
How Can I Locate An Attorney?

If your identity has been stolen and you are in need of legal advice, call the Pennsylvania Bar Association Lawyer Referral Service toll free at 800-692-7375. Most counties have this same service at the local level. Check your Yellow Pages under “Attorneys” for more details.

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Your Good Name: Protect It. Restore It.

Recognizing and Preventing Identity Theft

Consumer Legal

Information Pamphlets

by the

PENNSYLVANIA BAR ASSOCIATION



What Is Identity Theft?

Identity theft is the fastest growing crime in America. Over the past year, 9.9 million Americans became victims of identity theft, resulting in costs over \$56 billion. Identity theft happens when another person wrongfully obtains your personal information without your knowledge with the intent to commit fraud for economic gain. Identity theft can not only ruin your credit, it can ruin your good name. It is a serious crime that can happen to anyone, regardless of income or age.

What Is The Law Surrounding Identity Theft?

Identity theft is a federal criminal offense. The Federal Identity Theft and Assumption Deterrence Act defines the crime as “knowing, transferring, or using without lawful authority a means of identification of another person with the intent to commit or to aid any unlawful activity that constitutes a violation of federal law, or that constitutes a felony under any applicable state or local law.” This offense carries a maximum prison term of 15 years, fines, and a forfeiture of any personal property used or intended to be used to commit the crime.

In Pennsylvania, identity theft is when a person “possesses or uses, through any means, identifying information of another person without the consent of that other person to further any unlawful purpose.”

How Can Another Person Steal My Identity?

Identity “thieves” can access your personal information in many ways you didn’t think would be possible. They become invisible people who steal your mail, hack into your bank accounts, and assume your name.

Identity thieves stop at nothing to gain your personal information, even if it means digging through the trash! The criminals engage in “dumpster diving,” a practice that entails rummaging through the trash of businesses or public dumpsters, and even your garbage cans at home, to find your bank account information, credit card statements, or any pre-approved offers you may have simply thrown away.

The garbage cans are not the only items at your home used by identity thieves. The criminals may root through your mailbox, or they may call your home pretending to be someone else. Identity criminals may pose as someone who may seem to have legal rights to your personal information over the phone. They also may rummage through your mailbox before you get home from work and collect mail containing your personal information or pre-approved credit cards. When they call you at your home or office, they may pose as your credit card company or financial institution and ask you for your bank account information or your Social Security number.

Your home or office may not be a secure place for your personal information. In businesses or institutions, thieves steal records of employees or they bribe other employees for your personal information.

In areas open to the public, the identity thieves engage in “shoulder surfing.” They watch over your shoulder as you enter a PIN (personal identification number) or credit card number. They also listen to the numbers when you are reciting them over the phone. They are sophisticated eavesdroppers who intend to steal your information.

Special Note: This pamphlet has been issued to inform and not to advise. It is based on Pennsylvania law. The statements are general, and individual facts in a given case may alter their application or involve other laws not referred to here.

The Internet also can be a source used by identity thieves to steal information. This is known as “phishing.” The criminals can gain your personal information when you respond to unsolicited e-mails and give away passwords or banking information.

After the identity thieves steal your personal information, they can commit a wide range of crimes. Thieves may open fraudulent loans and credit card applications to buy a car or lease an apartment in your name. They can make unauthorized withdrawals from your bank account, and within hours, you could lose thousands of dollars. In addition to economic loss, serious damage can occur to your good name, making you a potential suspect. Sophisticated thieves may even get driver’s licenses using your name and their pictures. If arrested, they may give your name and information to the police. If they do not show up for their appointed court date, a warrant could be issued for your arrest.

How Can I Protect Myself From Identity Theft?

Acknowledging that identity theft is a serious crime and that it could happen to you is the first step in protecting yourself from being a victim. In your everyday activities, make sure to keep your personal information as private and personal as possible.

- Most importantly, remember to give out your Social Security number only when it is an absolute necessity. Do not carry your Social Security card with you.
- Make sure that personal identification numbers are private and unique. Try to memorize them and avoid writing them down or carrying them with you.

- Do not leave ATM receipts at banks or gasoline stations.
- Shred any documents you receive in the mail for pre-approved credit cards or any credit card applications.
- Avoid giving out personal information over the phone unless you know the person with whom you are dealing.
- If you lose your credit card, report it immediately. When you receive your credit card statements, check them for financial accuracy. If anything looks suspicious, call your credit card company immediately.
- If you are surfing the Internet, make sure to use extreme caution, especially when revealing any personal information. Try to visit secure Web sites. To make sure that a site is secure, look for a yellow “lock” symbol in the browser. To protect your computer at home, install anti-virus and anti-spyware programs and make sure to keep these programs up-to-date.
- Keep a list of your credit card companies, their addresses and their telephone numbers.
It is important to stay alert and be aware of any signs that require immediate attention. If any of your bills do not arrive as expected, or you are denied credit for no apparent reason, you could be a victim of identity theft. Check your credit report to make sure your credit history is correct, and report any activities you did not authorize. You can obtain a free copy of your credit report each year from one of the three major credit card companies: Equifax, Experian, Trans Union.

What Should I Do If I Am A Victim of Identity Theft?

If you think you have become the victim of identity theft, you must act **immediately** to reduce the amount of damage caused to your financial accounts, credit and good name.

- Immediately contact — either by phone or the Internet — any of the major credit bureaus and ask them to put a “fraud alert” on your credit report. Make sure to keep documentation of all your conversations with any of the credit bureaus.
- Close all accounts that you suspect have been tampered with and confirm the account closures in writing via certified mail.
- Contact your financial institutions to advise them that you have been a victim of identity theft.
- File a police report with your local police department.
- If you suspect that your mail has been intercepted, contact the U.S. Postal Service.
- If your Social Security number has been used fraudulently, contact the Social Security Administration.
- Contact the Federal Trade Commission to help law enforcement across the country in their identity theft investigations. File a complaint at www.ftc.gov/ftc/consumer.htm.

How Do I Contact Agencies and Bureaus To Report Identity Theft?

Credit Bureaus (Open 24 hours)
Equifax 1-800-525-6285
Experian 1-800-397-3742
Trans Union 1-800-680-7289

Social Security Administration
1-800-269-0271

Federal Trade Commission
1-877-ID-THEFT
www.ftc.gov

Pennsylvania Office of Attorney General
Public Protection Division
1-717-787-9716
www.attorneygeneral.gov

Your local postal inspection service
Check for listings under Postal Service in the “United States Government” section of your local phone directory’s blue pages.

Your local police department
Check for listings under the “Local Government” section of your local phone directory’s blue pages.