

Wylie Police Department
Identity Theft Victim's Complaint and Affidavit

Call For Service # _____



Please complete the attached forms and return the completed forms, and all required information, to the Wylie Police Department. A police report will be completed at that time and then assigned to an investigator. If this form is not returned to the Wylie Police department, along with the required information, no report will be generated. If it is determined the Wylie Police Department is not the appropriate agency to investigate your case, or does not have the jurisdiction, then the complaint form will be forwarded to the appropriate agency.

2000 N. Highway 78, Wylie, Texas 75098
Main 972-442-8170 Fax 972-442-8173
www.wylietexas.gov

Wylie Police Department

Identity Theft Victim's Complaint and Affidavit

The theft of your identity can be an overwhelming and frustrating experience. We have prepared this packet to assist you in repairing your identity; ensuring you are not held responsible for debts incurred by the suspect; preventing the suspect from continuing to use your identity and preparing your case for investigation.

WE RECOGNIZE SOME VICTIMS ARE INTERESTED SPECIFICALLY IN CORRECTING THEIR CREDIT AND DO NOT NECESSARILY WANT PROSECUTION; WE REQUEST THAT YOU SUBMIT THIS PACKET TO THE WYLIE POLICE DEPARTMENT ONLY IF YOU WANT THE CASE INVESTIGATED AND PROSECUTED. IF YOU DETERMINE THAT YOU DO NOT WANT THE CASE PROSECUTED AFTER YOU HAVE TURNED THIS PACKET IN, PLEASE INFORM US. IT IS IMPORTANT TO KNOW THAT REGARDLESS IF YOUR CASE IS INVESTIGATED OR IF THE SUSPECT IS OR IS NOT IDENTIFIED, IT WILL NOT AFFECT YOUR ABILITY TO CORRECT THE FRAUDULENT ACCOUNTS AND REMOVE THEM FROM YOUR CREDIT.

IF THIS PACKET IS NOT FILLED OUT COMPLETELY AND ACCURATELY, WITH NECESSARY INFORMATION, YOUR CASE MAY NOT BE INVESTIGATED.

While completing this form:

- Place a fraud alert(s) on your credit reports, and review the reports for signs of fraud.

Equifax Consumer Fraud Division 800-525-6285 PO Box 740256 Atlanta, GA 30374	TransUnion Fraud Victim Assistance Dept. 800-6807289 PO Box 6790 Fullerton, CA 92834	Experian National Consumer Assist. 888-397-3742 PO Box 9530 Allen, TX 75013
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- Close the accounts that you know, or believe, have been tampered with or opened fraudulently.
- Contact your bank and/or creditors and inform them that you have filed a police report and an officer may be contacting them for information related to the investigation.
- Keep a copy of all documents and information you receive for your records.

The final three pages of this packet is a Request for Fraudulent Transaction/Account Information. We have included this because it **MAY** help you, and the investigator, receive information from creditors about your compromised or fraudulent accounts. Included with this request, is a copy of Section 609(e) (15 U.S.C. § 1681g(e)) of the Fair credit reporting Act. Please complete the Request for Fraudulent Transaction/Account Information form, listing your information in the "From" section and each creditor's information in the "To" section. After completing the form, you may send it, your police report number, the documentation to prove your identity and the copy of Section 609(e) (15 U.S.C. § 1681g(e)) of the Fair credit reporting Act to each individual creditor. This **MAY** help you in getting cooperation from the creditors.

IF YOUR EXISTING ACCOUNTS WERE COMPROMISED, please obtain the following types of documents:

1. Bank statements or bills showing where the transaction occurred.
 - Circle or underline the fraudulent transactions.
 - Do not use a highlighter as it may make the copies illegible.
 - Please try to obtain an actual address of the transaction location along with the dates and times of transactions.
2. Bills from companies for ordered merchandise:
 - Address(s) where the items were delivered.
 - Phone numbers associated with the order
 - E-mail addresses associated with the order
3. Any information from the creditor that shows how or where the account was used.
4. The name and phone number of any business representatives that you contact during this process.
5. Any relevant checking, credit card and account numbers.

IF NEW ACCOUNTS WERE OBTAINED USING YOUR IDENTITY, please obtain the following types of documents:

1. Bank statements for any accounts fraudulently obtained with your identity.
2. Credit Reports showing the fraudulent accounts. Circle or underline the fraudulent accounts (do not use highlighters).
3. Bills from utility companies, cell phone, cable companies for fraudulently opened accounts in your identity.
4. Any communication from creditors or businesses that contain any of the following:
 - Copies of applications for credit
 - How the account was opened (phone, mail, in person, internet)
 - If opened in person, where was the account opened.
 - Addresses or locations where the transactions occurred.
 - Address(s) where any cards, bills, merchandise or other correspondence were mailed or delivered.
5. The name and phone number of any business representatives that you contact during this process.
6. Any relevant checking, credit card and account numbers.

Victim's Name

Case/Call For Service Number

About You (the victim)

Current Information

(1) Full legal name: _____
First Middle Last Suffix

(2) Preferred name: _____

(3) Date of Birth (mm/dd/yyyy): _____

(4) Social Security Number: _____ - _____ - _____

(5) Driver's license or state ID card: _____
State/Number

(6) Current street address:

Number and Street Name Apartment, Suite, etc

City State Zip Code Country

(7) I have lived at this residence since: _____
(mm/yyyy)

(8) Cell phone number: (_____) _____

Home phone number: (_____) _____

If you can be reached through email, please provide your email address:

Documentation

(16) I can verify my identity with these documents:

- A valid government-issued photo identification card (for example, my driver's license, state-issued ID card, or my passport).

If you are under 16 and don't have a photo-ID, a copy of your birth certificate or a copy of your official school record showing your enrollment and legal address is acceptable.

- Proof of residency during the time the disputed charges occurred, the loan was made, or the other event took place (for example, a copy of a rental/lease agreement in my name, a utility bill, or an insurance bill).

About the Fraud

(17) I believe the following person used my information or identification documents to open new accounts, use my existing accounts, or commit other fraud:

Name: _____

First	Middle	Last	Suffix
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Number and Street Name	Apartment, Suite, etc
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City	State	Zip Code	Country
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Phone Numbers: (_____) _____ (_____) _____

Additional information about this person:

(18) Additional information about the crime (for example, how the identity thief gained access to your information or which documents or information were used):

About the Information or Accounts

(19) The following personal information (like my name, address, Social Security number, or date of birth) in my credit report is inaccurate as a result of this identity theft:

- (A) _____
- (B) _____
- (C) _____

(20) Credit inquiries from these companies appear on my credit report as a result of this identity theft:

Company Name: _____

Company Name: _____

Company Name: _____

About the Information or Accounts (continued)

(21) Below are details about the different frauds committed using my personal information. (you may photo copy this page and attach additional sheets if needed)

Name of Institution				Contact Person				Phone				Extension			
Account/Card Number				Routing Number				Affected Check Number(s)							
Account Type: <input type="checkbox"/> Credit				<input type="checkbox"/> Bank				<input type="checkbox"/> Phone/Utilities				<input type="checkbox"/> Loan			
<input type="checkbox"/> Government Benefits				<input type="checkbox"/> Internet or Email				<input type="checkbox"/> Other							
Select ONE:															
<input type="checkbox"/> This account was opened fraudulently.															
<input type="checkbox"/> This was an existing account that someone tampered with.															
Date Opened or Misused (mm/yyyy)				Date Discovered (mm/yyyy)				Total Amount Obtained (\$)							

Name of Institution				Contact Person				Phone				Extension			
Account/Card Number				Routing Number				Affected Check Number(s)							
Account Type: <input type="checkbox"/> Credit				<input type="checkbox"/> Bank				<input type="checkbox"/> Phone/Utilities				<input type="checkbox"/> Loan			
<input type="checkbox"/> Government Benefits				<input type="checkbox"/> Internet or Email				<input type="checkbox"/> Other							
Select ONE:															
<input type="checkbox"/> This account was opened fraudulently.															
<input type="checkbox"/> This was an existing account that someone tampered with.															
Date Opened or Misused (mm/yyyy)				Date Discovered (mm/yyyy)				Total Amount Obtained (\$)							

About the Information or Accounts (continued)

(21) Below are details about the different frauds committed using my personal information. (you may photo copy this page and attach additional sheets if needed)

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Account/Card Number				Routing Number				Affected Check Number(s)							
Account Type: <input type="checkbox"/> Credit				<input type="checkbox"/> Bank				<input type="checkbox"/> Phone/Utilities				<input type="checkbox"/> Loan			
<input type="checkbox"/> Government Benefits				<input type="checkbox"/> Internet or Email				<input type="checkbox"/> Other							
Select ONE:															
<input type="checkbox"/> This account was opened fraudulently.															
<input type="checkbox"/> This was an existing account that someone tampered with.															
Date Opened or Misused (mm/yyyy)				Date Discovered (mm/yyyy)				Total Amount Obtained (\$)							

Name of Institution				Contact Person				Phone				Extension			
Account/Card Number				Routing Number				Affected Check Number(s)							
Account Type: <input type="checkbox"/> Credit				<input type="checkbox"/> Bank				<input type="checkbox"/> Phone/Utilities				<input type="checkbox"/> Loan			
<input type="checkbox"/> Government Benefits				<input type="checkbox"/> Internet or Email				<input type="checkbox"/> Other							
Select ONE:															
<input type="checkbox"/> This account was opened fraudulently.															
<input type="checkbox"/> This was an existing account that someone tampered with.															
Date Opened or Misused (mm/yyyy)				Date Discovered (mm/yyyy)				Total Amount Obtained (\$)							

As applicable, sign and date IN THE PRESENCE OF a law enforcement officer, a notary, or a witness.

(22) I certify that, to the best of my knowledge and belief, all of the information on and attached to this complaint is true, correct, and complete and made in good faith. I understand that this complaint 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 violate federal, state, or local criminal statutes, and may result in a fine, imprisonment, or both.

Signature

Date Signed (mm/dd/yyyy)

Notary

Witness:

Signature

Printed Name

Date

Telephone Number

**Request for Fraudulent Transaction/Account Information
Made pursuant to Section 609(e) of the Fair Credit Reporting Act
(15 U.S.C. § 1681(g))**

To: _____

Account Number: _____

Description of fraudulent transaction/account: _____

From: _____

As we discussed on the phone, I am a victim of identity theft. The suspect made a fraudulent transaction or opened a fraudulent account with your company. Pursuant to federal law, I am requesting that you provide me, at no charge, copies of application and business records in your control relating to the fraudulent transaction. A copy of the relevant federal law is enclosed.

Pursuant to the law, I am providing you with the following documentation, so that you can verify my identity:

- (A) A copy of my driver's license or other government-issued identification card; and
- (B) My police report number for the identity theft; and
- (C) A copy of the identity theft affidavit, on the form made available by the Federal Trade Commission.

Please provide all information relating to the fraudulent transaction, including:

- Application records or screen prints of Internet/phone applications
- Statements
- Payment/charge slips
- Investigator's summary
- Delivery addresses
- All records of phone numbers used to activate the account or used to access the account
- Any other documents associated with the account.

Please send the information to me at the above address. **In addition, I am authorizing the Wylie Police Department to receive information from you.**

Enclosure: Section 609(e) of the Fair Credit Reporting Act (15 U.S.C. § 1681(g))

ENCLOSURE:
FCRA 609(e) (15 U.S.C. § 1681g(e)) Disclosures to Consumers –
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--
 - (iii) copy of a standardized affidavit of identity theft developed and made available by the Commission; or
 - (iv) an 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.
- (9) Rule of construction
 - (A) In general: No provision of subtitle A of title V of Public Law 106-102, prohibiting the disclosure of financial information by a business entity to third parties shall be used to deny disclosure of information to the victim under this subsection.
 - (B) Limitation: Except as provided in subparagraph (A), nothing in this subsection permits a business entity to disclose information, including information to law enforcement under subparagraphs (B) and (C) of paragraph (1), that the business entity is otherwise prohibited from disclosing under any other applicable provision of Federal or State law.
- (10) Affirmative defense: In any civil action brought to enforce this subsection, it is an affirmative defense (which the defendant must establish by a preponderance of the evidence) for a business entity to file an affidavit or answer stating that:
 - (A) the business entity has made a reasonably diligent search of its available business records; and
 - (B) the records requested under this subsection do not exist or are not reasonably available.
- (11) Definition of victim: For purposes of this subsection, the term "victim" means a consumer whose means of identification or financial information has been used or transferred (or has been alleged to have been used or transferred) without the authority of that consumer, with the intent to commit, or to aid or abet, an identity theft or a similar crime.
- (12) Effective date: This subsection shall become effective 180 days after December 4, 2003.
- (13) Effectiveness study: Not later than 18 months after December 4, 2003, the Comptroller General of the United States shall submit a report to Congress assessing the effectiveness of this provision.