

Recommended steps for the investigation of identity theft:

1- Take the report

The victim of identity theft is required to file a police report prior to contacting banks, creditors, other businesses and the credit bureaus. The initial investigative report should only include a brief summary of the complaint information so the Department can easily and promptly provide a copy of the initial report to the victim. Since the Department can not release criminal history information to non-criminal justice agencies, criminal history type of information should not be included in the initial report, but should be started as part of your first supplemental report. This may seem cumbersome, but it will assist the victim's recovery from the identity theft.

2- Have the victim cancel any fraudulent or compromised accounts.

The victim must immediately close and dispute any new, unauthorized accounts whether they are credit cards or charge accounts. The Federal Trade Commission has prepared an "ID theft affidavit" that is accepted by many banks, creditors, other businesses and the credit bureaus. Provide the victim with a copy of the ID theft affidavit, which is attached with preparation instructions, or direct them to <http://www.consumer.gov/idtheft/> for a copy they can print themselves. The affidavit is NOT for the department or other law enforcement agency. The victim should be told to photocopy the police report and attach it to a copy of this ID theft affidavit and file a copy of both with each credit bureau, collection agency, Credit Card Company or charge account that was compromised. The creditor is also required by law, Fair Credit Reporting Act, Section 609(e), to provide the victim with a copy of the fraudulent credit application or other business transaction, free of charge, within 30 days of receiving the victim's request. The victim may also give law enforcement permission to obtain these records. The victim needs to do this in writing to the creditor. The victim should be instructed to contact the creditor's fraud department by telephone ask if the creditor has a specific address for the victim to make this request. You should also instruct the victim that the creditor is entitled to ask the victim for proof of identity, which would be a government issued ID card, a copy of the police report and a copy of a completed affidavit, like the FTC ID theft affidavit.

3- Have the victim forward correspondence to the department

If possible, have the victim forward any correspondence related to the ID theft to the department, including regular or electronic mail. In the case of email, direct the victim to use the "forward" function of their mail program to send the emails to your departmental email account. With the electronic copy, the e-mail's imbedded routing information can be retrieved to track the e-mail's source. Simply printing out the email will not provide this information. Use your departmental email address for this purpose.

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4- Direct the victim to notify credit bureaus.

The victim must contact one of the three credit bureaus to report the problem. When contacted, the credit bureaus will put a “fraud alert” on the victim’s credit report to prevent any further fraudulent accounts from being opened. As soon as one of the credit bureaus places a fraud alert, the other two bureaus are automatically notified to do the same and the victim will receive free credit reports from all three bureaus.

5- Recommend victim file a complaint with the FTC.

In addition to providing a wealth of information on how to cope with identity theft, the Federal Trade Commission maintains a database to assist law enforcement called the Consumer Sentinel, a law enforcement only collection of identity theft related crimes. The victim should be instructed to access this FTC consumer complaint form at <http://www.consumer.gov/idtheft/> so their complaint will be part of the database for law enforcement. If the theft involves regular mail, recommend they also contact the United States Postal Inspection Service at <https://www.usps.com/postalinspectors/fraud/MailFraudComplaint.htm>.

6- Compare incident with Consumer Sentinel database.

Compare your information with the reported incidents in the FTC’s Consumer Sentinel database for possible tips, other agency involvement, and recommended actions. The department has registered several police officers with the FTC and each has a username and password in order to access the Consumer Sentinel data base. These officers can access this data base at <http://www.ftc.gov/sentinel/>. If you want to register, inform Corporal James O’Connor and he will prepare the paperwork.

7- Have the victim contact the Network of Victim Assistance, NOVA, for assistance in handling their recovery from this crime.

In Bucks County, this would be NOVA, Network of Victim Assistance, 1-800-675-6900, 16 North Franklin Street, Doylestown, PA 18901. They can access NOVA’s website at <http://www.novabucks.org/>.

8- Have the Victim Obtain a FTC guidebook “Take Charge: Fighting Back Against Identity Theft”.

Provide the victims with the website for the FTC’s guidebook “Take Charge: Fighting Back Against Identity Theft”, <http://www.consumer.gov/idtheft/>. It is an excellent point by point outline of things to do to assist in their recovery from ID Theft.

Federal Trade Commission (FTC)
600 Pennsylvania, NW, H-130, Washington, DC 20580
1-877-IDTHEFT (1-877-438-4338).
www.consumer.gov/idtheft

United States Postal Inspection Service
P.O. Box 7500
Philadelphia, PA 19101-9000
PH: 215-895-8450 FX: 215-895-8470
<http://www.usps.com/postalinspectors/>

Credit agencies:

Equifax - www.equifax.com
P.O. Box 740241, Atlanta, GA 30374-0241
800-525-6285

Experian - www.experian.com
P.O. Box 9530, Allen TX 75013
888-EXPERIAN (397-3742)

Trans Union - www.transunion.com
Fraud Victim Assistance Division, P.O. Box 6790, Fullerton, CA 92634
800-680-7289

Statute:

Pennsylvania Consolidated Statutes, Title 18, Section 4120, Identity Theft.

- (a) Offense defined.- A person commits the offense of identity theft of another person if he possesses or uses identifying information of another person without the consent of that other person to further any unlawful purpose.
- (b) Separate offenses.- Each time a person possesses or uses identifying information in violation of subsection (a) constitutes a separate offense under this section.
- (c) Grading.- The offenses shall be graded as follows:
 - (1) A first offense under this section is a misdemeanor of the first degree, and a second or subsequent offense under this section is a felony of the third degree.
 - (2) When a person commits an offense under subsection (a) and the victim of the offense is 60 years of age or older, the grading of the offense shall be one grade higher than specified in paragraph (1).