

## IDENTITY THEFT VICTIM'S PACKET



**Ellis County Sheriff's Office**

**300 S Jackson • Waxahachie, Texas, 75165  
972.825.4901**

### **Information and Instructions**

The purpose of this packet is to assist you in the investigation related to your identity theft case and should be completed in its entirety, however some evidence is extremely time sensitive, therefore the Ellis County Sheriff's Office requests that you **complete the Identity Theft Affidavit and return it as soon as possible, if you wish to seek prosecution**. At the time you make a police report with the Ellis County Sheriff's Office, you will be given a case report number. Please keep track of your case number as creditors, financial institutions, and credit report agencies will require it.

**MY ELLIS COUNTY SHERIFF'S OFFICE CASE REPORT NUMBER  
IS: \_\_\_\_\_**

This packet contains information which will assist you in the correction of your credit and will help ensure that you are **not** responsible for the debts incurred by the thief. In addition, this packet includes information that will allow you to obtain financial records related to fraudulent accounts; which if requested, you will need to provide to law enforcement. We recognize that some victims are only interested in the correction of their credit and do not necessarily wish to pursue prosecution; therefore, we request that you only submit this packet to the Ellis County Sheriff's Office if you **desire prosecution**.

*It is important to understand that in the event a suspect is identified and arrested and the case proceeds to court, you as the victim may be required to appear and testify.*

It is important to note that even if a suspect cannot be identified for prosecution, it will not affect your ability to correct fraudulent accounts and remove them from your credit. Furthermore, when you report

your theft to the Ellis County Sheriff's Office, all of the relevant information from your case will be entered into our database which will allow us to cross-reference your report with potential suspects who are involved in or have been arrested on other cases.

**PLEASE NOTE:**

- If you suspect someone is using your personal information for employment and there is no evidence of other identity fraud please see the section on contacting the social security administration. **Do not contact the employer directly as they may warn the suspect employee.**
  - ***IT MAY NOT BE NECESSARY TO COMPLETE THIS PACKET***
  
- If your name and/or information is used by someone else in order to avoid a traffic citation or any criminal prosecution, please contact the agency investigating the original crime.
  - ***IT MAY NOT BE NECESSARY TO COMPLETE 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, phone numbers, and the names of individuals you speak to regarding the identity theft and correction of your credit (See the worksheet at the back of this packet.)



**STEP 1: CONTACT YOUR BANK & OTHER CREDIT CARD ISSUERS**

If the theft involved existing bank accounts, checking or savings accounts as well as credit or debit cards, you should do the following:

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

If your theft resulted in identify theft involving the creation of new bank accounts you should call the involved financial institution(s) and notify them of the theft. The involved financial institution(s) will likely require additional notification.

**STEP 2: COMPLETE AND RETURN THE IDENTITY THEFT AFFIDAVIT AND RETURN IT TO THE ELLIS COUNTY SHERIFF'S OFFICE**

- ◆ The Identity Theft Affidavit is a voluntary form for filing a report with law enforcement, and disputes with credit reporting agencies and creditors about identity theft-related problems.
- ◆ In some instances evidence may only be available for a limited period of time, we therefore request that this form be filled out as completely as possible and returned to the Ellis County Sheriff's Office as soon as possible.
  - You should retain a copy of this completed form for your records.
- ◆ To avoid confusion and to ensure that all items are forwarded to the Criminal Investigations Unit, we request that once you have completed and returned the Identity Theft Affidavit you submit any additional information you may have obtained at one time. If at all possible, do not send items separately. Be sure to reference your police case report number on all items submitted. The information can be hand delivered or mailed.

Ellis County Sheriff's Office  
300 S Jackson St  
Waxahachie, TX, 78634 Or  
Fax to: 972.825.4941

*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 the Ellis County Sheriff's Office if you desire prosecution and would be willing and available to testify should a suspect be identified and arrested.*

**Documentation for Prosecution**

**The following items of evidence should be obtained by the victim by using the sample dispute letters to dispute charges and requesting all documentation related to the account(s). This evidence will greatly assist us in initiating 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 someone is using your personal information for employment we will need:**

- ◆ Copies of Department of Economic Security or Social Security Administration report showing your information being used for employment.
- ◆ If only your Social Security Number is being used for employment, please provide a **stamped** social security number verification letter from the Social Security Administration that verifies the social security number in question is assigned to you.

**If only a partial account number is listed on the document, please write the entire number on the copy you send to us.**

### STEP 3 : CONTACT ALL THREE (3) MAJOR CREDIT REPORTING BUREAUS

Request the credit bureaus place a “Fraud Alert” on your file. A Fraud Alert will place a notice on your credit report indicating 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 (including Texas) allow for a SECURITY FREEZE in which a PIN # can be designated on your credit file. Subsequently the PIN # must be given in order for credit to be extended. You should ask the credit reporting bureaus if your state participates 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:

#### **EQUIFAX**

Consumer Fraud Division  
1-800-525-6285  
P.O. Box 740241  
Atlanta, GA 30374  
[www.equifax.com](http://www.equifax.com)

#### **TRANSUNION**

Fraud Victim Assistance Dept.  
1-800-680-7289  
P.O. Box 6790  
Fullerton, CA 92834  
[www.transunion.com](http://www.transunion.com)

#### **EXPERIAN**

Nat. Consumer Assistance  
1-888-397-3742  
P.O. Box 9532  
Allen, TX 75013  
[www.experian.com](http://www.experian.com)

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### STEP 4: CONTACT CREDITORS INVOLVED IN THE IDENTITY THEFT BY PHONE AND IN WRITING

This step involves contacting all of 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. You should provide the creditors with a copy of the Identity Theft Affidavit, a *Letter of Dispute*, and a copy of the Fair and Accurate Credit Transaction Act of 2003. Some creditors may require you to complete their Identity Theft Affidavit. These forms are included in the Identity Theft Packets however some companies require you to use their forms.

#### **Federal Trade Commission (FTC) Identity Theft Affidavit:**

A copy of the FTC Identity Theft Affidavit can be found at the end of this packet. The affidavit requests information regarding you as the victim, how the fraud occurred, law enforcement's actions, a documentation checklist, and a Fraudulent Account Statement.

**Please note:** The Ellis County Sheriff's Office Identity Theft Affidavit contains most of the same information and in most cases can be used in place of the FTC Identity Theft Affidavit. Some creditors, financial institutions, or collection agencies have their own affidavit that you may be required to complete. **Letters of Dispute:**

Sample copies of the Letter of Dispute can be found at the end of this packet. This letter needs to be completed for every creditor involved in the identity theft. The Letter of Dispute should contain information related to the fraudulent account(s), your dispute of the account(s), and your request for the information to be corrected. In addition, the letter should reference FACTA and include a request for copies of any and all records related to the fraudulent account(s) be provided to you and in cases with Ellis County Sheriff's Office jurisdiction also made available to the Ellis County Sheriff's Office.

**FACTA Law:**

A portion of the FACTA Law can be found at the end of this packet. As previously discussed, FACTA allows for you to obtain copies of any and all records related to the fraudulent account(s). You are then permitted to provide law enforcement with copies of the records you received related to the account(s); this allows us to bypass the sometimes difficult and lengthy process of obtaining subpoenas/search warrants for the very same information. The law also allows you to request the information be made directly to the Ellis County Sheriff's Office. We have found it useful to provide a copy of the FACTA Law with the submission of the Letter of Dispute and an Identity Theft Affidavit to the individual creditors.

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**OTHER ENTITIES YOU MAY WANT TO REPORT YOUR IDENTITY THEFT TO:**

◆ **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 <https://postalinspectors.uspis.gov/>

◆ **Social Security Administration**

If you suspect that someone is using your social security number to obtain employment, 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) in order 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.socialsecurity.gov/online/ssa7004.html>. Additional information can be obtained from the Social Security Administration by visiting <http://www.socialsecurity.gov/pubs/10064.html>.

◆ **Internal Revenue Service (IRS):**

If you find that someone is using your social security number to obtain employment, contact the IRS fraud hotline at 1-800-908-4490. Request a copy of your Wage and Income Transcript from the IRS. You will need to report and dispute the fraudulent earnings listed on the Wage and Income Transcript with the IRS. Go to: <http://www.irs.gov/privacy/article/0,,id=186436,00.html> for additional IRS information or call 1-877-487-2778.

◆ **State Department:**

If your passport has been stolen, notify the passport office in writing. You can obtain additional information from the State Department's website at [www.travel.state.gov](http://www.travel.state.gov) and click on the passport tab.

- ◆ **If you are contacted by a collection agency** regarding a debt for which you are not responsible, immediately notify them that you did not create the debt and that you are the victim of identity theft. Follow up with the collection agency and creditor in writing and include your police report case number, ID Theft Affidavit, Letter of Dispute, and a copy of the FACTA Law.

STATE OF TEXAS  
COUNTY OF ELLIS

Before me, the undersigned authority, on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ personally appeared \_\_\_\_\_ (complete given name). Who after being by me duly sworn, upon oath and says:

My full legal name is \_\_\_\_\_  
(Last) (First) (Middle) (Jr., Sr., III)

◆ When the events described in this affidavit took place, I was known as: (if different from above)

\_\_\_\_\_  
(Last) (First) (Middle) (Jr., Sr., III)

My date of birth is: \_\_\_\_\_ My Social Security Number is: \_\_\_\_\_

My driver's license state is: \_\_\_\_\_ My driver's license number is: \_\_\_\_\_

My identification state is: \_\_\_\_\_ My identification number is: \_\_\_\_\_

My home phone number is: \_\_\_\_\_ My cell phone number is: \_\_\_\_\_

My email address is: \_\_\_\_\_

I can best be reached by (check one):  home phone  cell phone  work phone  email

Between the hours of: \_\_\_\_\_

My current address is: \_\_\_\_\_  
Street Address City State Zip Code

I have lived at this address since: \_\_\_\_\_  
(Month/Year)

◆ When the events described in this affidavit took place, my address was: (If different from above. You may skip this section if your information has not changed since the fraud.)

\_\_\_\_\_  
Street address City State Zip Code

◆ I lived at this address from: \_\_\_\_\_ until \_\_\_\_\_  
(Month/Year) (Month/Year)

My employer is: \_\_\_\_\_ My work address is: \_\_\_\_\_

My work phone number is: \_\_\_\_\_ My work hours are: \_\_\_\_\_



**Check all that apply:**

I did not authorize anyone to use my name or personal information to seek the money, credit, loans, goods or services described in this document.

I did not receive any benefit, money, goods or services as a result of the events described in this document.

My identification documents (i.e., credit cards, birth certificate, driver's license, Social Security card, etc) were  stolen /  lost on or about \_\_\_\_\_  
(Day/Month/Year)

To the best of my knowledge and belief, the following person(s) used my information (i.e. my name, address, date of birth, existing account numbers, Social Security number, credit/debit card, etc.) or identification documents to obtain money, credit, loans, or good and/or services without my knowledge or authorization:

\_\_\_\_\_  
Suspect 1 name (if known)

\_\_\_\_\_  
Suspect 2 name (if known)

\_\_\_\_\_  
Suspect 1 address (if known)

\_\_\_\_\_  
Suspect 2 address (if known)

\_\_\_\_\_  
Suspect 1 phone number(s) (if known)

\_\_\_\_\_  
Suspect 2 phone number(s) (if known)

Additional information about this/these person(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I do NOT know who used my information or identification documents to obtain money, credit, loans, or goods and/or services without my knowledge or authorization.

Additional comments: (For example, description of the fraud, which documents or information were used or how the identity thief gained access to your information.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I became aware of the identity theft by (check all that apply):**

- Found fraudulent charges on my credit card statement/bill.  
Which card(s)? \_\_\_\_\_ Bank(s) issued by? \_\_\_\_\_
- Found fraudulent charges on my cellular phone bill.  
Phone service provider? \_\_\_\_\_ Phone number: \_\_\_\_\_
- Received bills for account(s) I did not open.  
Name of financial institution?: \_\_\_\_\_ When contacted? \_\_\_\_\_
- Found Irregularities on my credit report.
- I was contacted by a creditor demanding payment.  
Name of creditor? \_\_\_\_\_ Type of account? \_\_\_\_\_
- I was contacted by a bank's fraud department regarding charges.  
Name of bank? \_\_\_\_\_
- I was denied a loan or credit.
- I was arrested, had a warrant issued, or a complaint filed in my name for a crime I did not commit.  
What agency arrested you or issued the warrant? \_\_\_\_\_  
What crime were you charged with? \_\_\_\_\_
- I was sued for a debt I did not incur.  
What court? \_\_\_\_\_ By whom? \_\_\_\_\_
- I was not receiving bills regularly for a legitimate account.  
Which account? \_\_\_\_\_
- I was denied employment.
- I had my driver's license suspended or denied for actions I did not commit.
- I received a legal filing I did not file, such as bankruptcy.
- Other (please explain)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What date did you first become aware of the identity crime? \_\_\_\_\_

When did the fraudulent activity begin? \_\_\_\_\_

Account Information

Name of Institution	Contact Person	Phone	Extension
Account Number	Routing Number	Affected Check Number(s)	
Account Type: <input type="checkbox"/> Credit Card <input type="checkbox"/> Bank <input type="checkbox"/> Phone/Utilities <input type="checkbox"/> Government Benefits <input type="checkbox"/> Loan <input type="checkbox"/> Internet (paypal, ebay, etc.)			
Select ONE: <input type="checkbox"/> This account was opened fraudulently. <input type="checkbox"/> This was an existing account that someone tampered with.			
Date Opened or Misused (month/day/year)	Date Discovered (month/year)	Total Amount Obtained (\$)	
Location used (store, website, dealership name and address if available)			
Any additional information			

Name of Institution	Contact Person	Phone	Extension
Account Number	Routing Number	Affected Check Number(s)	
Account Type: <input type="checkbox"/> Credit Card <input type="checkbox"/> Bank <input type="checkbox"/> Phone/Utilities <input type="checkbox"/> Government Benefits <input type="checkbox"/> Loan <input type="checkbox"/> Internet (paypal, ebay, etc.)			
Select ONE: <input type="checkbox"/> This account was opened fraudulently. <input type="checkbox"/> This was an existing account that someone tampered with.			
Date Opened or Misused (month/day/year)	Date Discovered (month/year)	Total Amount Obtained (\$)	
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Select ONE:			
<input type="checkbox"/> This account was opened fraudulently.			
<input type="checkbox"/> This was an existing account that someone tampered with.			
Date Opened or Misused (month/day/year)	Date Discovered (month/year)	Total Amount Obtained (\$)	
Location used (store, website, dealership name, etc. and address if available)			
Any additional information			

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Account Number	Routing Number	Affected Check Number(s)	
Account Type: <input type="checkbox"/> Credit Card		<input type="checkbox"/> Bank	<input type="checkbox"/> Phone/Utilities
<input type="checkbox"/> Government Benefits		<input type="checkbox"/> Loan	<input type="checkbox"/> Internet (paypal, ebay, etc.)
Select ONE:			
<input type="checkbox"/> This account was opened fraudulently.			
<input type="checkbox"/> This was an existing account that someone tampered with.			
Date Opened or Misused (month/day/year)	Date Discovered (month/year)	Total Amount Obtained (\$)	
Location used (store, website, dealership name, etc. and address if available)			
Any additional information			

If there were more than four frauds, copy this page blank, and attach as many additional copies as necessary.

Enter any applicable information that you have, even if it is incomplete.

If the thief committed two types of fraud at one company, give the information about the two frauds separately.

Contact person: Someone you dealt with, whom an investigator can call about this fraud.

Account Number: The number of the credit or debit card, bank account, loan, or other account that was misused.

Dates: Indicate when the thief began to misuse your information and when you discovered the problem.

Amount Obtained: For instance, the total amount purchased with the card or withdrawn from the account.

ELLIS COUNTY SHERIFF'S OFFICE IDENTITY THEFT AFFIDAVIT CASE # \_\_\_\_\_

Please give a detailed description of what occurred in the space below: *(You can add additional sheets if needed)*

**VICTIM'S LAW ENFORCEMENT ACTIONS**

Check the appropriate boxes

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

I am  I am not authorizing the release of this information to law enforcement for the purpose of assisting them in the investigation and prosecution of the person(s) who committed this fraud.

I have  I have not reported the events described in this affidavit to the police or other law enforcement agencies.

The police  did  did not write a report.

In the event you have contacted the police or other law enforcement agencies, please complete the following information.

\_\_\_\_\_  
Police Department or Law Enforcement Agency

\_\_\_\_\_  
Officer/Agency Personnel Taking Report

\_\_\_\_\_  
Date of Report

\_\_\_\_\_  
Report Number, if any

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Email Address, if available

**Other law enforcement agencies you have reported the fraud to:**

Law Enforcement Agency	Officer that Took the Report	Date reported	Case #
_____	_____	_____	_____

Law Enforcement Agency	Officer that Took the Report	Date reported	Case #
_____	_____	_____	_____

Did the victim receive a copy of the report from the law enforcement officer?  Yes OR  No

**DOCUMENTATION CHECKLIST**

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

A valid government-issued photo identification card (for example, my driver's license, state-issued ID card, or my passport).

*If you are under 16 and don't have a photo-ID, a copy of your birth certificate or a copy of your official school record showing your enrollment and legal address is acceptable.*

Proof of residency during the time the disputed charges occurred, the loan was made, or the other event took place (for example, a copy of a rental/lease agreement in my name, a utility bill, or an insurance bill.)

**CERTIFICATION SIGNATURES**

**SIGNATURE**

As applicable, sign and date *IN THE PRESENCE OF* a law enforcement officer, a notary, or a witness.

I certify that, to the best of my knowledge and belief, all of the information on and attached to this complaint is true, correct, and complete and made in good faith. I understand that this complaint 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 violate federal, state, or local criminal statutes, and may result in a fine, imprisonment, or both.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

**YOUR AFFIDAVIT**

If you do not choose to file a report with law enforcement, you may use this form as an Identity Theft Affidavit to prove to each of the companies where the thief misused your information that you are not responsible for the fraud. While many companies accept this affidavit, others require that you submit different forms. Check with each company to see if it accepts this form. You should also check to see if it requires notarization. If so, sign in the presence of a notary. If it does not, please have one witness (non-relative) sign that you completed and signed this Affidavit.

\_\_\_\_\_ Notary

**Witness:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

**SAMPLE DISPUTE LETTER TO CREDIT REPORTING BUREAU**

Date

Name of Company

Address

City, State, Zip Code

**Re:** Your name  
Your address, City, State, Zip Code  
Complaint Department

Dear Sir or Madam:

I am writing to dispute the following information in my file. I have circled the items in dispute on the attached copy of the report I received.

This item(s) *(identify items disputed by name of source: creditors or tax court. Also identify type of item: credit account, judgment, etc.)* is **inaccurate or incomplete** because *(describe what is inaccurate or incomplete and why)*. I am requesting that the item be removed *(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 police report, ID theft Affidavit, payment records or court documents)* supporting my position. Please reinvestigate **this or these** matters(s) and **delete or correct** the disputed item(s) as soon as possible.

Pursuant to FACTA, as a victim of identity theft I am also 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 the Ellis County Sheriff's Office, 300 S Jackson, Waxahachie, Texas, 75165, upon their request.

Sincerely,

Your name

**Enclosed:** *(List everything you are enclosing)*



**SAMPLE DISPUTE LETTER FOR EXISTING ACCOUNTS**

Date

Name of Company

Address

City, State, Zip Code

**Re:** Your name  
Your address, City, State, Zip Code  
Complaint Department

Dear Sir or Madam:

I am writing to dispute a fraudulent **charge or debit** on my account of \$\_\_\_\_\_. I am a victim of identity theft and I did not generate this **charge or debit**. I am requesting that the **charge is removed or debit be reinstated** and that any finance or other charges related to the fraudulent amount be credited. I also request that I receive an accurate statement.

Enclosed are copies of *(use this sentence to describe any enclosed information: police report, Identity Theft Affidavit, etc.)* supporting my position. Please investigate this matter and correct the fraudulent **charge or debit** as soon as possible.

Pursuant to FACTA, as a victim of identity theft I am also 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 the Ellis County Sheriff's Office, 300 S Jackson, Waxahachie, Texas, 75165, upon their request.

Sincerely,

Your name

**Enclosed:** *(List everything you are enclosing)*

**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 of 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, and 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 acting 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 or 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 subsections.
- (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 theft;
- (ii) and 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.

The form is for your records only.

## Identity Theft Victim Worksheet

Use this form to record steps you take in report the fraudulent use of your identity

### Credit Bureaus – Report Fraud

Request a fraud alert be placed in your file, and a victim's statement asking that creditors call you before opening any new accounts or changing your existing accounts. Ask for a free copy (if inaccurate due to fraud). Ask that inquiries related to the fraud be removed. Order reports again in 2-3 months to check for new activity.

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

### Banks, Credit Card Issuers 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-address. Close the accounts that have been compromised and open new ones, being sure to use different, non-obvious, Personal Identification Numbers (PINs) and passwords.

Creditor	Address/Phone	Date Contacted	Contact Person	Comments

### Law Enforcement Authorities – Report Identity Theft

File a police report and get a copy of it to use as proof of the crime when dealing with creditors. Also contact the FTC with their special phone number, 1-877-IDTHEFT (438-4338), or via their online ID theft form at <https://www.ftc.gov/ftc/idtheftform.htm>.

Agency/Dept	Phone Number	Date Contacted	Contact Person	Report #	Comments
The FTC	1-877-IDTHEFT				
Ellis County Sheriff's Office	(972) 825-4901 or (972) 937-6060				

### Stolen checks – Stop Payment

Institution	Phone Number	Date Contacted	Contact Person	Comments
Your Bank				
Telecheck	1-800-710-9898			
SCAN	1-800-262-7771			

Equifax	1-800-437-5120			

### Other Needs of Identity Theft Victims

File a police report and get a copy of it to use as proof of the crime when dealing with creditors. Also contact the FTC with their special phone number, 1-877-IDTHEFT (438-4338), or via their online ID theft form at <https://www.ftc.gov/ftc/idtheftform.htm>.

<b>Problem</b>	<b>Contact</b>
Removing fraudulent phone charges (within your state)	State Public Utility Commission
Long Distance and Cellular Providers	1-888-CALL-FCC (225-5322)
Fraudulent use of your Social Security Number (SSN)	1-800-269-0271
Misuse of your name or SSN to get a driver's license	TXDPS Driver's License Office (512) 863-5816

## How thieves can steal your identity:

- **Dumpster Diving.** They rummage through trash looking for bills or other paper with your personal information on it.
- **Skimming.** They steal credit/debit card numbers by using a special storage device when processing your card.
- **Phishing.** They pretend to be financial institutions or companies and send spam or pop-up messages to get you to reveal your personal information.
- **Changing Your Address.** They divert your billing statements to another location by completing a change of address form.
- **Old-Fashioned Stealing.** They steal wallets and purses; mail, including bank and credit card statements; pre-approved credit offers; and new checks or tax information. They steal personnel records, or bribe employees who have access.

## How can I find out if my identity was stolen?

The best way to find out is to monitor your accounts and bank statements each month, and check your credit report on a regular basis. If you check your credit report regularly, you may be able to limit the damage caused by identity theft. Unfortunately, many consumers learn that their identity has been stolen after some damage has been done.

If your checks are rejected by a merchant, it may be because an identity thief is using the Magnetic Information Character Recognition (MICR) code (the numbers at the bottom of checks), your driver's license number, or another identification number. The merchant who rejects your check should give you its check verification company contact information so you can find out what information the thief is using. If you find that the thief is using your MICR code, ask your bank to close your checking account, and open a new one. If you discover that the thief is using your driver's license number or some other identification number, work with your DMV or other identification issuing agency to get a new identification with new numbers. Once you have taken the appropriate steps, your checks should be accepted.

To find out if the identity thief has been passing back checks in your name, call: SCAN: 1-800-262-7771

You may find out when bill collection agencies you for overdue debts you never incurred. You may find out when you apply for a mortgage or car loan and learn that problems with your credit history are holding up the loan. You may find out when you get something in the mail about an apartment you never renter, a house you never bought, or a job you never held.

**Take steps to respond to and recover from identity theft as soon as you suspect it.**

## Secure Other Vulnerable Forms of Information

- Place passwords on your credit card, bank, and phone accounts. Avoid using easily available information like your mother's maiden name, your birth date, the last four digits of your SSN or your phone number, or a series of consecutive numbers. When opening new accounts, you may find that many businesses still have a line on their applications for your mother's maiden name. Ask if you can use a password instead.

- Secure personal information in your home, especially if you have roommates, employ outside help, or are having work done in your home.
- Ask about information security procedures in your workplace or a businesses, doctor's offices, or other institutions that collect your personally identifying information. Find out who had access to your personal information and verify that it is handled securely. Ask about the disposal procedures for those records as well. Find out if your information will be shared with anyone else. If so, ask how your information can be kept confidential.
- Invest in a "cross-cut" shredder and shred any junk mail or personal information that you ordinarily throw away.