WASHTENAW COUNTY
OFFICE OF THE SHERIFF

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JERRY L. CLAYTON
SHERIFF

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UNDERSHERIFF

Fraud
&
Identity
Theft Packet

Case# ________________

Reporting Deputy ___________________________

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INFORMATION AND INSTRUCTIONS

This packet is to assist you in the investigation related to your identity theft incident and should be completed in its entirety. Listed above is your Washtenaw County Sheriff's Office case number. Please keep track of your case number because creditors, financial institutions and credit report agencies may require it.

Enclosed in this packet is information which will assist you in the correction of your credit incurred by the identity thief. In addition this packet includes information that will assist you in obtaining financial records related to fraudulent activity and/or fraudulent account information which will be needed for law enforcement investigation. Without these records, the investigation into your incident may be delayed for prosecution. It is important to understand that in the event a suspect is identified and/or arrested you may be required to appear in court.

Completion of the dispute letters is required before we can begin investigating your case for prosecution. Suspects in identity theft cases are difficult to identify as they often use inaccurate information such as addresses and phone numbers. Frequently, the investigator is unable to find useable evidence to prove who actually used the victim's name and personal information.

It is important to understand 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 identity theft to the Washtenaw County Sheriff's Office, all of the information from your case will be entered into our system which will allow us to cross-reference your incident with potential suspects who are involved in or have been arrested on other cases.

PLEASE NOTE THE FOLLOWING:

If you believe 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 under additional useful information. Do NOT contact the employer directly because they may warn the suspect employee.

If your name and/or information is used by someone else in order to avoid a **TRAFFIC TICKET** or any other **CRIMINAL PROSECUTION**, please contact the agency investigating the original crime.

HELPFUL HINTS

Remember that each creditor has different policies and procedures for correcting fraudulent accounts.

Do not provide originals. Be sure to keep copies of everything you provide to the creditors or companies involved in the identity theft.

Keep a record of all dates, times, phone numbers and the names of the individuals you speak with regarding the identity theft and correction of your credit.

PLEASE CONDUCT THE FOLLOWING FIVE STEPS IN ORDER TO AID IN THE INVESTIGATION AND IN RESOLVING THE MATTER OF YOUR IDENTITY THEFT.

STEP 1:

CONTACT YOUR BANK AND OTHER CREDIT CARD ISSUERS.

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

CLOSE the account(s) that was used fraudulently or have stop payments issued on all outstanding checks that might have been written without your knowledge.

CLOSE all credit card accounts that were used fraudulently.

CLOSE any account(s) accessible by the debit card if it has been accessed fraudulently.

OPEN new account(s) protected with a secret password or personal identification number (PIN).

If the identity theft involved the creation of *NEW* bank accounts, you should call the involved financial institution and notify them of the identity theft. The involved financial institution will likely require additional notification (see step 4).

STEP 2:
CONTACT ALL THREE 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 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.

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

Equifax
Consumer Fraud Division
PO Box 740241
Atlanta, GA 30374
800-525-6285
www.equifax.com

Trans Union
Fraud Victim Assistance Dept.
PO Box 6790
Fullerton, CA 92834
800-680-7289
www.transunion.com

Experian
National Consumer Assistance
PO Box 9532
Allen, TX 75013
888-397-3742
www.experian.com

www.scamsafe.com provides useful information related to identity theft and indicates which states participate in the Security Freeze Program.

www.annualcreditreport.com provides one free credit report, per credit bureau, per year with subsequent credit reports available at a nominal fee.

STEP 3:
FILE A REPORT WITH THE FEDERAL TRADE COMMISSION.

You MUST go on-line to file an identity theft complaint with the Federal Trade Commission at: www.ftc.gov/bcp/edu/microsites/idtheft or by calling 1-877-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(s). Some examples include: banks, mortgage companies, utility companies, telephone companies, cell phone companies, etc. You should provide the creditors with a completed Identity Theft Affidavit (some companies require that you use their own affidavit), a Letter of Dispute and a copy of the FACTA Law.

FTC Identity Theft Affidavit:
A copy of the FTC Identity Theft Affidavit is supplied in 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.

Letters of Dispute:
Sample Letters of Dispute are supplied in this packet. The 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 FCTA and include a request for copies of any and all records related to the fraudulent account(s) be provided to you and also made available to the Washtenaw County Sheriff's Office.

FACTA Law:
A portion of the FACTA Law is supplied in this packet. 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), thereby allowing us to bypass the sometimes difficult process of obtaining subpoenas for the same information. The law also allows you to request the information be made available directly to the Washtenaw County Sheriff's Office. We have found it is useful to provide a copy of the FACTA Law with the submission of the Identity Theft Affidavit and the Letter of Dispute to the individual creditors.

STEP 5:
SUBMIT THE INFORMATION AND RECORDS OBTAINED FROM THE CREDITORS WITH REGARDS TO THE IDENTITY THEFT TO THE DEPUTY OR DETECTIVE IN CHARGE OF YOUR CASE.

To avoid confusion and to ensure that all items are forwarded to the Deputy or Detective in charge of your case, we request that you submit everything at one time. If it is at all possible, do not send the items separately. Be sure to reference your case number on all items submitted.

ADDITIONAL ENTITIES YOU MAY WANT TO REPORT YOUR IDENTITY THEFT WITH.

POST OFFICE:
If you suspect 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: www.usps.com/ncsc/locators/find-is.html (enter your zip code).

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. You can order a copy of your Personal Earnings and Benefits 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 www.ssa.gov/online (search for form, SSA7004).

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 , then click on the Passport tab.

COLLECTION AGENCIES:
If you are contacted by a Collection Agency regarding a debt for which you are not responsible, immediately notify them and advise them you did not create the debt and that you are a victim of identity theft. Follow up with the collection agency and creditors in writing and include a copy of your police report, ID Theft Affidavit, Letter of Dispute and a copy of the FACTA Law.

PREVENTION

The Washtenaw County Sheriff's Office recommends the following steps to prevent identity theft:

SECURE YOUR MAILBOX:

- Check your mail as frequently as possible; don't leave your mail unchecked for long periods of hours.
- Report any received merchandise - not ordered by you - to the police. This is because your house is being used as a "drop house".
- Consider replacing any unsecure mailbox with a US Postal Service-authorized "lockable mailbox".

RED-FLAG YOUR DRIVER'S LICENSE:

In the State of Michigan, residents have a choice of placing an alert on their Michigan ID or driver's license. Visit the following link to see if you are qualified to do so: http://www.michigan.gov/sos/0,1607,7-127-1627_9068-22914--,00.html

FREEZE YOUR CREDIT REPORT:

People are permitted to place a "freeze" – rather than an alert, on their credit report/accounts. Here is the difference between the two:

- **Alert:** Setting up a fraud alert is like placing a red flag on your credit report. It means that any time you (or a potential identity thief) attempts to take out a loan, the lenders are supposed to go back and re-verify all of the personal information. In other words, they are supposed to take several extra steps to ensure that you are the one applying for the loan, and not just someone else using your identity. Unfortunately, many savvy fraud suspects utilize automated systems to bypass such alerts.

- **Freeze:** If you choose to freeze your credit reports it means that lenders will be unable to see your credit score. This works in favor of most automated systems because the make decisions based entirely on your credit score. If your credit report is frozen, they cannot access your score. If a potential lender can't see your credit score, they will not issue a loan. This is the most effective method of protecting your identity. Most automated systems don't recognize the red flag from the fraud alert, but they will definitely not approve you if they can't access your credit score!

Starting November 1, 2007, the security freeze has been be offered voluntarily by Equifax, Experian, and TransUnion to consumers living in the states that have not yet adopted security freeze laws (Alabama, ***Michigan***, and Missouri).

PLEASE FIND ON THE FOLLOWING PAGES:

SAMPLE LETTERS OF DISPUTE (2 PAGES)

IDENTITY THEFT AFFIDAVIT (4 PAGES)

FAIR AND ACCURATE CREDIT TRANSACTIONS LAW (3 PAGES)

SAMPLE DISPUTE LETTER #1

Date

Name of Company
Address
City, State, Zip

Re: Your Name
Your Address, City, State, Zip
Complaint Department

Dear Sir of Madam:

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

These items (you need to identify items disputed by name of source, creditors or tax court. Also identify type of item, credit account, judgment, etc.) are inaccurate or incomplete because (describe why it is inaccurate or incomplete.). I am requesting that the item(s) be removed (or request another specific change) to correct the information.

Enclosed are copies of (you need to include documentation such as police reports, ID Theft Affidavit, payment records or court documents) supporting my position. Please reinvestigate this matter 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 me at the address listed above. In addition, please make these records available to the Washtenaw County Sheriff's Office upon their request.

Sincerely,

Your Name

SAMPLE DISPUTE LETTER / FOR EXISTING ACCOUNTS #2

Date:

Name of Company
Address
City, State Zip

Re: Your Name
Your Address, City, State Zip

Complaint Department

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 generate this charge or debit. I am requesting that this charge is removed or debit is 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, ID 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 me at the address listed above. In addition, please make these records available to the Washtenaw County Sheriff's Office upon their request.

Sincerely,

Your Name

IDENTITY THEFT AFFIDAVIT

VICTIM INFORMATION

1. My full legal name is ____
(First) (Middle) (Last) (Jr., Sr.,III)

2. *(If different from above)* When the events described in this affidavit took place, I was known as

____
(First) (Middle) (Last) (Jr., Sr.,III)

3. My date of birth is ________________________________
(Day/Month/Year)

4. My Social Security number is __________________________

5. 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 this address (No. 8) from ______________________ until ______________________________
(Month/Year) (Month/Year)

10. My daytime telephone number is _________/____________________________

My evening telephone number is _________/____________________________

HOW THE FRAUD OCCURRED

CHECK ALL THAT APPLY FOR ITEMS 11-16

11. [ ] I did not authorize anyone to use my name or personal information to seek money, credit, loans, goods or services described in this report.

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

13. [ ] My identification documents (i.e., credit cards, birth certificate, driver's license, Social Security Card, etc.) were [ ] stolen or [ ] lost on or about ____.
(Day/Month/Year)

14. [ ] 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, mother's maiden name, etc.) or identification documents to obtain money, credit, loans, goods and or services without my knowledge or authorization:

Name (if known)	Name (if known)
Address (if known)	Address (if known)
Telephone numbers (if known)	Telephone numbers (if known)
Any additional information (if known)	Any additional information (if known)

15. [ ] 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.

16. [ ] Additional comments (i.e., description of fraud, which documents or information were used, how the identity suspect gained access to your information, etc.):

(Attach additional pages as necessary)

VICTIM'S LAW ENFORCEMENT ACTIONS

17. (Check one) I [ ] am [ ] am NOT willing to assist in the prosecution of the person (s) who committed this fraud.

18. (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.

19. (Check one) I [ ] have [ ] have NOT reported the events described in this affidavit to the police or other law enforcement agencies.

20. (Check one) The police [ ] did [ ] did NOT write a police report.

In the event you have contacted the police or other law enforcement agency, please complete the following:

Agency 1	Officer
Report number/Date of Report	Agency Phone number/Email address

IDENTITY THEFT AFFIDAVIT

Agency 2

Officer

Report number/ Date of Report

Agency Phone number/Email address

DOCUMENTATION CHECKLIST

Please indicate the supporting documentation (s) 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 (i.e., driver's license, state issued ID Card, passport, etc.). If you are under 16 and do not have a photo ID, you may submit a copy of your birth certificate or a copy of your official school record showing your enrollment and place of residency.

22. [ ] Proof of residency during the time the disputed bill occurred, the loan was made or any other incident that took place (i.e., rental/lease agreement in your name, copy of utility bill or 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 a report number from the the police, please indicate in Item 20. Some companies only need the report number, not a copy of the report; you may want to check with each company.

SIGNATURE 0F AFFIDAVIT

I certify that to the best of my knowledge and belief, all of the information on and attached to this affidavit is true, correct, complete and in good faith. I also understand that this affidavit or the information it contains may be made available to the 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 result in the imposition of a fine, or imprisonment, or both.

Signature

Date signed

Notary

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

Witness Signature

Date signed

Printed Name

Telephone number

IDENTITY THEFT AFFIDAVIT

FRAUDULENT ACCOUNT STATEMENT

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

I declare (check what applies):
[ ] 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:

[ ] on my open/active account(s) someone, without my knowledge or permission, made changes or used my account.

CREDITOR NAME/ADDRESS	ACCOUNT NUMBER	TYPE OF AUTHORIZED CREDIT/GOODS/SERVICES PROVIDED BY CREDITOR (IF KNOWN)	DATE ISSUED OR OPENED (IF KNOWN)	AMOUNTVALUE PROVIDED OR CHARDED
EXAMPLE: National Bank of State 22 Main Street Anywhere, USA, 00000	0101010101-01	Auto Loan	01/01/2009	$25,500

Billing Name: ____

Address: ____

Telephone: ____

Fair and Accurate Credit Transactions
Act of 2003
Public Law 108-159 December 4, 2003

Sec. 151. SUMMERY OF RIGHTS OF IDENTITY THEFT VICTIMS

(a) IN GENERAL

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

(d) SUMERY 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 model summery of the rights of consumers under this title with respect to the procedures of 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) SUMMERY OF RIGHTS AND CONTACT INFORMATION
Beginning 60 days after the date on which the model summery 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 my 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), <u>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 and transaction alleged to be a result of identity theft to:</u>

(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 investigation the identity theft an 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 indentifying information that the business entity typically requests from new applicants or for new transaction, 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; (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 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) AUTHOIRTY 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 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 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.