



# Milford Police Department



## Identity Theft Packet

### Information and Instructions

This packet is to be completed once you have contacted Milford Police Department and obtained a police report number related to your identity theft case. To obtain a police report number contact the Milford Police Department at (203) 878-6551 at any time to file a complaint. Please keep track of your report number, as creditors, financial institutions and credit reporting agencies will ask for it.

**My Milford Police Department Case Number is:**

This packet 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 Milford Police Department 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.

Completion of dispute letters that provide us with necessary documentation is required before we can begin investigating your case for prosecution. In identity theft cases it is difficult to identify the suspect(s) as they often use inaccurate information such as addresses and phone numbers. 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.

### **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 for contacting the Social Security Administration under Additional Useful Information. 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 are used by someone else to avoid a traffic ticket 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 and the names of individuals you speak to regarding the identity theft and correction of your credit.

### **Step 1: Contact Your Bank And Other Credit Card Issuers**

If the theft involved existing bank accounts (checking or savings accounts as well as a 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).

### **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.

<http://www.scamsafe.com/> -provides useful information related to identity theft and indicates which states participate in the Security Freeze Program.

<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**  
800-525-6285  
P.O. Box 740256  
Atlanta, GA 30374

#### **TRANSUNION**

**Fraud Victim Assistance Dept.**  
800-680-7289  
P.O. Box 6790  
Fullerton, CA 92834

#### **EXPERIAN**

**Nat. Consumer Assistance**  
888-397-3742  
P.O. Box 9530  
Allen, TX 75013

### **Step 3: File A Report With The Federal Trade Commission**

You can go on-line to file an identity theft complaint with the FTC [www.ftc.gov/IDTheft](http://www.ftc.gov/IDTheft) or by calling **877-IDTHEFT**.

#### **Step 4: 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. Provide the creditors with the completed Identity Theft Affidavit (some may require that you use their own affidavit), Letter of Dispute, and a copy of the FACTA Law.

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

A copy of the FTC Identity Theft Affidavit can be found at the end of this packet. This is the same affidavit that the FTC makes available to victims of identity theft. The affidavit requests information regarding you as the victim, how the fraud occurred, law enforcement's actions, documentation checklist and Fraudulent Account Statement. NOTE. Some creditors, financial institutions, or collection agencies have their own affidavit that you may have to complete.

#### **Letters of Dispute**

Sample copies of the Letters of Dispute can also 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 make a request for copies of any and all records related to the fraudulent accounts be provided to you and made available to the Milford Police Department.

#### **Fair and Accurate Credit Transactions Act (FACTA)**

A portion of the FACTA Law can also be found at the end of this packet. As previously discussed in this packet, FACTA 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. It also allows you to request the information be made available to the Milford Police Department. We have found it useful to provide a copy of the FACTA Law with the submission of the Identity Theft Affidavit and Letter of Dispute to the individual creditors.

#### **Step 5: Submit Copies Of The Identity Theft Affidavit And Of All Information And Records Obtained From The Creditors With Regard To The Fraudulent Accounts To The Milford Police Department 430 Boston Post Road Milford Ct 06460.**

To avoid confusion and to ensure that all items are forwarded to the assigned investigator, we request that you submit everything at once and if possible do not send items separately. Be sure to reference your police report number on all items submitted. The information can be hand delivered or mailed.

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 Milford Police Department if you desire prosecution and would be willing and available to appear and testify should a suspect be identified and arrested.

## **ADDITIONAL USEFUL INFORMATION**

### ***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 United States Postal Service website: <http://www.usos.com/ncsclocators/findis.html> or by calling **800-275-8777**.
- **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 **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>.
- **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: [http://travel.state.gov/passport/lost/us/us\\_848.html](http://travel.state.gov/passport/lost/us/us_848.html)
- **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 and include a copy of your police report, ID Theft Affidavit, Letter of Dispute and a copy of Identity Theft Victim's the FACTA Law.
- To report fraudulent use of personal checks, contact the following national checking agencies:
  - CheckRite 800-766-2748
  - Chexsystems: 800-428-9623
  - CrossCheck: 800-843-0760
  - Certigy/Equifax: 800-437-5120
  - International Check: 800-526-5380
  - SCAN: 800-262-7771
  - TeleCheck: 800-710-9898
- 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.
- For more information, the following (non-profit) websites are great resources on identity theft:
  - Federal Trade Commission [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft)
  - Identity Theft Resource Center [www.idtheftcenter.org](http://www.idtheftcenter.org)
  - Privacy Rights Clearinghouse . [www.privacyrights.org](http://www.privacyrights.org)
  - Social Security Online [www.ssa.gov/pubs/idtheft.htm](http://www.ssa.gov/pubs/idtheft.htm)
  - U.S. Postal Inspection Service [www.usps.com/postalinspectors](http://www.usps.com/postalinspectors)
- 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.

## **Federal Laws that provide you protection from identity theft.**

- **Identity Theft and Assumption Deterrence Act of 1998:**  
Anyone who knowingly transfers or uses, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, any unlawful activity that constitutes a violation of Federal law, or constitutes a felony under any applicable State or local law.
- **Fair Credit Reporting Act:**  
This act establishes procedures for correcting mistakes on your credit record and requires that your credit record only be provided for legitimate business needs.
- **Fair Credit Billing Act:**  
This act establishes procedures for resolving billing errors on your credit card accounts. It also limits a consumer's liability for fraudulent credit card charges. When proper notice is given the consumer's liability is limited to \$50.00.
- **Fair Debt Collection Practices Act:**  
This act prohibits debt collectors from using unfair or deceptive practices to collect overdue bills that your creditor has forwarded for collection.
- **Electronic Fund Transfer Act:**  
This act provided consumer protection for all transactions using a debit card or electronic means to debit or credit an account. It also limits a consumer's liability for unauthorized electronic fund transfers.

# 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	800-525-6285			
Experian	888-397-3742			
Trans Union	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	Phone Number	Date Contacted	Contact Person	Notes
Milford Police Dept.	203-878-6551			
U.S. Postal Inspector	800-275-8777			
Federal Trade Comm.	877-438-4338			
Social Security Admin	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				

## **Instructions for Completing the ID Theft Affidavit**

To make certain that you do not become responsible for the debts incurred by the identity thief, you must provide proof that you didn't create the debt to each of the companies where accounts were opened or used in your name.

A working group composed of credit grantors, consumer advocates and the Federal Trade Commission (FTC) developed this ID Theft Affidavit to help you report information to many companies using just one standard form. Use of this affidavit is optional for companies. While many companies accept this affidavit, others require that you submit more or different forms. Before you send the affidavit, contact each company to find out if they accept it.

You can use this affidavit where a **new account** was opened in your name. The information will enable the companies to investigate the fraud and decide the outcome of your claim. (If someone made unauthorized charges to an **existing account**, call the company to find out what to do.)

This affidavit has two parts:

1. **ID Theft Affidavit** is where you report general information about yourself and the theft.
2. **Fraudulent Account Statement** is where you describe the fraudulent account(s) opened in your name. Use a separate Fraudulent Account Statement for each company you need to write to.

When you send the affidavit to the companies, attach copies (do not send originals) of any supporting documents (for example, drivers license, police report) you have. Before submitting your affidavit, review the disputed account(s) with family members or friends who may have information about the account(s) or access to them.

**Complete this affidavit as soon as possible.** Many creditors ask that you send it within two weeks of receiving it. Delaying could slow the investigation.

**Be as accurate and complete as possible.** You may choose not to provide some of the information requested. However, incorrect or incomplete information will slow the process of investigating your claim and absolving the debt. Please print clearly.

When you have finished completing the affidavit, mail a copy to each creditor, bank or company that provided the thief with the unauthorized credit, goods or services you describe. Attach to each affidavit a copy of the Fraudulent Account Statement with information only on accounts opened at the institution receiving the packet, as well as any other supporting documentation you are able to provide.

**Send the appropriate documents to each company by certified mail, return receipt requested,** so you can prove that it was received. The companies will review your claim and send you a written response telling you the outcome of their investigation. **Keep a copy of everything you submit for your records.**

If you cannot complete the affidavit, a legal guardian or someone with power of attorney may complete it for you. Except as noted, the information you provide will be used only by the company to process your affidavit, investigate the events you report and help stop further fraud. If this affidavit is requested in a lawsuit, the company might have to provide it to the requesting party.

Completing this affidavit does not guarantee that the identity thief will be prosecuted or that the debt will be cleared.

# **ID Theft Affidavit**

## **Part I – 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 (\_\_\_\_) \_\_\_\_\_
11. My evening telephone number is (\_\_\_\_) \_\_\_\_\_

**Bring or mail this completed packet to the:**  
**Milford Police Department**  
**Attn: Detective Bureau**  
**430 Boston Post Road**  
**Milford Ct 06460.**

**DO NOT SEND AFFIDAVIT TO THE FTC OR ANY OTHER  
GOVERNMENT AGENCY**

**Part II How The Fraud Occurred**

**Check all that apply for items 12 - 17:**

- 12.  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.
- 13.  I did not receive any benefit, money, goods or services as a result of the events described in this report
- 14.  My identification documents (for example, credit cards; birth certificate; driver's license; Social Security card; etc.) were  
 stolen     lost on or about \_\_\_\_\_

(day/month/year)

- 15.  To the best of my knowledge and belief, the following person(s) used my information (for example, my name, address, date of birth, existing account numbers, Social Security number, mother's maiden name, etc.) or identification documents to get money, credit, loans, goods or services without my knowledge or authorization (use additional sheets of paper if necessary):

\_\_\_\_\_  
Name (if known)

\_\_\_\_\_  
Name (if known)

\_\_\_\_\_  
Address (if known)

\_\_\_\_\_  
Address (if known)

\_\_\_\_\_  
Phone number(s) (if known)

\_\_\_\_\_  
Phone number(s) (if known)

\_\_\_\_\_  
Additional information (if known)

\_\_\_\_\_  
Additional information (if known)

- 16.  I do NOT know who used my information or identification documents to get money, credit, loans, goods or services without my knowledge or authorization.
- 17.  Additional comments: (For example, description of the fraud, which documents or information were used or how the identity thief gained access to your information.)

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

(Attach additional pages as necessary.)

**DO NOT SEND AFFIDAVIT TO THE FTC OR ANY OTHER  
GOVERNMENT AGENCY**

**Part III – Victims Law Enforcement Actions**

18. (Check one)

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

19. (Check one)

I  am  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.

20. (Check all that apply)

I  have  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 agency, please complete the following:

\_\_\_\_\_  
(Agency # 1)

\_\_\_\_\_  
(Officer/Agency personnel taking report)

\_\_\_\_\_  
(Date of report)

\_\_\_\_\_  
(Report number, if any)

\_\_\_\_\_  
(Phone number)

\_\_\_\_\_  
(email address, if any)

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\_\_\_\_\_  
(Agency # 2)

\_\_\_\_\_  
(Officer/Agency personnel taking report)

\_\_\_\_\_  
(Date of report)

\_\_\_\_\_  
(Report number, if any)

\_\_\_\_\_  
(Phone number)

\_\_\_\_\_  
(email address, if any)

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\_\_\_\_\_  
(Agency # 3)

\_\_\_\_\_  
(Officer/Agency personnel taking report)

\_\_\_\_\_  
(Date of report)

\_\_\_\_\_  
(Report number, if any)

\_\_\_\_\_  
(Phone number)

\_\_\_\_\_  
(email address, if any)

**DO NOT SEND AFFIDAVIT TO THE FTC OR ANY OTHER GOVERNMENT AGENCY**

**Part IV - 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.

- 21.  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.
- 22.  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).
- 23.  A copy of the report you filed with the police 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.

**Part V - Signature**

I declare under penalty of perjury that the information I have provided in this affidavit is true and correct to the best of my knowledge.

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

\_\_\_\_\_  
(date signed)

**Knowingly submitting false information on this form could subject you to criminal prosecution for perjury.**

\_\_\_\_\_  
(Notary Public)

*(Check with each company. Creditors sometimes require notarization. If they do not, please have one witness (non-relative) sign below that you completed and signed this affidavit.)*

\_\_\_\_\_  
(Witness signature)

\_\_\_\_\_  
(Witness printed name)

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

\_\_\_\_\_  
(Telephone number)

**DO NOT SEND AFFIDAVIT TO THE FTC OR ANY OTHER GOVERNMENT AGENCY**

**Part VI - Fraudulent Account Statement**

**Completing this Statement**

- Make as many copies of this page as you need. Complete a separate page for each company you're notifying and only send it to that company. Include a copy of your signed affidavit.
- List only the account(s) you're disputing with the company receiving this form. See the example below.
- If a collection agency sent you a statement, letter or notice about the fraudulent account, attach a copy of that document (do not send the original).

**I declare (check all that apply):**

As a result of the event(s) described in the ID Theft Affidavit, the following account(s) was/were opened at your company in my name without my knowledge, permission or authorization using my personal information or identifying documents:

<b>Creditor Name/Address</b> <i>(the company that opened the account or provided the goods or services)</i>	<b>Account Number</b>	<b>Type of unauthorized credit/goods/services provided by creditor</b> <i>(if known)</i>	<b>Date issued or opened</b> <i>(if known)</i>	<b>Amount/Value provided</b> <i>(the amount charged or the cost of the goods/services)</i>

During the time of the accounts described above, I had the following account open with your company:

Billing name \_\_\_\_\_

Billing address \_\_\_\_\_

Account number \_\_\_\_\_

**DO NOT SEND AFFIDAVIT TO THE FTC OR ANY OTHER GOVERNMENT AGENCY**

## **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). 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 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 in Phoenix.
  - 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.**

## Sample Dispute Letter

Date  
You're Name  
Your Address  
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. I have circled the items I dispute 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 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 a police report, Identity Theft Affidavit, payment records, court documents) supporting my position. Please reinvestigate this (these) matter(s) and (delete or correct) the disputed item(s) as soon as possible.

In addition, pursuant to the Fair and Accurate Credit Transactions Act of 2003 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 accounts. The copies of the records can be mailed to me at the address listed above. In addition, please make these records available to the Milford Police Department, Milford Connecticut upon their request.

Sincerely,

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Your name

Enclosures: (List what you are enclosing.)

## Sample Dispute Letter for Existing Accounts

Date  
You're Name  
You're Address  
City, State, Zip Code  
You're Account Number

Name of Creditor  
Billing Inquiries  
Address  
City, State, Zip Code

Dear Sir or Madam:

I am writing to dispute a fraudulent (charge or debit) on my account in the amount of \$\_\_\_\_\_. I am a victim of identity theft and I did not make this (charge or debit). I am requesting that the (charge be removed or the debit reinstated), that any finance and other charges related to the fraudulent amount be credited, as well, and that I receive an accurate statement.

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

In addition, pursuant to the Fair and Accurate Credit Transactions Act of 2003 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 accounts. The copies of the records can be mailed to me at the address listed above. In addition, please make these records available to the Milford Police Department, Milford Connecticut upon their request.

Sincerely,

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Your name Enclosures:  
(List what 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 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) (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.