

DIVISION OF CRIMINAL JUSTICE

IDENTITY THEFT - CITIZEN/VICTIM ASSISTANCE

Many citizens of New Jersey, and of other States, find they are, or believe they may be, a victim of Identity Theft. The Attorney General appreciates the extraordinary level of frustration, helplessness and victimization that an individual can experience as a result of being a victim of this crime. The Attorney General also understands the level of inconvenience a victim will experience and the length of time required to undo the damage done to a person's credit.

The Role of Attorney General and the Division of Criminal Justice

The role of the Attorney General, and the Division of Criminal Justice, in dealing with an individual case of Identity Theft is limited. As a matter of law, the Attorney General cannot provide legal advice to private individuals, entities or non-governmental organizations. The Attorney General only provides legal advice to departments, agencies and instrumentalities of State government. Therefore, the information contained in this brochure is provided only as a public and referral service. This information cannot be considered as legal advice or a legal opinion of the Attorney General or the Division of Criminal Justice.

A person who requires, or who is seeking, legal advice is encouraged to obtain the assistance of private legal counsel of their own choice. As an alternative, the State or local Bar Association or local Legal Aid Service may be of some assistance. A list of those resources is provided in this brochure.

WHAT ACTIONS CAN AN IDENTITY THEFT VICTIM TAKE?

IMMEDIATELY

1. REPORT THE INCIDENT TO A LAW ENFORCEMENT AGENCY:

A person who believes they are a victim of an Identity Theft is encouraged to promptly report those facts to a law enforcement agency. In New Jersey a victim can report an Identity Theft to the Office of the County Prosecutor of the county where the theft is believed to have taken place, or to the local police department. The address and telephone number for the County Prosecutor's Office and the local police department can be found in the blue government pages of your local telephone directory, under "County Government" and "Local Government." Those law enforcement agencies are responsible, in the first instance, for investigating such offenses and for developing the necessary evidence to pursue the matter as a criminal prosecution, if the facts warrant.

Once a report has been filed, request a copy of the report so that it will be available to send to credit reporting agencies and creditors.

2. KEEP COMPLETE RECORDS:

Become a record keeper! Keep detailed notes and records of all telephone conversations with credit reporting bureaus, creditors or debt collection agencies. Confirm all telephone conversations, in writing. Keep copies of all correspondence sent and received. Send correspondence by certified mail, return receipt requested. Keep a record of the time spent and any expenses you incurred, in case you can request restitution in a later

judgment or conviction against the thief.

3. OBTAIN A COPY OF YOUR CREDIT REPORT FROM THE CREDIT REPORTING BUREAUS:

Fraud victims are entitled to a free credit report. Therefore, a person who believes they are the victim of Identity Theft should obtain a copy of their credit record. Carefully review the entire credit reporting record. Any errors or actions that are suspect or fraudulent should be immediately submitted to **ALL** of the credit reporting agencies. A list of those agencies is found below.

4. NOTIFY ALL OF THE CREDIT REPORTING BUREAUS

Report the theft of any credit cards or credit card numbers to each credit reporting agency.

Request that all your accounts be "**Flagged with a fraud alert.**"

Submit a written victim statement to be included in your credit report stating:

- 1) Your identity has been stolen and has been used to apply for credit fraudulently.
- 2) Provide a contact telephone number to verify any credit applications.
- 3) Request all applications for credit be confirmed telephonically to the telephone number you have given, and then have those requests confirmed in writing to your address.

Ask each credit reporting bureau to do the following:

- 1) Inform you how long the fraud alert will remain posted to your file; and

how you can extend the alert, if necessary.

Be aware that reporting an identity theft to a credit reporting bureau may not stop an identity thief from opening new fraudulent accounts in your name. Therefore, a victim should request a free copy of their credit report from each credit reporting bureau every few months in order to monitor any new fraudulent activity.

- 2) Inform you of the names, addresses and telephone numbers of any credit grantor with whom fraudulent accounts have been opened. Request the credit reporting bureau remove inquiries that they have generated due to the fraudulent access.
- 3) Notify all those who requested and received your credit report in the last six months that the information they received, in your credit report, is disputed.

Confirm all of these requests, in writing, to each credit reporting agency notified.

Credit Reporting Bureaus

Equifax Credit Information Services

Consumer Fraud Division

P.O. Box 740250, Atlanta, GA 303748

Toll-free Fraud Report Telephone: 1-800-525-6285

Hearing impaired: Call 1-800-255-0056

Internet/On-line Assistance at: www.econsumer.equifax.com

Experian (formerly TRW)

P.O. Box 1017. Allen, TX 75013-2104

Toll-free Fraud Report Telephone: 1-888-397-3742 or 1-888-EXPERIAN

By FAX: 1-800-301-7196

TDD Call: 1-800-972-0322

Internet/On-line Assistance at: www.experian.com/consumer

Trans Union, Fraud Victim Assistance Department

P.O. Box 6790, Fullerton, CA 92634

Toll-free Fraud Report Telephone: 1-800-680-7289

TDD Call: 1-877-553-7803

Internet/On-line Assistance at: www.tuc.com

The addresses and telephone numbers to order a credit report from the credit reporting agencies are listed below:

Equifax

P.O. Box 105069

Atlanta, GA 30348

Telephone: 1-800-685-1111

Internet at: www.equifax.com

Experian (formerly TRW)

P.O. Box 9532

Allen, TX 75013

Telephone: 1-888-397-3742 or 1-888 EXPERIAN

Internet at: www.experian.com

Trans Union

P.O. Box 6790

Fullerton, CA 92834

Telephone: 1-800-888-4213.

Internet at: www.transunion.com

Additional assistance concerning how to obtain credit records can be obtained from the New Jersey Division of Consumer Affairs at 1-800-242-5846, or through the Division of Consumer Affairs Internet Website at www.state.nj.us/lps/ca/credit.

5. CONTACT ALL CREDIT CARD COMPANIES, CREDITORS, BANKS AND FINANCIAL INSTITUTIONS:

Contact all credit card companies, creditors, banks and financial institutions where you have accounts that may have been affected or where an account may have been created in

your name, without your knowledge.

- 1) Request that those accounts be processed as “Account Closed at Consumer’s Request.”
- 2) Get replacement cards with new account numbers.
- 3) Stop payments on any checks or withdrawal drafts that are suspect.
- 4) Change any passwords on the accounts.
- 5) Do not use the old password, mother's maiden name, birth date, any portion of your Social Security number, or other easily obtained passwords.

Follow up all telephone contacts with a written confirmation.

6. CONTACT CHECK VERIFICATION COMPANIES:

Contact the major check verification companies if you have had checks stolen or bank accounts set up by an identity thief. Inform the verification companies that you are an identity theft victim.

CheckRite - 1-800-766-2748

ChexSystems - 1-800-428-9623 (closed checking accounts)

CrossCheck - 1-800-552-1900

Equifax - 1-800-437-5120

International Check Services - 1-800-631-9656

National Processing Co. (NPC) - 1-800-526-5380

SCAN - 1-800-262-7771

7. CHANGE ALL PIN NUMBERS:

Immediately change your PIN number on any accounts, including any Automated Teller Machine (ATM) accounts with banks, savings institutions, other financial service entities, credit cards, On-line entities and merchants. Change any passwords on the ATM accounts. Do not use: the old password; your mother's maiden name; your birth date; any portion of your Social Security number, including the last four digits; or other easily obtained passwords.

8. CONTACT UTILITY AND SERVICE PROVIDER COMPANIES:

Contact utility and service provider companies such as: the local telephone company; long distance telephone company; cable company; internet service provider; and electric, power, gas or water providers. Alert each company or service provider of the theft of your identity and inform them that attempts may be made to open new service using your identification information. Request that any new request for service be confirmed with you and provide a telephone number and mailing address. Keep a copy of all of these requests.

9. CONTACT YOUR LOCAL POST OFFICE:

Notify your local Postal Inspector if you suspect an identity thief has filed a change of your address with the post office or has used the mail to commit fraud. To obtain the

telephone number of your local post office call 800-275-8777, or on the U.S. Postal Service Internet website at www.usps.gov/websites/depart/inspect.

Find out the address where any fraudulent credit cards were or are being sent. Notify the local Postmaster for that address to forward all mail, in your name, to your own address.

You may also need to talk with the mail carrier on the route where fraudulent mail is being sent. Confirm all telephone conversations in writing.

10. CONTACT THE FEDERAL TRADE COMMISSION:

File a report of an identity theft and obtain assistance in restoring credit by contacting the Federal Trade Commission, Consumer Response Center at:

Consumer Response Center

Federal Trade Commission

600 Pennsylvania Avenue, NW, Washington, D.C. 20580

Toll-free telephone: 1-877-438-4338

Internet/On-line Assistance at: www.consumer.gov/idtheft

The FTC also has an Internet website (www.consumer.gov/idtheft/info.htm) with useful Internet links to other federal agencies and non-profit organizations that provide assistance to victims of Identity Theft.

11. CONTACT THE SOCIAL SECURITY ADMINISTRATION:

Report a misuse or possible theft of your Social Security Number to the Office of the Inspector General of the Social Security Administration:

Social Security Administration, Fraud Hotline

Office of the Inspector General

P.O. Box 17768, Baltimore, MD 21235

Toll-free telephone: 1-800-269-0271

Fax: 1-410-597-0018

Internet/On-line Assistance at: www.ssa.gov/oig/hotline

E-Mail: oig.hotline@ssa.gov

12. OBTAIN COPY OF YOUR CRIMINAL HISTORY RECORD:

Request a copy of your own Criminal History Record by contacting the New Jersey Division of State Police:

New Jersey Division of State Police

State Bureau of Identification, Criminal Information Unit

P.O. Box 7068, West Trenton, New Jersey 08628-0068

Telephone number: 1-609-882-2000, ext. 2878

13. CONTACT THE DIVISION OF MOTOR VEHICLES:

For assistance in dealing with issues related to an Identity Theft involving a New Jersey

driver's license, vehicle registration or Title, contact:

Division of Motor Vehicle Services

Victim Assistance Unit

P.O. Box 166, Trenton, New Jersey 08666-1666

Telephone number: 1-609-633-9450

Note: Assistance from the Division of Motor Vehicles is limited. The Division of Motor Vehicles cannot address issues involving a pending motor vehicle summons or other official Notice from a New Jersey Court. With respect to any matters or notices issued from a Court, which may be related to an Identity Theft, it is necessary for the individual, or their attorney, to respond to the specific Court where a summons is pending, or to the Court from which the Notice originated or was issued.

14. CONTACT THE FBI FOR INTERNET OR ON-LINE FRAUD:

If the theft of an identity is the result of, or otherwise connected to, an Internet or other On-line fraud, contact the Internet Fraud Complaint Center of the Federal Bureau of Investigation at www.ifccfbi.gov, to file an On-line complaint.

15. CONTACT THE U.S. STATE DEPARTMENT FOR PASSPORT FRAUD:

All Identity Theft victims, whether they have a Passport or not, should write to, or contact, the United States Department of State Bureau of Consular Affairs, to alert that

agency of the theft of your identity. Victims should request the State Department confirm, in writing to the address you have provided, any application for a passport or changes of address etc.

Internet/On-line Assistance is available at: www.travel.state.gov/passport_services

16 CONTACT OTHER FEDERAL AGENCIES AS NECESSARY

INTERNET ADDRESSES:

United States Secret Service: www.treas.gov/usss

Secret Service Financial Crimes Division: www.treas.gov/usss/financial_crimes.shtml

Social Security Administration Inspector General Hotline: www.ssa.gov/oig/Hotline.htm

Treasury Tax Administration Inspector General - Hotline: www.ustreas.gov/tigta/hotline.htm

U.S. Department of Justice: www.usdoj.gov

USDOJ Identity Theft & Identity Fraud: www.usdoj.gov/criminal/fraud/idtheft.html

FDIC: Federal Deposit Insurance Corporation: www.fdic.gov

Comptroller of the Currency, Administrator of National Banks: www.occ.treas.gov

National Credit Union Administration: www.ncua.gov

Office of Thrift Supervision: www.ots.treas.gov

Telephone numbers for Federal agencies in your area can be found in the blue government pages of your local telephone directory, under "Federal Government."

OTHER STEPS TO CONSIDER

MAKE USE OF OPT-OUT PROVISIONS

Opt out of pre-approved offers of credit and marketing lists by calling:

1-800-680-7293 or 1-888-5OPTOUT.

Or write to:

Equifax Options, P.O. Box 740123, Atlanta, GA 30374-0241

Experian, P.O. Box 919, Allen, TX 75013

Trans Union, P.O. Box 97328, Jackson, MS 39238

Opt out of credit reporting industry pre-screened credit approvals by calling:

1-888-567-8688

Remove your name, address and telephone number from mail and telephone lists through the Direct Marketing Association.

Mail Preference Service, P.O. Box 9008, Farmingdale, NY 11735

Telephone Preference Service, P.O. Box 9014, Farmingdale, NY 11735

CAUTION: Do not give any OPT-OUT service your Social Security Number, Date of

Birth, Mothers Maiden name or other personal identification information.

SEEK INDEPENDENT LEGAL ADVICE

In matters such as Identity Theft, pursuit of a remedy exclusively through the criminal justice system may be insufficient. In these types of cases, the criminal justice system cannot always provide individuals with the level of relief they may seek. Therefore, victims of Identity Theft are strongly encouraged to seek the assistance of an attorney of their own choice for any civil or other remedies that may be available.

For individuals who cannot afford an attorney, they can contact the State Bar Association or Legal Services. Addresses and telephone numbers for those entities in New Jersey are listed below, or consult the telephone directory for your local Bar Association.

New Jersey State Bar Association

1 Constitution Square

New Brunswick, New Jersey 08901-1500

Telephone 732-249-5000

Internet/On-line Assistance: www.njsba.com

Legal Services of New Jersey

100 Metroplex Dr. at Plainfield Ave., Suite 402

P.O. Box 1357, Edison, New Jersey 08818-1357

Telephone 732-572-9100 or 1-888-LSNJ-LAW

Internet/On-line Assistance: www.lsnj.org

In addition, Legal Aid Clinics at the Rutgers University Law Schools in Camden and Newark, and at the Seton Hall University Law School in Newark are available.

OTHER SOURCES OF ASSISTANCE

There are non-governmental, non-profit groups which have been established to provide assistance to victims of identity theft. One group is:

Privacy Rights Clearinghouse

Identity Theft Resource Center

P.O. Box 226833, San Diego, California 92196

Telephone number 858-693-7935

Internet information at www.privacyrights.org.

or www.idtheftcenter.org