

# **PREVENTIVE LAW**

## **SERIES**

### **Legal Assistance Program**

*TOPIC:*

*IDENTITY THEFT*

*September 2014*

If you have questions concerning the topic  
of this pamphlet, please contact the  
Legal Assistance Office

For additional information & useful links, please visit:

<https://aflegalassistance.law.af.mil>

**Legal Assistance Office**  
**Phone: 226-4022**

**Office of the**  
**Staff Judge Advocate**  
**Misawa AB, Japan**

## ***IDENTITY THEFT***

Identity theft is when someone wrongfully obtains and uses another person's personal data in some way that involves fraud or deception. Your personal data, especially your Social Security number, your bank account and credit card number, your birth date, and other identifying data, can be used by someone else to personally profit at your expense.

According to the Department of Justice, Identity Theft is quickly becoming one of the most prevalent crimes in the US. Many people have reported that unauthorized persons have made withdrawals from their bank accounts and other financial institutions, or have completely taken over their identity, running up large debts and committing crimes while using the victim's name. In many cases, a victim's losses may include not only out-of-pocket expenses, but substantial additional expenses in trying to restore their reputation in the community and correcting erroneous information for which the criminal is responsible. A military member can also put his career at risk when running into financial difficulty. Therefore, it is important to take steps to protect yourself against identity theft and know what to do if it happens to you.

### ***How your Identity is stolen***

Thieves use a variety of methods to steal your personal information, including:

- Dumpster Diving – Rummaging through trash looking for bills or other paper with your personal information on it.
- Skimming – Stealing card numbers by using a special storage device when processing your card
- Phishing – Pretending to be financial institutions or companies and send spam or pop-up messages to get you to release your personal information.
- Changing your Address – A thief can divert your billing statements to another location by completing a “change of address” form.

### ***How to guard against Identity Theft***

Here are some suggested precautions you can take to help safeguard your information. You may also want to instruct any other person who is authorized to use your account to take these same precautions.

- Shred any documentation containing personal information before discarding
- Protect your social security number.
- Don't give out personal information over the phone, internet, or email unless you know exactly who you are dealing with.
- Keep your personal information secure.
- Check your information on a regular basis.

## ***What to do if your Identity is Stolen***

If your identity is stolen, you should immediately:

**- Place a fraud alert on your credit reports.**

Contact the fraud number of any of the three consumer reporting companies below to place a fraud alert on your credit report. You only need to contact one. The company you call is required to contact the other two.

**EQUIFAX:** 1-800-525-6285; [www.equifax.com](http://www.equifax.com); P.O. Box 740241, Atlanta, GA, 30374

**EXPERIAN:** 1-888- 397-3742; [www.experian.com](http://www.experian.com); P.O. Box 2350, Chatsworth, CA 91313

**TRANS UNION:** 1-800 680-7289; [www.transunion.com](http://www.transunion.com); Fraud Victim Assistance Division, P.O. Box 6790, Fullerton, CA, 92834

Once you place a fraud alert on your file, you're entitled to order free copies of your credit reports. Ask that only the last four digits of your SSN appear on your credit reports.

When a business sees an alert on your credit report, they must verify your identity before granting credit. As a result, the business may try to contact you directly and this may cause delays when you're trying to obtain credit.

**- Close the accounts you know, or believe, have been tampered with or opened fraudulently.**

Call and speak with someone in the security or fraud department of each company. Follow up in writing and include copies of supporting documentation. Send your letters by certified mail so you can document when the companies received them.

If charges or debits have been made on your accounts, or on fraudulently opened accounts, ask the company for forms to dispute those transactions. For charges and debits on existing accounts, ask for the company's fraud dispute forms. For new unauthorized accounts; ask if the company accepts the ID Theft Affidavit. If not, ask the representative to send you the company's fraud dispute forms.

Once you have resolved your identity theft dispute the company, ask for a letter stating that the company has closed the disputed accounts and has discharged the fraudulent debts.

**- File a report with SFS.**

Make sure you get a copy of your statement and the number of the report. It can help deal with creditors who need proof of the crime.

**- File a complaint with the Federal Trade Commission**

By sharing your identity theft complaint with the FTC, you will provide important information to help law enforcement officials across the country in the investigations.

**“ACTIVE DUTY ALERTS” help protect Military Personnel from Identity Theft**

Amendments to the Fair Credit Reporting Act allow you to place an “active duty alert” on your credit report. Military members may place an alert on their credit report while they are deployed. This alert helps protect against identity theft while you are deployed. You may designate a personal representative to add and remove the alert for you. Active duty alerts on your report are effective for one year, unless you request it be removed sooner. If your deployment last longer than a year, you may put another alert on your report. To place an “active duty” alert on your credit report, contact one of the three nationwide consumer reporting companies: Equifax, Experian, or Trans Union.

When you place this alert on your report, your name will be removed from the nationwide consumer reporting companies’ marketing lists for prescreened offers of credit and insurance for two years. These offers are based on information in your credit report that indicates you meet certain criteria set forth by the creditor.

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