
Identity Theft

Identity theft occurs when someone uses your personally identifying information, like your name, Social Security number, or credit card number, without your permission, to commit fraud or other crimes. Any person who obtains, or attempts to obtain, credit, goods, services, real property, or medical information without the consent of the individual is guilty of a crime according to [California law](#) (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=530.5). Identity theft is a very serious crime and can have disastrous effects on the person who is victimized. Potential victims need to act quickly in order to minimize the damage.

If you or someone you know is a victim of Identity Theft, the California Office of the Attorney General, [Privacy and Enforcement Unit](#) (<https://oag.ca.gov/privacy>), provides several [Identity Theft Information Sheets](#). (<https://oag.ca.gov/idtheft/information-sheets>) Their website includes an [Identity Theft Victim Checklist](#) (http://oag.ca.gov/sites/all/files/agweb/pdfs/privacy/CIS_3_victim_checklist_DOJ.pdf?) which can assist victims in clearing up their records. According to the checklist, once you are a victim, one of the first things you should do is report the crime to your local police department. Make several copies of the report and be prepared to distribute the police report to creditors and the major credit bureaus. Next, you will want to report the fraud to the three major credit bureaus: [Experian](#) (<http://www.experian.com/>), [Equifax](#) (http://www.equifax.com/home/en_us), and [TransUnion](#) (<https://www.transunion.com/>). Under [California law](#) (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=1785.15.3), as a victim of identity theft, you are entitled to up to twelve free credit reports, one per month, in the twelve months from the date of your police report. The Federal Trade Commission suggests using their partner site [IdentityTheft.gov](#) (<https://www.identitytheft.gov/>) to file a report for identity theft and get a recovery plan. This website also includes more information for both filing a report with law enforcement and for disputing your record with credit reporting agencies and creditors.

Accounts that have been fraudulently opened or been tampered with should be closed immediately and you should request information on the suspicious accounts in writing. [The Fair Credit Reporting Act](#) (<https://www.ftc.gov/enforcement/statutes/fair-credit-reporting-act>) and [California Law](#) (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=530.8.&lawCode=PEN) ensure that victims can access any documents from creditors relating to the fraudulent transactions and accounts. For more information on requesting information on fraudulent accounts, see [“Requesting Information On Fraudulent Accounts: A Guide for Identity Theft Victims”](#) (http://oag.ca.gov/sites/all/files/agweb/pdfs/idtheft/cis_3a_fraud_doj.pdf?) from the California Office of the Attorney General.

Once the proper agencies have been notified and the accounts are closed, you may want to “Freeze” your credit file. A “security freeze” means that your file cannot be shared with potential creditors and can help prevent further identity theft since most businesses will not issue credit without verifying your credit history. For more information about freezing your credit file, read this [How to “Freeze” Your Credit Files](#) (http://oag.ca.gov/sites/all/files/agweb/pdfs/idtheft/cis_10_credit_freeze_doj.pdf?) from the California Office of the Attorney General.

According to the Federal Trade Commission, the negative effects of identity theft can last from several months to several years depending on a variety of factors including the type of theft, whether the thief sold or passed your information on to other thieves, whether the thief is caught, and any other problems related to correcting your credit report. The most important thing to remember is to stay vigilant and monitor your financial records for several months after you discover the crime and review your credit report once every three months in the first year of the theft, and once a year thereafter.

To learn about what steps can be taken to avoid Identity Theft, you may want to consult “[Stopping Identity Theft: 10 Easy Steps to Security](https://catalog.saclaw.org/cgi-bin/koha/opac-detail.pl?biblionumber=1529) (https://catalog.saclaw.org/cgi-bin/koha/opac-detail.pl?biblionumber=1529)” published by Nolo Press. This title is available for review at the Sacramento County Public Law Library.

rmm 06/22

Useful Resources

- [California Office of Privacy Protection](http://oag.ca.gov/) (http://oag.ca.gov/)
- [Federal Trade Commission](https://consumer.ftc.gov/identity-theft-and-online-security) (https://consumer.ftc.gov/identity-theft-and-online-security)
- [TransUnion](https://www.transunion.com/) (https://www.transunion.com/)
- [Equifax](http://www.equifax.com/home/en_us) (http://www.equifax.com/home/en_us)
- [Experian](http://www.experian.com/) (http://www.experian.com/)

Date Created

04/18/2023