other</td>
<td>6,455</td>
<td>20%</td>
</tr>
</tbody>
</table>
How is information stolen?

- Trash diving
- Lost/stolen wallet/purse
- Mail theft
- Burglary
- Skimming
- Computer hacking
- Data breach
- Scams/fraud
FIGHT BACK AGAINST
IDENTITY THEFT

DETER
Deter identity thieves by safeguarding your information.

DETECT
Detect suspicious activity by routinely monitoring your financial accounts and billing statements.

DEFEND
Defend against ID theft as soon as you suspect it.

VICARS
VICTIM INITIATIVE FOR COUNSELING, ADVOCACY, AND RESTORATION OF THE SOUTHWEST

DETER·DETECT·DEFEND

AVOID THEFT
www.ftc.gov/idtheft

FEDERAL TRADE COMMISSION
DETER: prevention tips and Tricks
Documents, Credit Cards, and Mail:

• Shred all documents with personal information.
• Do not give your SSN to businesses.
• Use a locked mail box or remove mail promptly.
• Take outgoing mail to a blue box or post office.
• Opt out of credit card offers.
• Carry only what you need in your wallet or purse.
• Remove your SSN from other items in your wallet.
Prevention tips and Tricks

Internet & Phone

Do: Get on the do not call list.

Don’t:

– Give personal information unless you see “https” or lock symbol.
– 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 a sender claiming to be rich
  – Sender cannot access own money
  – Plea for help with promise to repay
  – Wire transfer or money order to account

• The Lottery scam
  – Victim has won or inherited a 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 a trusted source
  – Caller states that something is wrong
  – Caller requests 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 royalty
• 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

hi

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 please to reply with your account and routing number to receive your money.

thank you, and god bless

Cynthia Edna Jones
Assistance Bank Manager
www.bankofamerica.com

http://us.f220.mail.yahoo.com/dc/launch?rand=70s56ckfm82e5 05/12/50:08
From: services@irs.gov
Sent: 10/20/2008 8:22:02 AM Pacific Daylight Time
Subj: Information

After the last annual calculations of your fiscal activity we have determined that you are eligible to receive a tax refund of 620.50 dollars. Please submit the tax refund request and allow us 6-9 days in order to process it.
A refund can be delayed for a variety of reasons. For example submitting invalid records or applying after the deadline.
To access the form for your tax refund, please click here

Regards,
Internal Revenue Service
© 2008, Internal Revenue Service, U.S.A.
REFUND FORM

Your Name: __________________________

DOB: ___________  SSN: ________________

Your Street Address: __________________

Your City, State, Zip: __________________

Tell us where to deposit your refund.

Bank Name: __________________________

Account Number: ______________________

Routing Number: _______________________

It will take from 6-9 days to process your refund.

Internal Revenue Service
Detect

✓ 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.
How to Spot Dishonest Service Providers

• Be alert for 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 callAdult Protective Services at 1-800-252-5400.
Defend

Immediate Concerns:

Stop impostor activity
Report the crime
Repair the damage
1. Order your credit report and place a fraud alert or freeze.

2. Close accounts that have been tampered with or opened by an imposter.

3. Report to law enforcement and the FTC.

4. Write credit bureaus and creditors:
   - Attach a copy of the police report.
   - Attach a copy of ID card.
Fraud Alert vs. Credit Freeze

- One call
- Creditors must take “reasonable steps” to verify identity
- Less effective
- 90 day, 7 years

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

No credit? No problem!

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, or both;

✓ Complete description of account, debt, or other item being disputed.
IF IT’S NOT IN WRITING, IT DOESN’T COUNT!
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;

• Blocks of portions of credit reports attributable to identity theft (4 days on written notification);

• Allows active duty military alerts;
FAIR CREDIT REPORTING ACT

• Written summary of ID theft victims’ rights upon request;

• Allows victims to get account documentation if requested in writing;

• Requires collection agencies to 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.
How can VICARS help?

• Help victims deal with creditors and debt collectors
• Help victims compile documents
• Represent victims in civil lawsuits
• Provide emotional support and guidance
• Help victims understand the criminal justice system
• Help victims fill out victim impact statements and requests for restitution
• Services are free

Call 1-888-343-4414 or visit www.idvictim.org