Legal Issues and Remedies
False Civil and Criminal Judgments
Sometimes, victims of identity theft and fraud are wrongfully accused of crimes committed by another person(s). If a civil judgment has been entered in your name for actions taken by others, contact the court where the judgment was entered and report that you are a victim of identity theft or fraud. If you are wrongfully prosecuted for criminal charges, contact the California Department of Justice and the Federal Bureau of Investigations. Ask for information on how to clear your name.

Legal Help
You may want to consult an attorney concerning any legal action that may be necessary for your case.

To Remove Your Telephone Number from Telemarketing Lists
Register with the Federal Trade Commission’s National Do Not Call Registry at www.donotcall.gov or call 1-888-382-1222.

To Remove Your Name from Prescreened Credit Offers
If you would like to reduce the number of prescreened credit and insurance offers you are receiving, visit www.optoutprescreen.com or call 1-888-50ptOut (1-888-507-8688).

To Remove Your Name from Mailing Lists
You can remove your name from individual organization lists. Visit Direct Marketing Association’s website at www.dmachoice.org and register online or download the form and mail it to:
Mail Preference Association
Direct Marketing Association
PO Box 643
Carmel, NY 10512

To Report Fraudulent Use of Your Checks
Call:
• Your banking institution 1-800-437-5120
• Certegy Inc. 1-800-428-9623
• Checksystems 1-800-262-7771
• SCAN 1-800-710-9898

Other Useful Resources
The Federal Trade Commission (FTC) provides resources on its website to educate consumers about the crime of identity theft. The FTC website provides detailed information, publications, and tools to help you learn how to avoid identity theft and learn what to do if your identity is stolen. To request publications, contact FTC at 1-877-IDTHEFT (1-877-438-4338) or visit www.ftc.gov/bcp/edu/microsites/idtheft.

Websites
You may obtain additional information about identity theft and fraud at the following websites:
Department of Justice
www.usdoj.gov
Federal Trade Commission
www.ftc.gov
Identity Theft Resource Center
www.idtheftcenter.org
Federal Communications Commission
www.fcc.gov
Internal Revenue Service
www.irs.gov/taxc
Taxpayer-Guide-to-Identity-Theft
Social Security Administration
www.ssa.gov
U.S. Postal Inspection Service
www.usps.gov
Internet Crime Complaint Center
www.ic3.gov

NOTE: The addresses, telephone numbers, and websites provided in this brochure are correct as of the printing date. They are subject to change without notice.
**Purpose**

Identity theft and identity fraud are two of the fastest growing crimes in the United States. These crimes occur when someone uses a person’s identifying information, such as a driver license, birth date, and/or social security card number, without authority, to commit fraud. This brochure provides identity theft victims with important information and resources.

**NOTE:** The information in this brochure should not be construed as legal advice or as policy of the state of California.

**What if Identity Theft and Fraud Happens to You?**

- File a police report with your local police. Keep a copy of the police report.
- Keep a log of all conversations related to your identity fraud case such as:
  - Dates.
  - Names of people you talked to.
  - Telephone numbers of the agencies you called.
  - The time you spent on each conversation.
  - Expenses incurred.
- Follow-up on important conversations in writing.
- Send correspondence by certified mail, return receipt requested.
- Keep copies of all letters and documents.
- Contact all creditors and banking institutions.

**Credit Bureaus**

Immediately call the fraud units of each of the three major credit bureaus — Experian, Equifax, and TransUnion — to report the theft or loss of your credit card(s).

**Equifax**

- PO Box 740241
- Atlanta, GA 30374-0241
- Report fraud: Call 1-800-525-6285 and write to the above address.
- Order credit reports: 1-800-685-1111

**Experian**

- PO Box 9532
- Allen, TX 75013-0949
- Report fraud: Call 1-888-397-3742 and write to the above address.
- Order credit reports: 1-888-397-3742

**TransUnion**

- PO Box 1000
- Chester, PA 19022
- Report fraud: Call 1-800-680-7289 and write to:
  - Fraud Victim Assistance Division
  - PO Box 6790, Fullerton, CA 92634
- Order credit reports: 1-800-916-8800

**Fraud Alerts**

Under the Fair Credit Reporting Act, you can ask the credit bureaus:

- To have your account flagged with a “fraud alert” and place a victim’s statement in your file requiring creditors to call you before opening any new accounts or making any changes to your existing account.
- For the names and telephone numbers of creditors if any fraudulent account(s) have been opened.
- To remove fraudulent entries from your credit report.
- To notify those entities that received your credit report in the last six months to alert them of any disputed or erroneous information.

**How to Stop Further Identity Theft and Fraud**

**Banks/Financial Institutions**

If your checks are stolen or bank accounts are set up fraudulently in your name, report the fraudulent activity to the check verification companies (see the end of this brochure for names and telephone numbers). Put stop payments on any outstanding checks that you may not have written. Cancel your checking and savings accounts and open new accounts. If possible, give the bank a password for your account, other than your mother’s maiden name.

**ATM Cards**

If your ATM card has been stolen or compromised, request a new card, account number, and password. Do not use your old password. When you create a new password, do not use numbers that are readily available, such as the last four digits of your social security number or your birth date.

**Fraudulent Change of Address**

Notify your local postal inspector if you suspect that someone has changed your address with the post office or has used the mail to commit credit or bank fraud. Contact your local postmaster to have your mail sent to the correct address. Talk with your mail carrier to alert him/her of the problem.

**Social Security Number Misuse**

Call the Social Security Administration (SSA) at 1-800-269-0271 to report the fraudulent use of your social security number.

**Passports**

If your passport is lost or stolen, notify the U.S. Department of State by completing a Statement Regarding a Lost or Stolen Passport (DS-64). This form is available at your local post office or may be obtained at www.state.gov.

**Telephone Service/Company**

Immediately notify your telephone company if your calling card has been stolen or you discover fraudulent charges on your bill.

**California Driver License or Identification (DL/ID) Card**

If your DL/ID card is stolen or misused contact DMV at 1-866-658-5758, by e-mail at dlfraud@dmv.ca.gov, or by mail at DL Fraud Unit MS L217, PO Box 932391, Sacramento CA 94232-3910 to inquire about the steps to take to protect your identity. Do not include any personal identifying information on your e-mail.

**IMPORTANT:** An e-mail or fax transmission of confidential information such as your social security number or credit card information is not secure.

**Report DL/ID Card Number Misuse**

If you discover that you have become a victim of DL or ID card fraud, immediately contact DMV to report the misuse. For an appointment call 1-800-777-0133 or e-mail your inquiry to dlfraud@dmv.ca.gov. Do not include any personal identifying information on your e-mail.

At the time of your appointment, you will need to:

- Submit proof of your identity. Your California DL or ID card is sufficient. If you do not have your California DL/ID card, you may obtain a list of additional acceptable documents by calling 1-800-777-0133 or going online at http://www.dmv.ca.gov/pubs/brochures/fast_facts/fid05.htm to find the Birth Date/Legal Presence and True Full Name (FFDL 5) Fast Facts brochure.
- Complete a statement describing the facts of the fraud.
- Submit a copy of the police report or a written explanation of why a report was not filed.
- Submit copies of canceled checks, bills, or letters from companies or banks to substantiate the fraud.

**IMPORTANT:** By law, victims of identity fraud are entitled to a free credit report once a year.