

Charleston County Sheriff's Office Identity Theft Victim's Packet

Information and Instructions

This packet should be completed once you have received a copy of your police report from the Charleston County Sheriff's Office. Please keep your report and make copies as necessary to provide to your creditors, financial institutions, and credit reporting agencies.

My Charleston County Sheriff's Office Report Number is:

This packet is for you to keep and 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 continue an investigation sufficient for prosecution. We recognize that some victims are only interested in the correction of their credit and do not necessarily wish to cooperate with our investigation; therefore, we request that you only submit this packet to the Charleston County Sheriff's Office if you desire to assist with our investigation. **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 would be required to participate in the prosecution of the person charged.**

You will need to complete the dispute letters and provide us with necessary documentation before we can continue the investigation into your case. Examples of the document evidence we need are on the last page of this packet. Without document evidence, we cannot continue the investigation. Please write your report number on copies of documents you send us. In identity theft cases it is difficult to identify the suspect(s) as they often use inaccurate information such as addresses and phone numbers. Frequently the investigator cannot find evidence to prove who actually used your name and/or personal information. 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 activity 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, 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.
- If your name and/or information is used by someone 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 your identity theft.
- Write down all dates, times, and 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 credit or debit cards) 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 (listed below)

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. You may be able to place 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 you can place a Security Freeze on your files. You should contact each credit bureau individually. They are separate companies and will not share the information you provide.

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 Assist
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 at www.FTC.gov and click on the ID Theft icon or by calling 877-IDTHEFT (877-438-4338).

Step 4: Contact creditors involved in your 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. Provide the creditors with the completed Identity Theft Affidavit (some may require that you use their own affidavits), Letter of Dispute, and a copy of the Fair and Accurate Credit Transactions Act of 2003 (FACTA Law).

- **Identity Theft Affidavit:** A copy of the Federal Trade Commission's 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 checklists and Fraudulent Account Statement. NOTE: some creditors, financial institutions, or collection agencies have their own affidavit that you may have to compete.
 - **Letters of Dispute:** Sample copies of 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 that copies of any and all records related to the fraudulent accounts be provided to you and make those available to the Charleston County Sheriff's Office.
 - **Fair and Accurate Credit Transactions Act of 2003 (FACTA):** A portion of the FACTA Law can also be found at the end of this packet. The FACTA Law allows for you to obtain copies of any and all records 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 Charleston County Sheriff's Office. 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.
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Step 5: Submit the Identity Theft Affidavit AND copies of all information and records obtained from creditors with regard to the fraudulent accounts to:

**Charleston County Sheriff's Office
ATTN: Investigative Services
3691 Leeds Ave
North Charleston, SC 29405**

To avoid confusion and to ensure that all items are forwarded to the assigned detective, we request that you submit everything at one time and if possible do not send items separately. **Be sure to write your Sheriff's Office report number on all items submitted.** The types of document evidence needed are listed on the next page. 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 wish for prosecution. Therefore, we request that you only submit this packet to the Charleston County Sheriff's Office if you desire prosecution and would be willing and available to appear and testify in court should a suspect be identified and arrested.**

Additional Useful Information

- ✓ 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 the United States Postal Service website: <https://postalinspectors.uspis.gov> 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. Answer the prompt about ID Theft. Wait for the explanation concerning the Federal Trade Commission then respond to the prompts to obtain your earnings statement so that you can check the accuracy of your work history on file with the Social Security Administration. This can be a difficult process and will require some persistence and patience.
- ✓ Internal Revenue Service: The IRS Office of Special Investigations can be contacted at www.IRS.gov to report false tax filings, potential criminal violations of the Internal Revenue Code and related financial crimes.
- ✓ 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 the FACTA Law.

Documentation for Prosecution

The following items of evidence should be obtained and provided by you, the victim. You may use the sample dispute letters to request documentation related to the account(s) and dispute fraudulent transactions. Without this document evidence, we will not be able to continue our investigation.

- If your **existing accounts** are being accessed, please obtain the following types of documents:
 - Bank statements or bill 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 utility companies for accounts you did not open.
 - Letters or documentation from creditors or utility companies that contain:
 - Copies of applications for credit.
 - How the account was opened (in person, over the phone, or internet).
 - Where the account was opened if done in person.
 - Where the account is being used (address of transactions).
 - Address where any cards, bills, merchandise, or correspondence was mailed.
 - Any phone numbers associated with the fraudulent account.
 - The name and phone number of the employee from the businesses you deal with.

- **If someone is using your personal information for employment we will need:**
 - Copies of Social Security Administration reports 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.

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Identity Theft Affidavit

Victim Information:

1. My full legal name is (F,M,L) _____.
2. (If different from above) When the events described in this affidavit took place, I was known as (F,M,L) _____.
3. My date of birth is _____.
4. My Social Security Number is _____ - _____ - _____.
5. My driver's license or state identification card number is _____, State _____.
6. My current address is _____

City _____ State _____ Zip Code _____
7. I have lived at this address since (month and 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 (month and year) _____ until (month and year) _____.
10. My best contact number is _____ or _____.

How the Fraud Occurred: Circle each number that applies for items 11-16.

11. 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.
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 (for example, credit cards, birth certificates, driver's license, Social Security card, etc.) were: Stolen or Lost on or about (mm-dd-yyyy) _____.
14. To the best of my knowledge and belief, the following person(s) used my information (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:
i) Name (if known) _____
Address (if known) _____
Phone number(s) (if known) _____
Additional Information _____

ii) Name (if known) _____
Address (if known) _____
Phone number(s) (if known) _____
Additional Information _____

15. I do not know who used my information or identification documents to get money, credit, loans, goods or services without my knowledge or authorization.

16. 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).

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Victim's Law Enforcement Actions:

17. Check only One:

- I am willing to assist in the prosecution of the person(s) who committed this fraud, if they are identified.

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

18. Check only One:

- I am authorizing the release of this information to law enforcement for the purposes of assisting them in the investigation and prosecution of the person(s) who committed this fraud.

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

19. Check all that apply:

I ___ have ___ have not reported the events described in this affidavit to the police or other law enforcement agency. The police ___ did ___ did not write a report. (If you did contact law enforcement, please provide the following information).

Law Enforcement Agency 1: _____

Officer taking the report: _____ Phone Number: _____

Date of Report: _____ Report Number _____

Law Enforcement Agency 2: _____

Officer taking the report: _____ Phone Number: _____

Date of Report: _____ Report Number _____

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Documentation Checklist:

Please indicate the supporting documentation you are able to provide to the companies you notify. Attach copies (NOT originals) to the affidavit before sending it to the companies. Circle all that apply.

- 20. A copy of a valid government issued photo identification card (example: your driver's license, state issued ID card, or your passport). 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 records showing your enrollment and place of residence.
- 21. Proof of residency during the time the disputed bill occurred, the loan was made, or the other event took place (example: a rental/lease agreement in your name, a copy of a utility bill, or a copy of an insurance bill).
- 22. A copy of the report filed with the police or sheriff's office. 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.

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

Signature

Date

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

Notary

Date

Witness:

Signature

Printed Name

Date

Telephone Number

Fraudulent Account Statement

Completing the 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 (NOT the original).

I declare (check all that apply):

- As a result of the event(s) described in this Identity 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:

Creditor Name / Address <small>(the company that opened the account or provided the goods or services)</small>	Account Number	Type of unauthorized Credit/goods/services provided by creditor <small>(if known)</small>	Date Issued or Opened (if Known)	Amount / Value provided (the amount charged or the cost of the goods/services)

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

Billing Name: _____

Billing Address: _____

Account number: _____

Sample Dispute Letter

Date

Your Name

Your Address,

Your 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) matters(s) and (delete or correct) the disputed item(s) as soon as possible.

In addition, pursuant to FACTA, 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 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 Charleston County Sheriff's Office upon their request.**

Sincerely,

Your name

Enclosures: (List what you are enclosing.)

Sample Dispute Letter for Existing Accounts

Sample Dispute Letter

Date

Your Name

Your Address

Your City, State, Zip Code

Your Account Number

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 FACTA Law, 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 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 Charleston County Sheriff's Office upon their request.

Sincerely,

Your name

Enclosures: (List what you are enclosing.)

**Fair and Accurate Credit Transactions
Act of 2003
Public Law 108-159 December 4, 2003 (In Part)**

**Subtitle B—Protection and Restoration of
Identity Theft Victim Credit History**

SEC. 151. 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 subchapter 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 Bureau 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 Bureau under paragraph (1), and information on how to contact the Bureau 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 Bureau; or
 - (II) an ³ 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.

(6) Limitation on liability

Except as provided in section 1681s of this title, sections 1681n and 1681o of this title do not apply to any violation of this subsection.

(7) Limitation on civil liability

No business entity may be held civilly liable under any provision of Federal, State, or other law for disclosure, made in good faith pursuant to this subsection.

(8) No new recordkeeping obligation

Nothing in this subsection creates an obligation on the part of a business entity to obtain, retain, or maintain information or records that are not otherwise required to be obtained, retained, or maintained in the ordinary course of its business or under other applicable law.