



NEW YORK STATE SENATOR

Betty Little

## Protect Yourself From Identity Theft

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| ISSUE: **CRIME**

Identity Theft: Important Information to Protect You and Your Family

Dear New Yorker:

Identity theft, the fastest growing white-collar crime in the nation, is a felony in New York State thanks to a law passed in 2002. Those who commit the crime of identity theft can be sentenced to up to seven years in prison. The measure also makes identity theft victims eligible for restitution and gives them the right to sue in civil court for damages done to their credit ratings.

This past session, I was pleased to support another measure to further combat identity theft. The new law will require merchants and other businesses to remove the expiration date of credit cards and debit cards from printed receipts and also require that no more than the last five digits of an account number appear on a receipt. The law applies only to electronically-printed receipts. Any new credit and debit-card machines placed into service on or after January 1, 2004, must comply with the new law. All others in use prior to January 1 must conform with the new law by January 1, 2007.

The best way to prevent the theft of personal information is to be aware of how these crimes are committed. This electronic brochure outlines the ID theft law and gives tips on how to

minimize your risk, as well as what steps to take if your identity is stolen.

**MINIMIZE YOUR RISK OF ID THEFT** It's not just pick-pockets who steal your credit cards and money anymore. Advances in computer technology have made it possible for ID thieves to ruin your credit and tarnish your good name with a couple of clicks of a mouse. Below are tips to protect yourself and your family:

**DOs and DON'Ts** **DO** guard your computer password and use only secure lines to transmit financial information via the Internet. Look for an unbroken key or lock in the corner of your computer screen to signify a secure connection.

**DO** ask why a merchant needs private information, how it will be used and secured, and whether it will be shared with others. Ask if you can choose to have it kept confidential.

**DO** know the privacy policies of businesses with which you deal and websites that you visit.

**DO** register for the National "Do Not Call" Registry to reduce the possibility of telemarketing fraud.

**DO** talk about privacy concerns with your children. Everyone should understand the importance of protecting personal information.

**DO** ask about information security procedures in your workplace. Find out who has access to your personal information and verify that records are kept in a secure location. Ask about the disposal procedures for those records as well.

**DO** guard your mail and trash from theft. Promptly remove mail from your mailbox and

deposit outgoing mail in official post office boxes. Tear or shred documents that contain personal information before depositing in the trash.

DON'T give credit card, debit card or bank account information over the Internet or phone, unless you've initiated the contact and/or you are dealing with an established business that you know.

DON'T give your Social Security number (SSN) to anyone, except your employer, government agencies, lenders and credit bureaus. It's all a privacy pirate needs to steal your identity; also, don't carry your SSN card.

DON'T provide personal information to merchants or sales clerks that isn't required.

DON'T reply to "spam", which is unwanted email messages that clutter up your computer inbox and slow your connection to the Internet. That tells a spammer that your e-mail address is active. Instead, notify your Internet provider of the offender.

DON'T use obvious, easy-to-guess passwords on your credit card, bank and phone accounts. Avoid using your mother's maiden name, your birth date or the last four digits of your SSN.

**LAW CRACKS DOWN ON IDENTITY THIEVES** Identity thieves obtain a piece of personal information — your Social Security number, credit card number, date of birth, address — and use it to run up credit card balances, write bad checks, take out loans, and ultimately, ruin your credit rating. The Senate Majority is committed to prosecuting thieves, hackers and scam artists who violate our right to privacy and security. The ID Theft law, which became effective November 1, 2002, includes the following provisions:

\* establishes three new crimes of identity theft, from misdemeanors to felonies, and increases the maximum sentence to seven years in prison;

\* establishes new crimes directed at leaders of ID theft rings who collect and sell personal information to other potential criminals; and

\* recognizing that many identity theft crimes are closely related to terrorism crimes, the law allows for certain offenses to be prosecuted as terrorism crimes.

The law also provides important protections for consumers, such as:

\* court-ordered restitution to victims who have suffered out-of pocket losses, as well as losses incurred when their credit rating is damaged by an identity theft crime; and

\* allows victims to sue in civil court to recover damages done to their credit ratings.

**REVIEW YOUR CREDIT REPORT** By checking your credit report on a regular basis you can catch mistakes and fraud before they ruin your credit rating. One of the most common ways that consumers find out that they're victims of identity theft is when they try to make a major purchase (such as a car or house) and discover unfavorable contents and mistakes in their credit reports. Legitimate loans can be denied or delayed while the credit mess is straightened out. Knowing what's in your credit report allows you to fix problems before they jeopardize a major financial transaction.

Credit Bureaus \* [Equifax](#) To order your report, call: 1-800-685-1111 or write: P.O. Box 740241, Atlanta, GA 30374-0241. To report fraud, call: 1-800-525-6285 and write: P.O. Box 740241, Atlanta, GA 30374-0241.

\* **Experian** To order your report, call: 1-888-EXPERIAN (397-3742) or write: P.O. Box 2104, Allen, TX 75013. To report fraud, call: 1-888-EXPERIAN (397-3742) and write: P.O. Box 9532, Allen TX 75013.

\* **TransUnion** To order your report, call: 1-800-916-8800 or write: P.O. Box 1000, Chester, PA 19022. To report fraud, call: 1-800-680-7289 and write: Fraud Victim Assistance Division, P.O. Box 6790, Fullerton, CA 92634.

IF YOU BECOME A VICTIM OF ID THEFT If you become a victim, call 1-877-IDTHEFT to get a copy of the Federal Trade Commission's ID Theft Affidavit form. This affidavit will help you report information to many companies using just one standard form, simplifying the process.

It is also important to report the fraud to the following organizations:

1. Each of the three national credit bureaus (listed at left). Ask each agency to place a "fraud alert" on your credit report, and send you a copy of your credit file.
2. The fraud department at each creditor, bank, or utility/service that provided the identity thief with unauthorized credit, goods or services.
3. Your local police department. Ask the officer to take a report and give you a copy of the report. Sending a copy of your police report to financial institutions can speed up the process of absolving you of wrongful debts or removing inaccurate information from your credit reports. If you can't get a copy, at least get the number of the report.
4. The Federal Trade Commission, which maintains the Identity Theft Data Clearinghouse

and provides information to identity theft victims. You can visit

<http://www.consumer.ftc.gov/features/feature-0014-identity-theft> or call tollfree 1-877-ID-THEFT (1-877-438-4338).