

A woman with dark, wavy hair is looking down at a laptop screen. She is wearing a light blue and white striped shirt. The background is blurred, suggesting an indoor setting. A yellow banner is overlaid on the bottom right of the image, containing text. A yellow circular logo with the word 'ARAG' is in the bottom left corner.

Identity Theft

What to do if your
identity is stolen

ARAG

Identity theft has been the most frequent consumer complaint received by the Federal Trade Commission for the past 14 years¹. It can impose damage that can take years to repair; that's why we offer information to help you prevent identity theft from happening – and some concrete steps to help you manage the situation if you believe your private information is being misused.

This guidebook provides an overview of what identity theft is and some specific steps you can take if you believe you are a victim. If you have additional questions after reading this document, your ARAG® legal plan can help. If you have ideas on how to improve this document, please share them with us at Service@ARAGLegal.com.

If you're not an ARAG member, please feel free to review this information and contact us to learn how ARAG can offer you affordable legal resources and support.

Sincerely,

ARAG Customer Care Team

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Glossary

Credit Freeze – An option for you to restrict who may access your credit report. Most potential creditors will not be able to access your credit report unless you temporarily lift the freeze.

Extended Fraud Alert – An alert you put on your credit report if you've been a victim of identity theft. Potential creditors must contact you before they issue credit. This alert stays on your credit report for seven years.

Identity Theft Affidavit – A voluntary form used to file a report with law enforcement, credit reporting agencies or creditors about identity theft-related problems.

Identity Theft Report – A police report with extended detail regarding the crime so credit companies and other business can verify you are a victim and know which accounts and inaccurate information came from identity theft.

Initial Fraud Alert – An alert you can request to put on your credit report if you think you have been or are about to become a victim of identity theft. An initial fraud alert stays on your credit report for at least 90 days. Potential creditors must use special procedures to verify your identity before issuing credit in your name. The fraud alert will prompt most prospective creditors to contact you first before opening accounts and lending credit.

What is Identity Theft?

Identity theft is a serious crime. It occurs when personal information such as your name, Social Security number or credit card is used without your knowledge to commit fraud or other crimes. Identity theft can cost you time and money, destroy your credit and ruin your good name.

According to The Federal Trade Commission it documented more than 290,000 complaints of identity theft in 2013—by far the number one complaint². The crime is varied and can take many forms. Identity thieves may rent an apartment, obtain a credit card or establish a telephone account in your name. You may not find out about the theft until you review your credit report or a credit card statement and notice charges you didn't make. Sometimes you won't know until you're contacted by a debt collector.

While some identity theft victims can resolve their problems quickly, others spend hundreds of dollars and many hours repairing damage to their good name and credit record. Some consumers victimized by identity theft may lose out on job opportunities, or be denied loans for education, housing or cars because of negative information on their credit reports. In rare cases, they may even be arrested for crimes they did not commit.



Keep Good Records

If you think you may have an identity theft issue, be sure to keep track of all phone calls, emails, money spent and time lost from work. Check out the identity theft resources available to you online at [ARAGgroup.com](https://www.araggroup.com), including:

Identity Theft Tracking Sheet. This can help you track all the activity related to resolving your case and will be helpful to an attorney if you need to hire one.

Identity Theft Affidavit. This voluntary form can be used to file a report with law enforcement, credit reporting agencies and creditors. Also available at [ftc.gov/idtheft](https://www.ftc.gov/idtheft).

What do I do if my identity is stolen?

Take the following steps as soon as you suspect you may be victim to an identity theft issue.

1. Place a fraud alert on your credit reports, and review your credit reports.

The alert tells creditors to follow certain procedures before they open new accounts in your name or make certain changes to your existing accounts.

You can place an initial 90-day fraud alert by contacting one of the three nationwide credit reporting companies. (A call to one company is sufficient.)

- ✔ Equifax: 800-525-6285
- ✔ Experian: 888-EXPERIAN (397-3742)
- ✔ TransUnion: 800-680-7289

Placing a fraud alert allows you to get free copies of your credit reports. Look for inquiries from companies you haven't contacted, accounts you didn't open and debts on your accounts you can't explain.

2. Close any account you believe has been tampered with or opened fraudulently.

- ✔ Call the security or fraud department of each company. Follow up in writing, and include copies of supporting documents. It's important to notify credit card companies and banks in writing. Send your letters by certified mail, return receipt requested, so you can document what the company received and when.
- ✔ When you open new accounts, use new Personal Identification Numbers (PINs) and passwords. Avoid using easily available information like your mother's maiden name, your birth date, the last four digits of your Social Security number or your phone number, or a series of consecutive numbers.

- ✔ Use the Identity Theft Affidavit at www.ftc.gov/idtheft to support your written statement.
- ✔ Ask the company holding your account to verify in writing that the disputed account has been closed and the fraudulent debts discharged.
- ✔ Keep copies of all documents and records of your conversations about the theft.

3. File a complaint with the Federal Trade Commission (FTC).

- ✔ Use the online complaint form at www.ftc.gov/idtheft.
- ✔ Call the FTC's Identity Theft Hotline 1-877-ID-THEFT (438-4338); TTY: 1-866-653-4261
- ✔ You may want to provide a printed copy of your complaint form to the police to incorporate into their police report.

4. File a police report.

- ✔ File a report with law enforcement officials to help provide proof of the crime to creditors.

5. Monitor your credit report quarterly until the problem is resolved, and then annually.

Actions for Specific Circumstances

If	Take these steps	Consider these issues
Debt collectors are trying to collect charges you didn't make.	<ul style="list-style-type: none">• Request in writing that the collection agency stop contacting you.• Send your letter by certified mail and request a return receipt.	<p>A collector may not contact you if you send a letter and supporting documentation stating that you do not owe the money within 30 days of receiving written notice from them.</p> <p>While the letter may stop collection activity, the debt itself may show up on your credit report.</p>
You have fraudulent charges on your credit cards.	<ul style="list-style-type: none">• Write to the creditor at the address given for "billing inquiries," not the address for sending your payments. Include your name, address, account number and a description of the billing error, including the amount and date of the error.• Send your letter by certified mail, and request a return receipt. Include copies (NOT originals) of your police report or other documents that support your position. Keep a copy of your dispute letter.	<p>The creditor must acknowledge your complaint in writing within 30 days after receiving it, unless the problem has been resolved. The creditor must resolve the dispute within two billing cycles (but not more than 90 days) after receiving your letter.</p>

You have fraudulent information in your credit report.

- Send the credit bureaus a copy of an Identity Theft Report and a letter telling them what information is fraudulent. State that you didn't make or authorize the transactions. Provide proof of your identity such as your Social Security number, name and address.

The credit bureau has four business days to block the information after accepting your identity theft report. It must tell the information provider that it has blocked the information.

Your debit card is lost or stolen

- Call the financial institution and follow up in writing by certified letter, return receipt requested. Keep a copy for your records.
- The amount you are responsible for depends on how quickly you report the loss.
 - Reported within 2 business days – loss limited to \$50
 - Reported after 2 business days but within 60 days of unauthorized activity – you could lose up to \$500.
 - Reported after 60 days – you could lose all money that is taken.

After receiving your notification, the institution generally has 10 business days to investigate and must share results within three business days after completing their investigation. They must correct an error within one business day after determining that it occurred.

If the institution needs more time, it may take up to 45 days to complete the investigation but only if the money in dispute is returned to your account and you are notified promptly of the credit. At the end of the investigation, if no error has been found, the institution may take the money back if it sends you a written explanation.

If	Take these steps	Consider these issues
Your checks have been stolen or misused.	<ul style="list-style-type: none"> • Stop payment. • Close the account. • Ask your bank to notify Chex Systems, Inc. or the check verification service with which it does business so retailers can be notified not to accept these checks. 	<p>No federal law limits your losses if someone misuses your checks. Most states hold the bank responsible for losses from such transactions, unless you failed to notify the bank in a timely manner that a check was lost or stolen.</p>
Your passport has been stolen.	<ul style="list-style-type: none"> • Contact the U.S. Department of State (USDS) – Passport Services. • You'll be asked to complete, sign and return Form DS-64, Statement Regarding a Lost or Stolen Passport. 	
Your mail has been stolen and used to get new credit cards or to obtain your personal information.	<ul style="list-style-type: none"> • Report the incident to your local postal inspector. 	
Your Social Security number is being misused.	<ul style="list-style-type: none"> • Contact the Social Security Administration. 	

Someone uses your identity to commit a civil crime.

- Contact the Federal Bureau of Investigation
- Contact the police or sheriff's department that arrested the person using your identity, or the court agency that issued the arrest warrant.
- File an impersonation report and have your identity confirmed. The police will compare your fingerprints, photos and identifying documents such as driver's license and passport to the imposters in order to establish your innocence.
- The law enforcement agency should recall warrants and issue a clearance letter or certificate of release (if you were arrested or booked.) Keep the document with you at all times in case you are wrongly arrested.
- Ask the law enforcement agency to issue an amended complaint by filing the record of your innocence with the district attorney's office and/or the court where the crime took place.
- If necessary, consider hiring a criminal defense attorney to help you clear your name.
- If the thief is using your driver's license number or some other identification number, work with your state's Department of Motor Vehicles or other identification issuing agency to get new identification with new numbers.
- If your name is in the criminal database, it's difficult to remove it completely: Ask that the "key name" or "primary name" be changed from your name to the imposter's name, with your name noted only as an alias.
- Determine which state laws will help you clear your name in the state records. If your state has no formal procedure for clearing your record, contact the District Attorney's office in the county where your case was originally prosecuted and ask for the court records needed to clear your name.

If	Take these steps	Consider these issues
<p>Someone uses your identity to commit tax fraud.</p>	<ul style="list-style-type: none"> • Call the IRS toll free at 877-777-4778 or visit irs.gov (keyword: identity theft) 	
<p>Someone uses your identity to file bankruptcy.</p>	<ul style="list-style-type: none"> • Write to the U.S. Trustee in the region where the bankruptcy is filed. • Consider filing a complaint with the U.S. Attorney or the FBI. • You may need to hire an attorney to work with the bankruptcy court and help demonstrate the filing is fraudulent. 	<p>Your letter should describe the situation and provide proof of your identity. If appropriate, the U.S. Trustee will make a criminal referral to law enforcement authorities if you can substantiate your claim.</p>
<p>Someone uses your identity to get a cell phone or calling card.</p>	<ul style="list-style-type: none"> • Contact your service provider and cancel the account and/or calling card. • Open new accounts and choose new PINs. 	<p>If you're having trouble getting fraudulent phone charges removed from your account or getting an unauthorized account closed, contact your state Public Utility Commission for local service.</p> <p>For cellular phones and long distance, contact the Federal Communications Commission (FCC) at www.fcc.gov.</p>

<p>Someone uses your identity to get a driver's license.</p>	<p>Contact your Department of Motor Vehicles.</p>	<p>If your state uses your Social Security number as your driver's license number, ask to substitute another number.</p>
<p>Someone uses your identity to get healthcare benefits or access your records.</p>	<ul style="list-style-type: none"> • Look at your records with your healthcare provider and determine what is accurate. • Notify the Office of Civil Rights. 	
<p>Someone uses your identity to get a student loan.</p>	<ul style="list-style-type: none"> • Contact the school or program that opened the student loan to close the loan. • Report the fraudulent loan to the U.S. Department of Education. 	

If	Take these steps	Consider these issues
<p>Someone uses your identity to open bank accounts.</p>	<ul style="list-style-type: none"> • Request a free copy of your consumer report by contacting Chex Systems, Inc. If you find inaccurate information on your consumer report, follow the procedures under Correcting Fraudulent Information in Credit Reports to dispute it. • Additionally, contact each of the banks where account inquiries were made. This will help ensure that any fraudulently opened accounts are closed. 	
<p>Someone tampers with your securities, investments or brokerage accounts.</p>	<ul style="list-style-type: none"> • Contact your broker or account manager. • File a detailed complaint with the SEC at sec.gov/ complaint . 	

What should I do if I've done everything advised and I'm still having problems?

There are cases where people do everything right and still spend years dealing with problems related to identity theft. The good news is that most people can get their cases resolved by being diligent, assertive and organized. Remember:

- ✓ Don't procrastinate on contacting companies to address the problems.
- ✓ Don't be afraid to go up the chain of command or make complaints, if necessary.
- ✓ Keep organized files.
- ✓ If you haven't filed a complaint with the FTC or updated it, you should do so and provide details of the problems that you are having.
- ✓ If your problems are the result from a failure of a party to perform its legal obligations, you may want to consult an attorney who specializes in such violations.

Let us help you

If you need additional help or guidance, ARAG is here for you. Simply contact a Customer Care Specialist who can help you understand the benefits available to you. For more information:



Visit the Education Center at:
ARAGLegalCenter.com, call
1-800-247-4184 or email
Service@ARAGLegal.com







List the names, dates and pertinent details about your legal matter so you will be ready to discuss it with your attorney either over the phone or during an in-office visit.

List and attach any documents or background information you think will be helpful in the first meeting with an attorney.

Resources for More Information

The following were used as resources in developing this guidebook and provide additional information.

Department of Justice: justice.gov

Federal Trade Commission: ftc.gov

1 Federal Trade Commission. "FTC Releases Top National Consumer Complaints for 2013," February 27, 2014, <http://www.ftc.gov/news-events/press-releases/2014/02/ftc-announces-top-national-consumer-complaints-2013>.

2 Federal Trade Commission. "Consumer Sentinel Network Data Book," <https://www.ftc.gov/enforcement/consumer-sentinel-network/reports>

Checklists

Use the Identity Theft Tracking Sheet (found at ARAGLegalCenter.com) or the following checklist to record actions you've taken to resolve your identity theft issue.

- Contact the credit bureaus** to get copies of your credit reports, put a stop on your account, check for fraudulent activity, and report instances of identity theft.

Date	Bureau	Contact	Phone Number	Comments
	Equifax			
	Experian			
	Transunion			

- Follow up with Credit bureaus in writing.** Recap your phone call and send copies of your police report and the completed Identity Theft Affidavit. Send your letters by certified mail, return receipt requested. Keep copies of your letters. Remind the credit bureaus that they must remove any information that you, an identity theft victim, say is the result of the theft.

Dates Mailed and Recieved	Bureau	Signee	Address	Comments
	Equifax			
	Experian			
	Transunion			

- Contact the appropriate law enforcement agencies.**

Dates Mailed and Recieved	Agency/Dept.	Contact	Phone Number	Comments
<hr/>				

- Contact the Federal Trade Commission if you are a victim of identity theft.**

Dates Mailed and Recieved	Agency/Dept.	Contact	Phone Number	Comments
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- Contact the Postal Inspector** if your mail has been stolen or changed by someone other than you.

Date	Agency/Dept.	Contact	Phone Number	Comments
	Postal Inspector		Local Post Office	
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- Contact Banks, Credit Card Issuers and other Creditors.**

Date	Bank/Creditor	Contact	Phone Number	Comments
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- Follow up with creditors in writing.** Recap your phone call and send copies of your police report and the completed Identity Theft Affidavit. Send your letters by certified mail, return receipt requested. Keep copies of your letters. Continue to review your bills carefully and report any new fraudulent charges to the creditor.

Dates Mailed and Recieved	Bank/Creditor	Signee	Address	Comments
<hr/>				

- Contact Check Verification Companies,** if your checks were stolen.

Dates Mailed and Recieved	Company	Contact	Phone Number	Comments
	TeleCheck		1-800-710-9898 or 1-800-927-0188	
	Certegy, Inc.		1-800-437-5120	

- Contact Federal Deposit Insurance Corporation** if you're having trouble getting your financial institution to help you resolve your banking-related identity theft problems, including problems with bank issued credit cards.

Dates Mailed and Recieved	Agency/Dept.	Contact	Phone Number	Comments
	FDIC		877-275-3342	

- Contact Phone Service Provider** if your phone was stolen or used fraudulently.

Date	Service Provider	Contact	Phone Number	Comments
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- Contact Public Utility Commission or Federal Communications Commission** if you have problems removing fraudulent charges.

Date	Agency/Dept.	Contact	Phone Number	Comments
<hr/>				
	Public Utility Commission			
	FCC		1-888-225-5322	
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- Contact Social Security Administration** if your number was stolen or misused.

Date	Agency/Dept.	Contact	Phone Number	Comments
<hr/>				
	SSA		1-800-772-1213	
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- Contact State Department of Motor Vehicles** if your driver's license is stolen or your Social Security number is used to obtain a driver's license.

Date	Agency/Dept.	Contact	Phone Number	Comments
<hr/>				
	DMV			
<hr/>				

- Contact U.S. Trust Program** if you're involved in a fraudulent bankruptcy.

Date	Account	Contact	Phone Number	Comments
<hr/>				
	U.S. Trust Program			
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- Contact your investment advisor** if your investments are stolen or misused.

Date	Account	Contact	Phone Number	Comments
<hr/>				

- Contact the Securities and Exchange Commission** if your investments are stolen or misused.

Date	Agency	Contact	Phone Number	Comments
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	SEC		202-942-7040	
<hr/>				

- Contact the U.S. Department of Education** if unauthorized student loans are opened in your name.

Date	Agency	Contact	Phone Number	Comments
<hr/>				
	Inspector General		800-MIS-USED	
<hr/>				

- Contact the Internal Revenue Service** if you're a victim of tax fraud.

Date	Agency	Contact	Phone Number	Comments
<hr/>				
	IRS		800-908-4490	
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- Contact the U.S. Department of State–Passport Services** if your passport is stolen

Date	Agency	Contact	Phone Number	Comments
<hr/>				
	USDS		800-908-4490	
<hr/>				

- Contact the Court System and the FBI** if you are involved in a false civil judgement.

Date	Agency	Contact	Phone Number	Comments
	FBI			

- Contact your attorney** if you need legal assistance.

Date	Agency	Contact	Phone Number	Comments

Quick Reference Guide

Credit Bureaus

Equifax Credit Information Services

Consumer Fraud Division

P.O. Box 740241

Atlanta, GA 30374-0241

800-525-6285

www.equifax.com

Experian's National Consumer Assistance

P.O. Box 2002

Allen, TX 75013

888-397-3742

www.experian.com

TransUnion's Fraud Victim Assistance Department

P.O. Box 2000

Chester, PA 19022-2000

800-680-7289

fvad@transunion.com

www.tuc.com

Government Agencies

Department of Justice

www.justice.gov

Federal Bureau of Investigation

www.fbi.gov

Federal Communications Commission

www.fcc.gov

Federal Trade Commission

www.ftc.gov

Internal Revenue Service

www.irs.gov

US Department of State Passport Services

http://travel.state.gov/passport/lost/lost_848.html

Securities and Exchange Commission

www.sec.gov

Social Security Administration

www.ssa.gov

United States Post Office

www.usps.gov

We have provided links to these sites for information that may be of interest to you. These links and any opinions, products, services, or any other sites contained therein are not endorsed by ARAG. ARAG is not responsible for the legality or accuracy of the information contained therein, or for any costs incurred while using this site.

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800-247-4184