

Detecting Identity Theft

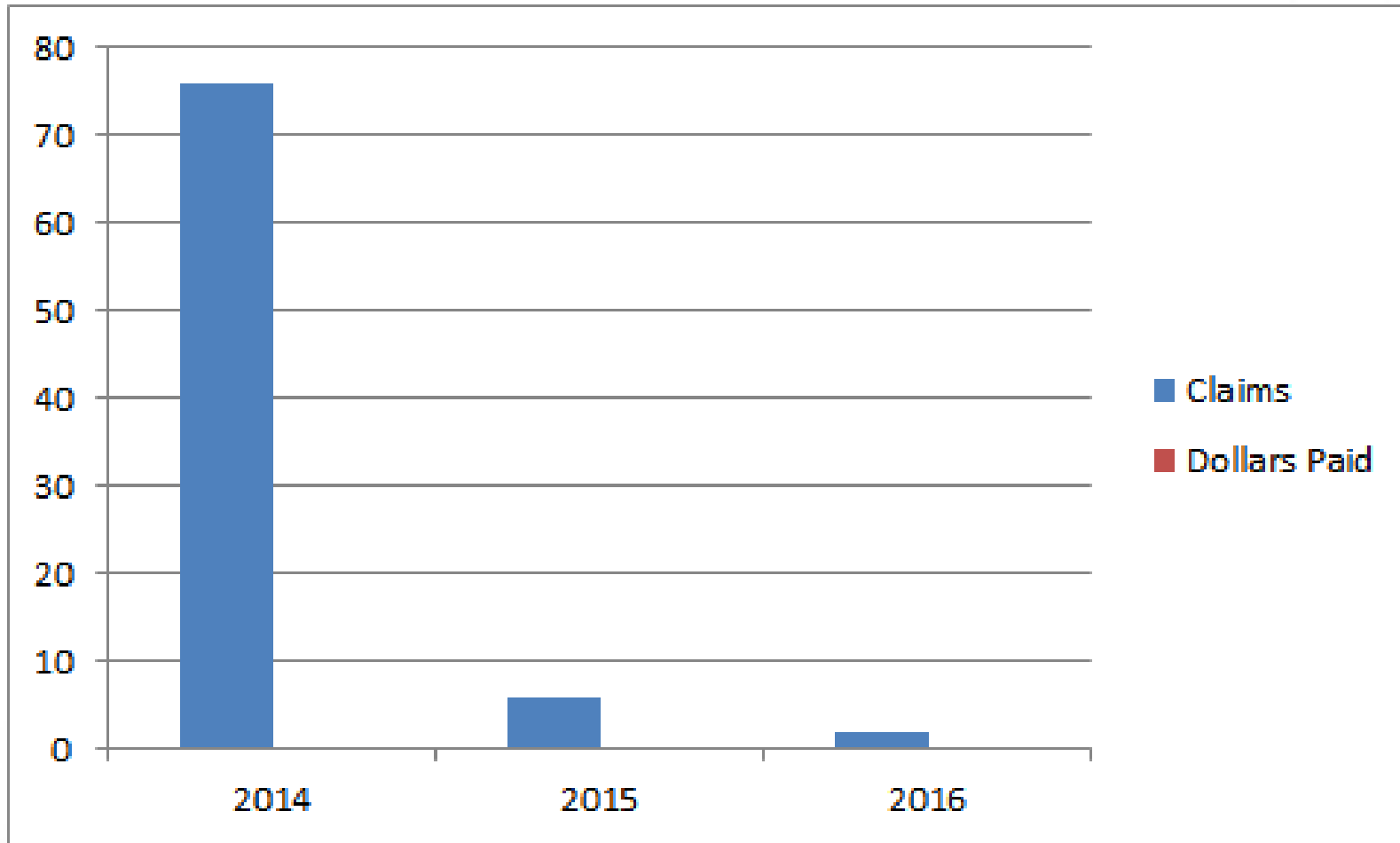
Theresa LeSueur, PHR, SHRM-CP
MTSUIP Program Director

Highlights

- First Detected - timeline
- Detection
- Coordination with state agency



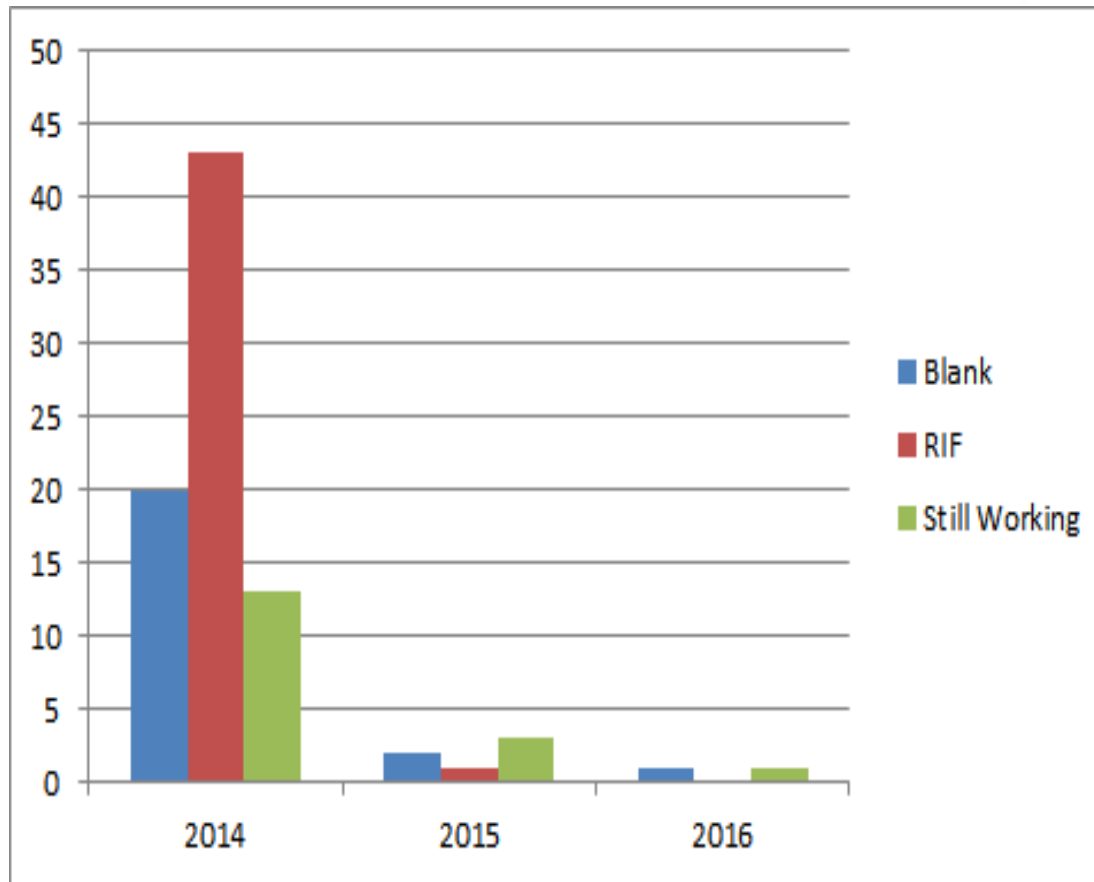
First Detected





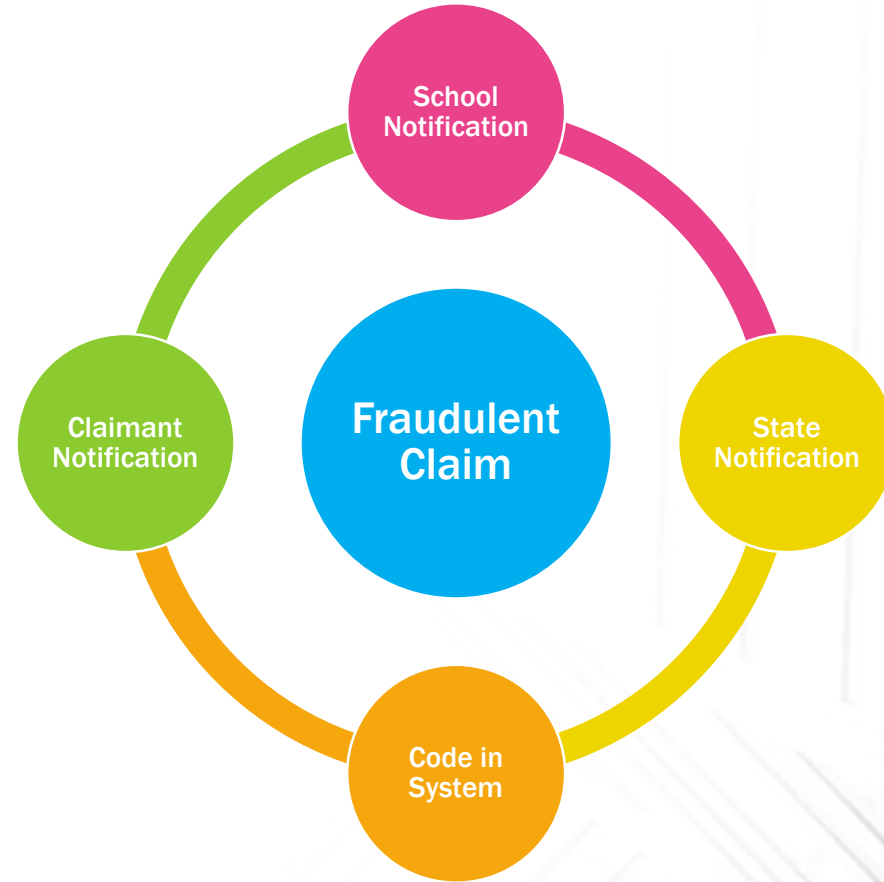
Separation Reasons

- Blank Claim Forms
- RIF
- Still Working



Detection

- First Noticed
- Steps to Deter
- Outcomes



Detection

2014 – Claims filed alphabetically by last name

2015 – More sporadic and less organized

2016 – Not noticeable

Coordination with State Agency

Fraud Investigator

- SSN Crossmatch
- ER Notification
- IP Address
- Loss of Interested Party

MTSUIP

- Notify fraud investigator
- Notify member of fraud
- Provide member with information
- Monitor claim and payments

Coordination with State Agency

- Notification places lock on claim
- Allows claim to continue without payment
- Contacts victim and provided information

Coordination with State Agency

- IP Address
 - Shuts down before speaking with victim or employer
- Nothing sent to victim or employer regarding outcome
- Auto credit of benefits when detected
- Loss of interested party still receives credit

State Agency

- **Federal Reporting**
 - Daily deposit with no name/ssn attached
 - End of year 1099G provided
- **State Reporting**
 - End of year 1099G provided

Contact Information

Montana Schools Unemployment Insurance
Program (MTSUIP)

Theresia LeSueur, Director, MBA, PHR,
SHRM-CP

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(406) 457-4407 (work)

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www.mtsba.org



Montana Department of
LABOR & INDUSTRY

Steve Bullock, Governor
Pam Bucy, Commissioner

Unemployment Insurance Division

Brenda Nordlund, Administrator

Date

Claimant Name

Claimant Address

Claimant City, State, Zip

Re: Fraudulent claim
Protecting your identity

Dear XXXXXX:

Being a victim of Identity Theft is a very unsettling experience. Rest assured I am doing all that I can to identify those responsible. The important task now is doing everything we can to protect your identity and Personal Identifying Information (PII) from further, potentially damaging, abuse.

As I mentioned in our telephone conversation it is imperative you contact your financial institutions, local law enforcement, and three major credit bureaus. Doing so will cause certain protections to be put in place to further secure and protect your identity and PII.

Enclosed I have included some information geared at assisting you in protecting your identity and PII.

The first portion of the packet is a copy of the Identity Theft & Security Freeze information from the Montana Department of Justice website. This is valuable information and I would recommend following the steps discussed. You can access this and more information at the

Montana Department of Justice website. The web address for the identity theft information is as follows: <https://doj.mt.gov/consumers/for-consumers/identity-theft>.

The second portion of the packet discusses Identity Theft and your social security number. This and more information can be found at the Social Security Administration web site. Their web address is as follows: www.socialsecurity.gov.

The final portion of the enclosed packet is the Montana Department of Justice, Identity Theft Passport Application. As we discussed, you will want to provide a completed copy of this application to your local law enforcement agency or return the completed form to me.

Finally, there is a wealth of information and assistance available to you through the Identity Theft Resource Center (IRTC). I highly recommend visiting their webpage at www.idtheftcenter.org.

If you have any questions or need any additional information, please do not hesitate to contact me. My direct phone number and email address have been provided to you in the signature line of this letter.

Sincerely:

Jerry Lord
BPC Supervisor
Montana Department of Labor & Industry
Unemployment Insurance Division
406.444.1709
jelord@mt.gov

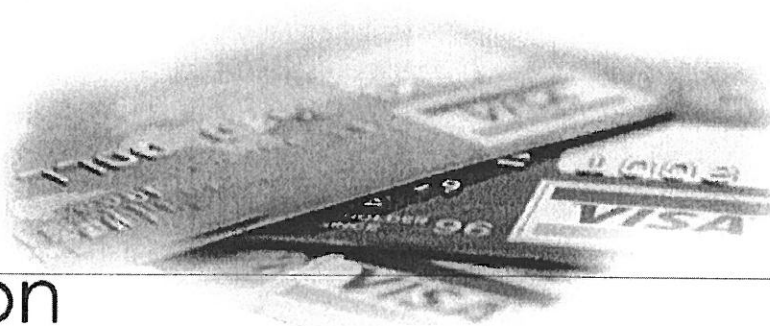
/jel

Enclosures



Home / Office of Consumer Protection – OCP / For Consumers / Identity Theft & Security Freeze

keeping personal information personal



Identity theft is now the top-reported form of crime in the United States. This crime occurs when someone acquires key pieces of another person’s identifying information – such as name, Social Security number, date of birth or financial information – in order to impersonate that person and commit fraud or other crimes. Identity thieves may use your information to open a credit card or open a new wireless account — wracking up charges in your name.

The information on this site is intended to help Montanans protect themselves from identity thieves — and how to recover if he or she has been victimized. The Office of Consumer Protection operates Montanan’s Identity Theft Passport Program. This program helps victims prove to creditors and law enforcement officials that someone has committed fraud using their identity. More information on the program can be found below.

How to Protect Your Personal Information

Freeze your credit files with the three major credit bureaus so no one can access them without your permission. For further information, see the **Security Freeze** page.

Never give bank or credit card information over the phone unless you initiated the call and know the business to be reputable.

Never respond to e-mail or pop-up messages asking you to confirm or verify account information, even if it looks official. Instead, call the customer service number listed on the company's billing statement to check an account.

Remove extra information from your checks. Information like your Social Security number and date of birth should be guarded. If a merchant requires them, consider paying with cash or credit card, or doing business elsewhere.

Shred or destroy any documents that contain personal identifying information before you dispose of them. Always shred prescriptions, receipts, bank deposit slips, pay stubs, expired credit cards, insurance policies and credit card applications.

Opt out of pre-screened credit card offers by calling (888) 5-OPTOUT (567-8688). This will not prevent you from getting a loan or credit card.

Review your bank and credit card statements as soon as you get them.

Order a copy of your credit report once a year and check it carefully for fraudulent accounts. You are entitled to a free copy once every 12 months.

Read and understand privacy and security policies before providing any personal information on Internet sites. Shop online only if the site is secure.

Place passwords on your credit card, bank and phone accounts and avoid using easily available information such as your mother's maiden name.

Secure personal information in your home.

Ten steps to Recover From Identify Theft

- 1. Keep a record of whom you call and when.** It is very important to keep good notes of all conversations and records of all correspondence with your financial institutions and law enforcement agencies, including a log of the names, dates and phone numbers of people you contacted. You also should confirm the information in writing. Sending your letters by certified mail, return receipt requested, provides you with a record of your correspondence.
- 2. Report the theft of your identity to your local law enforcement agency.** Ask for a copy of the police report, and to have your case entered into the NCIC Identity Theft File. Credit card companies and financial institutions may require you to show a copy of this report to verify the crime. Keep the phone number of your investigator and provide it to creditors and others who require verification of your case.

3. Contact the three major credit bureaus. Ask that they put a security freeze or a fraud alert on your account and send you a free credit report. A **security freeze** will stop someone else getting new credit in your name. See the Security Freeze page for detailed instructions on requesting a freeze of your credit files. A **fraud alert** is a special message you can have placed on your credit report. When a credit issuer checks your credit rating, the alert indicates that there may be fraudulent activity on your account. While a fraud alert may slow down issuing new credit, it does not stop it.

Major Credit Bureaus:

Equifax – P.O. Box 740241, Atlanta, GA 30374-0241 – (800) 525-6285 – www.equifax.com

Experian – P.O. Box 9532, Allen, TX 75013 – (888) EXPERIAN (397-3742) – www.experian.com

TransUnion – Fraud Victim Assistance Division, P.O. Box 2000, Chester, PA 19022-2000 – (800) 680-7289 – www.transunion.com

4. Complete an Identity Theft Passport application and return it to the law enforcement agency you reported the crime to in Step 2. Remember to include a copy of your driver's license. Law enforcement will send the completed form to the Montana Identity Theft Passport Program.

5. Report the crime to the Federal Trade Commission and complete an FTC ID Theft Affidavit. Don't mail it to the FTC – see Step 7.

Federal Trade Commission – (877) IDTHEFT (438-4338) or TTY: (866) 653-4261 – FTC Consumer Information – Identity Theft

6. Mail copies of the following to all three credit bureaus and to all creditors and collection agencies showing or collecting the fraudulent charges:

the FTC ID Theft Affidavit

the police report

your Identity Theft Passport (if you have one)

a letter disputing the fraudulent charges

The dispute letter **must do all** of the following:

identify you

indicate which accounts are disputed

affirmatively state that you had nothing to do with the charges on the accounts

request that the accounts be blocked from your credit report

Sample dispute letters are available for:

existing credit accounts

credit bureaus

7. Notify all financial institutions you have an account with that you are a victim of identity theft. Change your account numbers and passwords. For any accounts that have been fraudulently accessed or opened, contact the billing inquiries and security departments of the appropriate creditors or financial institutions. Close these accounts. Use passwords – not your mother’s maiden name or other personal information that may have been stolen – on any new accounts opened. Confirm your contact in writing. Ask that old accounts be processed as “account closed at consumer’s request,” not “card lost or stolen.” When the latter is reported to credit bureaus, it can be interpreted as blaming you for the loss. Carefully monitor your mail and credit card bills and immediately report any new fraudulent activity to credit grantors.

8. Request a copy of your state and federal criminal history record. Applications are available online or from the Office of Consumer Protection ID Theft Passport Program, (406) 444-4500.

Montana Criminal History Record

FBI Criminal History Record

9. Check your credit report with all three credit bureaus at least every three months until the matter is resolved. If you have properly placed a fraud alert on your accounts (see Step 3), you should be entitled to two additional **free** credit reports a year from each credit bureau for the duration of the fraud alert.

10. Pay any portion of a bill that is legitimate, but DO NOT pay charges you are disputing. Your credit rating should not be permanently affected, and no legal action should be taken against you as a result of identity theft. If any merchant, financial institution or collection agency suggests otherwise, simply restate your willingness to cooperate, but don’t allow yourself to be coerced into paying fraudulent bills. Report such attempts to the Office of Consumer Protection or the FTC immediately.

Identity Theft Passport Program

Passport Application

Passport Law

An Identity Theft Passport is designed to help victims prove to creditors and law enforcement officers that someone has used their identity to commit fraud.

Through no fault of their own, victims of identity theft are forced to spend a considerable amount of time and money undoing the damage done to their good names and credit records. The wallet-sized passport is designed to help victims prove who they are and limit the cost and stress they experience.

To qualify for a passport, identity theft victims must file a police report with a Montana law enforcement agency and present a completed Identity Theft Passport application with a photo ID to the investigating agency. Once the complaint has been verified by law enforcement, the agency faxes or mails to Montana's Office of Consumer Protection and Victim Services:

- a copy of the completed investigation report
- the Identity Theft Passport application, signed by the victim and the officer
- a copy of the victim's driver license or other official form of photo identification

Once the victim and law enforcement have provided all of the necessary information, the passport should be issued within 10 working days. Passports expire after three years.

The passport application and supporting documentation is confidential criminal justice information. Law enforcement agencies and creditors have discretion in accepting an identity theft passport. The passport simply indicates that the agency or company should take into consideration that the individual is a victim of identity theft.

Security Freeze

A security freeze is one of the most effective ways to prevent identity theft. By putting a security freeze on their credit files, Montanans can prevent those files from being shared with potential creditors. See MCA 30-14-1726 to 1736. A security freeze allows consumers to proactively "lock up" their credit information so no one can access it without their permission. This prevents a thief from falsely using someone else's identity to take out a new mortgage, apply for a credit card or get financing. The freeze is easily lifted if consumers plan to make a major purchase, open a new credit card or take out a loan.

A security freeze will not:

- lower your credit score
- prevent you from getting your own credit report

stop credit card companies from sending you pre-approved credit offers. To stop most pre-approved credit offers, call 888-5OPTOUT (888-567-8688) or go online to www.optoutprescreen.com. You can choose to opt out for five years or permanently.

A freeze will prevent an employer from getting your credit report as part of a background check. You have to lift the freeze to allow a complete background check, just as you do to apply for credit.

It costs \$3 to place a security freeze on your credit files with a credit bureau, for a total of \$9 to freeze your files with all three credit bureaus. For a security freeze to be effective for married couples, both spouses have to freeze their separate credit files. The total cost for a couple is \$18. There is no fee for identity theft victims who have filed a police report of identity theft to freeze their files. To have a freeze temporarily lifted also costs \$3 per credit bureau. There is no fee to permanently remove a security freeze.

To place a security freeze on your credit files, you must write to each of the three credit bureaus. You may use this security freeze form letter or create your own letter.

Provide identifying information including, at a minimum, your name, address and Social Security number.

Pay the \$3 security freeze fee by check or credit card, unless you are an identity theft victim. If you are a victim, provide a copy of the police report of identity theft.

For a security freeze to be effective for married couples, both spouses have to freeze their separate credit files, via separate letters requesting the freeze. The total cost for a couple is \$3 x 3 credit bureaus x 2 people = \$18.

Send separate letters to each of the three credit bureaus. For married couples, both spouses must request to freeze their credit files via separate request letters:**Equifax Security Freeze** – P.O. Box 105788, Atlanta, GA 30348 – (800) 525-6285

Experian Security Freeze – P.O. Box 9554, Allen, TX 75013 – (888) EXPERIAN (397-3742)

TransUnion Security Freeze – P.O. Box 2000, Chester, PA 19022-2000 – (800) 680-7289

The credit bureaus must place the freeze on your files within five business days of receiving your written request. If you are a victim of identity theft, they must place the freeze within 24 hours of getting the police report and information confirming your identity.

Each of the credit bureaus will send you written notice that the freeze is in place within five days of it going into effect. This confirmation will include a Personal Identification Number (PIN) and instructions on how to lift or remove the freeze.

To Temporarily Lift a Security Freeze

To open a new credit account, take out a new loan or allow a background check, consumers need to temporarily lift the security freeze on their credit files. It can be lifted for a specific period of time or for a specific creditor.

Contact each of the credit bureaus by phone and use your Personal Identification Number (PIN).

Specify whether you want to temporarily lift the freeze for a specific date range or creditor.

Pay the \$3 lift fee to each credit bureau.

The credit bureaus must lift a freeze no later than three business days after receiving your request.

To Permanently Remove a Security Freeze

You can permanently remove a security freeze at any time by calling the credit bureaus and using your PIN. There is no fee for permanently removing a security freeze. The credit bureaus must remove the security freeze within three days.

Who Can Still Access a Frozen Credit File?

When a file is protected by a security freeze, a creditor who requests that file will get a message or a code indicating that the file is frozen. However, when you have a security freeze on your credit file, certain entities can still access it.

Your report can still be released to your existing creditors or to collection agencies acting on their behalf. They can use it to review or collect on your account.

Other creditors may also use your information to make offers of credit, unless you opt out of receiving such offers.

Government agencies may access your report for collecting child support payments or taxes, or for investigating Medicaid fraud. Government agencies may also access it in response to a court or administrative order, a subpoena or a search warrant.

A Fraud Alert:

is a special message that people who suspect they may be identity theft victims can have placed on the report a credit issuer receives when it checks a consumer's credit rating

tells the credit issuer there may be fraudulent activity on an account

can help protect consumers against identity theft

can slow your ability to get new credit, but does not stop you from using existing credit cards or other accounts

A fraud alert is not the same as a security freeze. While a fraud alert may slow down issuing new credit, it does not stop it. A security freeze will stop someone else getting new credit in your name.

Other Resources

The Federal Trade Commission, the nation's consumer protection agency, also has a variety of resources available at its website. The agency also produces many reputable publications. Here are a few:

Taking Charge: What To Do If Your Identity Is Stolen is a handbook with tips about protecting your information, along with instructions, sample forms and letters to help you recover from identity theft.

Safeguarding Your Child's Future is a guide to help parents and guardians protect a child's information and repair damage caused by identity theft.

Identity Theft: What To Know, What To Do is an easy-to-copy brochure covering the basics of how to avoid and respond to identity theft.

Contact the Program

Office of Consumer Protection

P.O. Box 200151

Helena, MT 59620-0151

Phone: **(800) 481-6896** or (406) 444-4500

Fax: (406) 442-2174

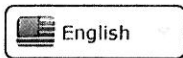
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What's Trending –

Motor Vehicle Division – MVD The mission of the Motor Vehicle Division (MVD) is to... (40,516)

Appointment Scheduling Online
appointment scheduling lets you
schedule, view or cancel appointments
for... (38,633)

Driver Licenses & ID Cards Active duty
does not include full-time active duty with
the... (37,558)

Vehicle Title and Registration
Registration | Titling | Boats, Personal
Watercraft and Motorized Pontoons...
(33,886)

License Plate Designs and Fees (26,432)



Tim Fox @AGTimFox

First multi-agency offender compliance checks in Flathead, Lake Counties

<https://t.co/VWDvHXw9Qv> @MontanaDCI #mtnews #mtgov

1 day ago

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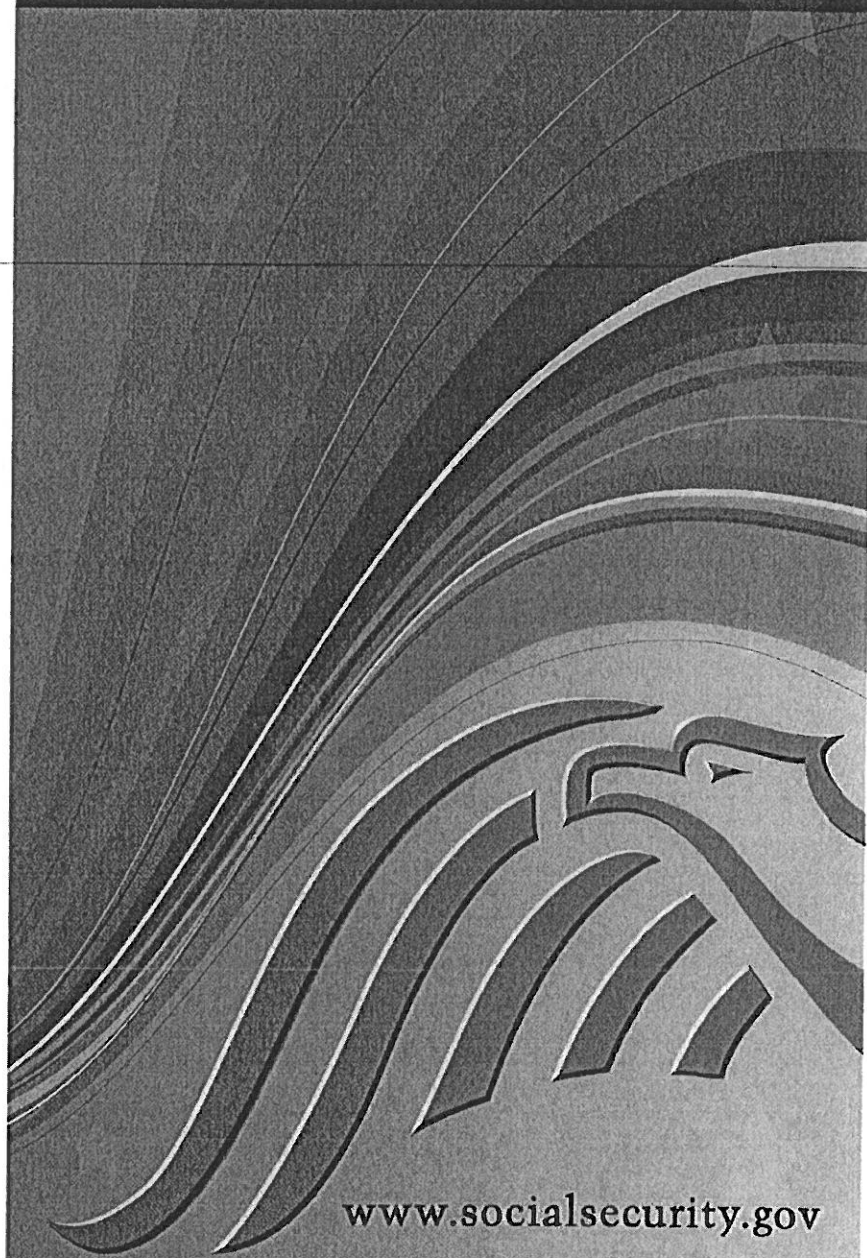
Site supported by Montana Department of Justice - Attorney General Tim Fox





Social Security

Identity Theft
And Your Social
Security Number



www.socialsecurity.gov

Identity Theft And Your Social Security Number


Identify theft is one of the fastest growing crimes in America. A dishonest person who has your Social Security number can use it to get other personal information about you. Identity thieves can use your number and your good credit to apply for more credit in your name. Then, they use the credit cards and do not pay the bills. You may not find out that someone is using your number until you are turned down for credit or you begin to get calls from unknown creditors demanding payment for items you never bought.

Someone illegally using your Social Security number and assuming your identity can cause a lot of problems.

Your number is confidential

The Social Security Administration protects your Social Security number and keeps your records confidential. We do not give your number to anyone, except when authorized by law. You should be careful about sharing your number, even when you are asked for it. You should ask why your number is needed, how it will be used and what will happen if you refuse. The answers to these questions can help you decide if you want to give out your Social Security number.


www.socialsecurity.gov



How might someone steal your number?

Identity thieves get your personal information by:

- Stealing wallets, purses and your mail (bank and credit card statements, pre-approved credit offers, new checks and tax information);
- Stealing personal information you provide to an unsecured site on the Internet, from business or personnel records at work and personal information in your home;
- Rummaging through your trash, the trash of businesses and public trash dumps for personal data;
- Posing by phone or email as someone who legitimately needs information about you, such as employers or landlords; or
- Buying personal information from "inside" sources. For example, an identity thief may pay a store employee for information about you that appears on an application for goods, services or credit.



Be careful with your Social Security card and number

When you start a job, make sure your employer has your correct Social Security number so your records are correct. Provide your Social Security number to your financial institution(s) for tax reporting purposes. Keep your card and any other document that shows your Social Security number in a safe place. DO NOT routinely carry your card or other documents that display your number.

What if you think someone is using your number?

Sometimes more than one person uses the same Social Security number, either on purpose or by accident. If you suspect someone is using your number for work purposes, you should contact us to report the problem. We will review your earnings with you to ensure our records are correct.

You also may review earnings posted to your record on your *Social Security Statement*. The *Statement* is available online to workers age 18 and older. To get your *Statement*, go to www.socialsecurity.gov/myaccount and create an account.

www.socialsecurity.gov

What if an identity thief is creating credit problems for you?

If someone has misused your Social Security number or other personal information to create credit or other problems for you, Social Security cannot resolve these problems. But there are several things you should do.

You should go to www.idtheft.gov and report the identity theft to the Federal Trade Commission. Or, you can call 1-877-IDTHEFT (1-877-438-4338); TTY 1-866-653-4261. That website is a one-stop national resource to learn about the crime of identity theft. It provides detailed information to help you deter, detect and defend against identity theft.

You also may want to contact the Internal Revenue Service (IRS). An identity thief also might use your Social Security number to file a tax return to receive your refund. If you are eligible for a refund, a thief could file a tax return before you do and get your refund. Then, when you do file, the IRS will think you already received your refund. If your Social Security number is stolen, another individual may use it to get a job. That person's employer would report income earned to the IRS using your Social Security number. This will make it appear that you did not report all of

your income on your tax return. If you think you may have tax issues because someone has stolen your identity, go to www.irs.gov/uac/Identity-Protection or call 1-800-908-4490.

Also, you should file an online complaint with the Internet Crime Complaint Center (IC3) at www.ic3.gov.

The IC3 gives victims of cybercrime a convenient and easy-to-use reporting mechanism that alerts authorities of suspected criminal or civil violations. IC3 sends every complaint to one or more law enforcement or regulatory agencies with jurisdiction.

- IC3's mission is to receive, develop and refer criminal complaints regarding the rapidly expanding arena of cybercrime. The IC3 serves the broader law enforcement community that combats Internet crime. This includes federal, state, local and international agencies.
- The IC3 reflects a partnership between the Federal Bureau of Investigation, the National White Collar Crime Center and the Bureau of Justice Assistance.
- You also should monitor your credit report periodically. You can get free credit reports online at www.annualcreditreport.com.

Should you get a new Social Security number?

If you have done all you can to fix the problems resulting from misuse of your Social Security number and someone still is using your number, we may assign you a new number.

You **cannot** get a new Social Security number:

- To avoid the consequences of filing for bankruptcy;
- If you intend to avoid the law or your legal responsibility; or
- If your Social Security card is lost or stolen, but there is no evidence that someone is using your number.

If you decide to apply for a new number, you will need to prove your identity, age and U.S. citizenship or immigration status. For more information, ask for *Your Social Security Number And Card* (Publication Number 05-10002). You also will need to provide evidence you are having ongoing problems because of the misuse.

Keep in mind that a new number probably will not solve all your problems. This is because other governmental agencies (such as the IRS and state motor vehicle agencies) and private businesses (such as banks and credit reporting companies) will have records under your old number. Along with other personal information, credit reporting companies use the number to identify your credit record. So using a new number will not guarantee you a fresh start. This is

especially true if your other personal information, such as your name and address, remains the same.

If you receive a new Social Security number, you should not use the old number anymore.

For some victims of identity theft, a new number actually creates new problems. If the old credit information is not associated with your new number, the absence of any credit history under your new number may make it more difficult for you to get credit.

Contacting Social Security

For more information and to find copies of our publications, visit our website at www.socialsecurity.gov or call toll-free, 1-800-772-1213 (for the deaf or hard of hearing, call our TTY number, 1-800-325-0778). We treat all calls confidentially. We can answer specific questions from 7 a.m. to 7 p.m., Monday through Friday. Generally, you'll have a shorter wait time if you call during the week after Tuesday. We can provide information by automated phone service 24 hours a day.

We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls.




Social Security Administration

SSA Publication No. 05-10064

ICN 463270

Unit of Issue - HD (one hundred)

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 Printed on recycled paper



**Department of Justice
Office of Consumer Protection**
P. O. Box 200151
Helena, MT 59620-0151
(406) 444-4500 or (800) 481-6896

Identity Theft Passport Application

Personal Information

Name _____
Last First Middle

Prior Names or Aliases _____
Last First Middle

Mailing Address _____
Street or PO Box City State Zip

Previous Address _____
Street or PO Box City State Zip

Home phone () _____ **Date of Birth** _____

Work phone () _____ **Place of Birth** _____

U.S. Citizen (please circle) Yes No **Gender (please circle)** Female Male

Social Security # _____ - _____ - _____ **Drivers License** _____
State Number
*Disclosure is voluntary & for identification purposes only ** Copy of Drivers License must be included

Crime Information

Date you discovered the theft _____

County & State where theft occurred _____

Law enforcement agency crime reported to _____

Case # _____

Has the person who stole your information been identified? (please circle) Yes No

If yes, please provide name of the suspect _____
Suspect's Name

Has the suspect been arrested? (please circle) Yes No Unknown

Type of Theft (credit card, checks/ATM, SSN, etc...)	Account Numbers	Approximate Amount
		\$
		\$
		\$

Use additional paper if necessary

Next Page

Please provide a brief description of Identity Theft Incident
Use additional paper if necessary

Applicant Certification

I understand that if I knowingly provide false information, I may be subject to false swearing charges under Montana law (45-7-202, MCA).

By signing this application, I attest that:

- the information provided on this form is true and accurate, and
- I have filed a true and accurate police report of this incident.

Applicant Signature

Date

Law Enforcement Certification

Law Enforcement Officer (Print Name)

Law Enforcement Officer (Signature)

Law Enforcement Agency and Phone

Please send or fax this form to:

Department of Justice – ID Theft Passport
P.O. Box 200151
Helena, MT 59620-0151

Fax: (406) 442-2174
Phone: (406) 444-4500

Montana Code Annotated 2014

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

46-24-220. Identity theft passport -- application -- issuance -- uses -- penalty for false report.

(1) (a) The attorney general, in cooperation with any law enforcement agency, may issue an identity theft passport to a person who is a victim of identity theft in this state or to a resident of this state who has filed a police report in this state or another state citing that the person is a victim of identity theft as described in [45-6-332](#).

(b) A victim who has filed a report of identity theft with a law enforcement agency may apply for an identity theft passport through any law enforcement agency. The agency shall send a copy of the police report and the application to the attorney general.

(c) For a resident who became an identity theft victim in another state, the victim may apply directly to the department of justice and shall provide a copy of the police report or other substantial evidence of having filed a complaint.

(d) The attorney general shall process the application and supporting report and may issue the victim an identity theft passport in the form of a card or certificate.

(2) (a) A victim of identity theft may present the victim's identity theft passport issued under subsection (1) to any of the following:

(i) a law enforcement agency to help prevent the victim's arrest or detention for an offense committed by someone other than the victim who is using the victim's identity;

(ii) any of the victim's creditors to aid in the creditors' investigation and establishment of whether fraudulent charges were made against accounts in the victim's name or whether accounts were opened using the victim's identity; or

(iii) a consumer reporting agency, as defined in [31-3-102](#), which shall accept the passport as the direct conveyance of a dispute under [31-3-124](#) and shall include notice of the dispute in all future reports that contain disputed information caused by identity theft.

(b) Acceptance of the identity theft passport presented by the victim to a law enforcement agency or creditor pursuant to subsection (2)(a) is at the discretion of the law enforcement agency or creditor. A law enforcement agency or creditor may consider the surrounding circumstances and available information regarding the offense of identity theft pertaining to the victim.

(c) An identity theft passport is equivalent to a police report or investigative report when a police report or investigative report is required as proof that the holder is a victim of identity theft.

(3) An application made with the attorney general pursuant to subsection (1), including any supporting documentation, is confidential criminal justice information, as defined in [44-5-103](#), and must be disseminated accordingly.

(4) The attorney general shall adopt rules to implement this section. The rules must include a procedure by which the attorney general is assured that an identity theft passport applicant has an identity theft claim that is legitimate and adequately substantiated.

(5) A person who knowingly gives a false report to obtain an identity theft passport is guilty of a felony and upon conviction shall be punished as provided by law and by revocation of the passport.

History: En. Sec. 1, Ch. 55, L. 2005; amd. Sec. 2, Ch. 195, L. 2007.

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