

# INFORMATION FOR VICTIMS OF FRAUD CRIMES

## SCHERTZ POLICE DEPARTMENT



The following information is being provided to you as the result of you being the victim of a fraud crime. This information will provide you with the basic information to repair possible damage to your credit and your identity. In addition, you will find suggestions on how to prevent yourself from becoming further victimized. We strongly suggest you also contact local and state organizations that specialize in victim assistance for any special needs you may have as a result of the crime.

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Victims of a federal crime have the right to:

- Be treated with fairness and with respect for their dignity and privacy;
- Be reasonably protected from the accused;
- Be notified of court dates, unless there are material reasons why they should not be present;
- Be present at court hearings, unless their presence will materially affect proceedings;
- Speak with the government's attorney;
- Learn of the offender's conviction, sentence, imprisonment, and release; and
- Seek restitution

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## **ADDRESSING CREDIT PROBLEMS – STRATEGIES FOR VICTIMS**

Depending on the nature of the fraud, you may not be held financially liable for the debts incurred as a result of the fraudulent act. You should contact fraud assistance units, credit card companies, lending institutions, or an attorney to determine if you are in fact exempt from the debt. Depending on the type of crime, you should be prepared for the possibility that until the case is resolved you may have to pay debts incurred as a result of the crime.

You can take several steps to address potential credit problems:

➤ **Contact Creditors Directly**

In many instances, if you contact creditors immediately upon learning of a change in your ability to pay debts, the result may be a reduction, modification, or deferral of credit card or loan payments.

➤ **Consult with a Credit Counseling Service**

Services provided by credit counseling services typically include these:

- Negotiating with creditors to consolidate or reduce payments or interest, especially on unsecured debts such as credit cards and personal loans.
- Developing payment plans based on your ability to pay.
- Providing advice about other options for repairing credit, such as documenting fraud victimizations in national and local credit reports.

Some credit counseling services provide their services for free, while others may charge hefty fees. Consumer Credit Counseling Service (CCCS), the nation's largest and (and no cost) non-profit credit counseling service, has branch offices located in most metropolitan areas. You should consult the local telephone directories for the nearest CCCS office or call the national toll-free number, (800) 388-CCCS, to learn the location of the nearest office.

Local Better Business Bureaus and local credit reporting agencies are also good sources for consumer counseling referrals.

➤ **Work with Credit Reporting Agencies**

Being a victim of crime normally does not relieve a person of the obligation to pay both legitimate debts and debts caused by fraudulent acts. To protect your credit you should obtain copies of your credit reports, from both national and local reporting agencies, for several reasons:

- To learn whether negative ratings appear on credit reports. If so, you can file a written explanation of the crime, or payment difficulty, for inclusion in the report. While explanations will not result in the removal of negative credit ratings, they do provide creditors with information for future credit decisions.
- To learn whether continuing debt is being incurred as a result of fraud. It is not uncommon in credit card fraud for perpetrators to use victims' personal information to secure additional credit in victims' names over a long period, especially if they have not been identified or arrested. Nor is it uncommon for fraud perpetrators to sell victims' personal information to other criminals. By reviewing credit reports routinely, you will be able to uncover additional fraudulent acts without long delays.
- In cases where a perpetrator has been identified and convicted, you should submit copies of restitution orders, liens, or other orders of judgment against the perpetrator for their credit files. Copies of these orders sent to credit bureaus will add legitimacy to your written explanations of payment difficulties.
- You should be wary of companies that claim the ability to remove negative ratings from your credit reports. These companies normally charge high fees for their services, which basically amount to making a payment on the debt, with little or no impact on the credit rating. Nothing (except errors by creditors or credit bureaus) erases negative ratings from a credit report but the timely repayment of debt.

➤ **Assistance from Credit Card Fraud Units Housed in National Credit Reporting Agencies.**

Each of the three most frequently used national credit reporting agencies has a credit card fraud unit. Their information is as follows:

Equifax Credit Information Services  
P.O. Box 740241  
Atlanta, GA 30374  
(800) 525-6285 (404) 885-8000  
<http://www.equifax.com>

Experian's National Consumer Assistance  
P.O. Box 9532  
Allen, TX 75013  
(888) 397-3742  
<http://www.experian.com>

Trans Union Corporation  
Fraud Victim Assistance Department  
P.O. Box 6790  
Fullerton, CA 92834  
(800) 680-7289  
<http://www.transunion.com>

The most common service offered by these fraud units is placing an alert on your credit files so that when new applications for credit cards are received, they are rejected until you are contacted to verify that you actually applied for the cards.

Requesting an alert on one's credit file is not restricted to credit reporting agencies. Victims of credit card theft, credit card fraud, or personal identity fraud should contact individual credit card companies where they have existing accounts and request that similar flags be placed on their account records.

In addition to blocking new credit applications, you can request to be notified if charges to your credit cards exceed usual spending patterns. American Express does this as a matter of course. Other companies require a written request to provide such notification.

You should request the names of those individuals or companies that have asked for a copy of your credit report in the last six months to determine the legitimacy of the request. You should also ask credit reporting agencies how long a credit file block is left in place and what procedures must be followed to extend it.

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## **STRATEGIES TO HELP PREVENT REVICTIMIZATION**

Fraud criminals relentlessly target and re-target their most vulnerable victims, often selling "sucker" lists to other perpetrators. It may be difficult to understand how someone could repeatedly give money to con artists, but for some victims, responding to fraudulent offers or investments is a repetitive form of behavior – much like an addiction. For others, such as lonely elders, the only form of social contact they have may be with fraudulent telemarketers and experienced con artists who target them for just that reason. These individuals need help to break the continuing cycle of victimization.

To reduce your chances of being targeted and defrauded by criminals again, several strategies may help:

➤ **Remove Your Name from National Mailing, Marketing, and Phone Lists**

You should send a written request to have your name removed from national mailing and phone lists. Written requests should be mailed to the following:

Mail Preference Service  
Direct Marketing Association  
P.O. Box 9014  
Farmington, NY 11735

Telephone Preference Service  
Direct Marketing Association  
P.O. Box 9008  
Farmington, NY 11735

➤ **Change Phone Numbers**

A fraud victim, especially a victim of telemarketing fraud, may want to change his or her telephone number or get an unlisted number. To change a telephone number you should call a customer service representative at the local phone company, explain the circumstances, and ask that the number be changed. Telephone companies usually change the number once at no charge for fraud victims and may charge \$20 or more to change the number a subsequent time. The change usually becomes effective within 24 hours. You should also ask the phone company about other options such as how to trace calls from persistent telemarketers. Make sure the phone company does not put your new number on a recording at your old number.

➤ **Contact Creditors to Close Accounts**

When an account has been used fraudulently, you should contact the creditor immediately – first by phone, then in writing – to request that the account be closed and that a flag of “closed by consumer request” be placed on it. Replacement cards with new account numbers should be requested at that time.

➤ **Changing Personal Identifiers**

Victims can request that fraud assistance units in national credit reporting agencies, as well as individual credit card companies that maintain their own credit accounts, change their personal identifiers or add additional personal identifiers, such as a name other than the victim’s mother’s maiden name. That way, if old personal identifiers are used, fraud assistance unit personnel will automatically be alerted to fraud.

**You should never release social security numbers, credit card numbers, or bank account number without first verifying the legitimacy of the requesting individual or agency.**

➤ **Restrict Address Changes**

You can request that national and local credit reporting agencies make no address changes to credit files without first contacting you to confirm the requested changes. It is not uncommon for identity thieves to submit new credit applications with a different address. In doing so, they are able to redirect billing notices and pre-approved credit card offers, increasing the likelihood that you will remain unaware of new credit accounts until the perpetrators have amassed staggering debts and new identities.

➤ **Routinely Review Credit Files**

You should review local and national credit files routinely so that crimes of identity fraud can be spotted quickly. Victims who have been denied credit are entitled to receive a free copy of their credit report. Victims may be assessed a fee for additional reports.

**Effective October 1997, victims of identity theft are entitled by law to receive an annual credit report free of charge.**

➤ **Maintain Files of All Financial Transactions**

You should keep files of all financial transactions, including all credit applications, requests for credit file blocks, and changes of personal identifiers.

➤ **Notify Banks and Other Lending or Investment Institutions**

You should cancel checking, savings, and investment accounts and obtain new account numbers. You should ask that new personal identifiers be used to verify all transactions. Stop-payments should be placed on any outstanding checks or payments, and creditors should be notified of the issuance of new payments. Also, cancel ATM cards and request new ones with new identifiers.

➤ **Report the Fraudulent Use of Checks to National Check Verification Companies**

You should report the fraudulent use or theft of checks, along with the closed account number, to companies that contract with retail establishments to verify checks. Such companies include these:

- CheckRite (800) 766-2748
- Chexsystems (800) 328-5121
- Equifax (800) 437-5120
- National Processing Company (800) 526-5380
- SCAN (800) 262-7771
- Telecheck (800) 366-2425

➤ **Reject and Report “Recovery Room” and Other Financial Recovery Schemes**

Previously victimized persons should be warned about “recovery room” schemes, which falsely offer victims a way to recover their losses from fraudulent acts – for a fee. If you are contacted by an individual claiming he or she can help recover your losses, either with or without a request for payment, you should immediately notify the Secret Service Special Agent, the prosecutor handling the case, or the victim/witness coordinator. Federal and State justice agencies do not charge fees to recover victims’ losses. Most often the person contacting you is an accomplice of the original criminal. It is not uncommon for fraud criminals to pass along their list of fraud targets to other criminals.

Occasionally, a representative of a reparations board or state agency that helps victims recover their money may contact you legitimately, but normally victims initiate this type of contact. Many fraud criminals operate in organizations with names that sound like those of government agencies.

➤ **Use Consumer Protection Agency “Fraud Alerts”**

You can receive fraud alerts and other fraud-related promotional materials from consumer protection groups, such as the National Fraud Information Center of the National Consumer’s League, (800) 876-7060. Through consumer protection agencies, you can find out about current scams, receive tips, and report fraudulent activities.

➤ **Change Your Social Security Number**

This action should be used only in extreme cases of identity theft where your credit is so extensively associated with bad checks and credit that repair is unlikely. You should contact the Social Security Administration to request a new number. You should then provide your new number to all credit grantors, credit reporting agencies, insurance carriers, employers, state and federal taxing agencies, and departments of public safety (if the social security number is used as the driver’s license number). Afterwards, you should review your social security benefits annually to ensure that they have been properly credited with benefits transferred from their old accounts to their new ones. You should request such statements from the local office of the Social Security Administration.

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## **IDENTITY THEFT**

Becoming a victim of identity theft can be a traumatic experience and law enforcement would like to assist you both legally and procedurally.

If you discover that someone may have used your name and/or credit to obtain services without paying for them, there are a number of steps you may take to protect yourself. While the companies selling the goods and services usually bear the financial loss from such credit fraud, the suspects involved in the fraud may have also damaged your credit status in the process.

Any damage can only be corrected with your help, participation, and cooperation. The process may be burdensome, so to make it as manageable as possible, here is a list of steps that may assist you. These procedures should help to resolve any problems with your creditors, remove any inaccurate information from your credit reports, and help to prevent any further fraud. Usually, a fraudulent party uses one person's name and credit for only a short period of time.

In any case, if you suspect you are a victim of identity theft, contact the three major credit reporting companies:

Equifax  
P.O. Box 740241  
Atlanta, GA 30374  
(800) 525-6285

Trans Union  
Fraud Victim Assistance  
P.O. Box 6790  
Fullerton, CA 92634  
(800) 680-7289

Experian  
P.O. Box 9532  
Allen, TX 75013  
(888) 397-3742

1. Explain to each that you have been a victim of fraud.
2. Ask them to send you a copy of your credit report. When you receive the reports, examine them carefully for unauthorized accounts and inquiries.
3. Ask each for the names and address of the creditors reporting unauthorized accounts and inquiries.
4. Ask each to place a "Victim of Fraud" statement on your credit report.

Other information:

Federal Trade Commission (FTC)

- Take Charge: Fighting Back Against Identity Theft  
<http://www.ftc.gov/bcp/edu/pubs/consumer/idtheft/idth04.shtm>

Social Security Administration (SSA) Information

- Identity Theft and Your Social Security Number (05-10064)  
<http://www.socialsecurity.gov/pubs/10064.html>
- Your Social Security Number and Card (05-10002)  
<http://www.socialsecurity.gov/pubs/10002.html>

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## **OPT OUT**

In our normal course of business, we expose our personal information to many different entities. We may do this by applying for a loan or credit card, subscribing to a magazine, ordering products over the phone or internet, filling out product registration cards, or setting up home utilities such as gas, electric, cable, phone, etc. Most of these companies have a legitimate need for your information. However, the law allows them to sell your information to other businesses. This is generally the source of many of the unsolicited telemarketing calls, promotional mail, and spam e-mails you receive. Most businesses offer their customers choices about how their personal information is used by giving you the ability to “opt-out”. By limiting the sharing or selling of your personal information, you limit your exposure and reduce the risks of becoming a victim of an identity crime.

The following information has been provided by the Federal Trade Commission and are legitimate sources that will require you to provide certain personal information.

### **Prescreened Credit Card Offers:**

The credit bureaus sell your information to financial institutions wishing to entice you with pre-approved credit card offers. You can “opt-out” from receiving these offers by calling 1-888-567-8688. The three major credit bureaus share this number so you don’t have to call each bureau separately. This is an automated number that allows you to opt-out permanently or for two years. A confirmation letter should be sent to your home address.

### **Promotional and Marketing Lists:**

The credit bureaus also sell your information to businesses form promotional purposes. This is the list where many coupons, catalogs, and “special offers” come from. To “opt-out” from this list, you need to write the three major credit bureaus at the below listed addresses. Provide your name, address, telephone number and tell them to, “not share your personal information for promotional or marketing purposes”.

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

Trans Union  
Marketing List Opt Out  
P.O. Box 97328  
Jackson, MS 39288

Experian  
Consumer Opt Out  
701 Experian Way  
Allen, TX 75013

### **Direct Marketing Association (DMA):**

The DMA Mail and Telephone Preference Services allow you to “opt-out” of receiving direct mail marketing and telemarketing calls from many national companies for five years. You can also “opt-out” through the E-mail Preference Service to help reduce the number of unsolicited commercial e-mails for one year. By contacting the below addresses in writing or via e-mail, you will be put on a “delete” list.

**Direct Mail Marketing:**

Direct Marketing Association  
Mail Preference Service  
P.O. Box 643  
Carmel, NY 10512

<http://www.the-dma.org/consumers/offmailinglist.html>

**Telemarketing:**

Direct Marketing Association  
Telephone Preference Service  
P.O. Box 1559  
Carmel, NY 10512

<http://www.the-dma.org/consumers/offtelephonestatelist.html>

**E-mail:**

<http://www.dmaconsumers.org/offemaillist.html>

In addition, many of the financial institutions that you currently have credit cards, loans, mortgages, etc will sell your information directly to other businesses wishing to solicit your business. There is no central number or address to stop this, so if your goal is "TOTAL OPT-OUT", you will need to contact each of your financial institutions AND your utility companies to request that they not share or sell your information. By law, they must allow you to be deleted from these lists.

**A Final Safety Note:** You should never give your personal information to anyone unless you know whom you are dealing with. Your credit card company will never call YOU to verify account information. If you are ever suspicious, you should ask to call back and use the 800 number on the back of your credit card.

It is a good idea to order a copy of your credit report at least once per year. You may already be a victim of an identity crime and not know it if you have not viewed your credit report lately. Make sure all of the information is correct and accurate. A strange address on the header is often a sign that an identity thief may have tried to open an account in your name. Make sure that all accounts that you have previously closed or cancelled are properly reflected in the report. Many of us sign up for store accounts to receive a discount on our first purchase. If you are not actively using that account – close it out. Remember, this is a report of YOUR information. The report costs about \$9 and takes about 1 to 2 weeks to be mailed to you.

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P.O. Box 740241  
Atlanta, GA 30374  
(800) 525-6285 (404) 885-8000  
<http://www.equifax.com>

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P.O. Box 9532  
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