



Torrington Police Department

576 Main Street, Torrington, CT 06790

(860) 489-2000

Identity Theft Victim's Packet

Information and Instructions

This packet is to be completed once you have contacted the Torrington Police Department and obtained a case report number related to your identity theft case. If you are only interested in the correction of your credit, DO NOT return this packet to the police department. If you desire prosecution, you MUST return the packet and ALL supporting documents to the investigating officer.

Torrington Police Department Case Number:
Case # _____

This packet contains information to assist you in the correction of your credit and to help ensure that you are not responsible for the debts incurred by the identity thief.

In addition, this packet includes information that will allow you to obtain financial records related to the fraudulent accounts and provide those records to law enforcement, without which we cannot conduct an investigation for prosecution.

It is important to understand that in the event that a suspect is identified and arrested and the case proceeds to court, you as the victim would most likely be required to appear and testify in court. If the suspect cannot be identified for prosecution, it will not affect your ability to correct the fraudulent accounts and remove them from your credit report.

Completion of dispute letters will provide us with necessary documentation that is required for prosecution. Examples of the document evidence we need to investigate your case are included in this packet.

Helpful Hints:

- Each creditor has different policies and procedures for correcting fraudulent accounts.
- Do not provide originals to creditors and keep copies of everything you provide to the creditors or companies involved in the identity theft.
- Write down all dates, times and the names of individuals you speak to regarding the identity theft and correction of your credit.
- If you are contacted by a collection agency about a debt for which you are not responsible for, immediately notify them that you did not create the debt and that you are a victim of identity theft.
- Follow up with the collection agency and creditor in writing and include a copy of your police report, ID Theft Affidavit, Letter of Dispute and a copy of the FACTA Law.



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Step 1: Contact your bank and other credit card issuers.

If the theft involved **existing bank accounts** (checking or savings accounts as well as credit or debit card) you should do the following:

- Close the account that was used fraudulently or put stop payments on all outstanding checks that might have been written without your knowledge.
- Close all credit card accounts that were used fraudulently.
- Close any account accessible by debit card if it has been accessed fraudulently.
- Open up new accounts protected with a secret password or personal identification number (PIN)

If the identity theft involved the creation of **new bank accounts**, you should do the following:

- Call the involved financial institution and notify them of the identity theft.
- They will likely require additional notification in writing. (see step 4)

Step 2: Contact all three (3) major credit reporting bureaus.

First, request the credit bureaus place a "**Fraud Alert**" on your file. A fraud alert will put a notice on your credit report that you have been the victim of identity theft. Merchants and financial institutions **may** opt to contact you directly before any new credit is taken out in your name. *Some states allow for a Security Freeze in which a PIN can be designated on your credit file and subsequently the PIN must then be given in order for credit to be extended.* Connecticut currently participates in this program.

Fraud Alerts : There are two types of fraud alerts: an initial alert, and an extended alert.

An **initial alert** stays on your credit report for at least 90 days. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial alert is appropriate if your wallet has been stolen or if you've been taken in by a "phishing" scam. When you place an initial fraud alert on your credit report, you're entitled to one free credit report from each of the three nationwide consumer reporting companies.

An **extended alert** stays on your credit report for seven years. You can have an extended alert placed on your credit report if you've been a victim of identity theft and you provide the consumer reporting company with an "identity theft report." When you place an extended alert on your credit report, you're entitled to two free credit reports within twelve months from each of the three nationwide consumer reporting companies. In addition, the consumer reporting companies will remove your name from marketing lists for pre-screened credit offers for five years unless you ask them to put your name back on the list before then.

The following is a list of the three (3) major credit reporting bureaus for victims to report fraud:

Equifax

Consumer Fraud Division
800-525-6285
P.O. Box 740256
Atlanta, GA 30374

TransUnion

Fraud Victim Assistance Dept.
800-680-7289
P.O. Box 6790
Fullerton, CA 92834

Experian

Nat. Consumer Assist
888-397-3742
P.O. Box 9530
Allen, TX 75013



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Step 3: File a report with the FTC and IC3.

- File an identity theft complaint with the Federal Trade Commission at www.FTC.gov and click on the ID Theft icon or by calling 1-877-IDTHEFT. **Print a copy of your filed complaint for inclusion in this packet.**
- File a complaint with the FBI Internet Crime Complaint Center (IC3) – www.ic3.gov

Step 4: Contact creditors involved in the Identity Theft.

This step involves contacting all the companies or institutions by phone and in writing that provided credit or opened new accounts for the suspect or suspects. Some examples include banks, mortgage companies, utility companies, telephone companies, cell phone companies, etc. **Provide the creditors with the completed Identity Theft Affidavit** (some may require that you use their own affidavit), **Letter of Dispute**, and a copy of the FACTA Law (included in this packet).

FTC Identity Theft Affidavit

A copy of the FTC Identity Theft Affidavit can be found at the end of this packet. This is the same affidavit that the FTC makes available to victims of identity theft. The affidavit requests information regarding you as the victim, how the fraud occurred, law enforcement's actions, documentation checklist and Fraudulent Account Statement. NOTE. Some creditors, financial institutions, or collection agencies have their own affidavit that you may have to complete. **You can find a secure online version which provides victims with pre-filled forms and dispute letters at www.identitytheft.gov**

Letters of Dispute

Sample copies of the Letters of Dispute can also be found at the end of this packet. **This letter needs to be completed for every creditor involved in the identity theft.** The letter of dispute should contain information related to the fraudulent account(s), your dispute of the account(s), and your request for the information to be corrected. **In addition, the letter should reference FACTA and make a request for copies of any and all records related to the fraudulent accounts be provided to you and made available to the Torrington Police Department.**

FACTA Law

A portion of the FACTA Law can also be found at the end of this packet. As previously discussed in this packet, FACTA allows for you to obtain copies of any and all records related to the fraudulent accounts. **You are then permitted to provide law enforcement with copies of the records you received related to the fraudulent accounts; thereby allowing us to bypass the sometimes difficult process of obtaining search warrants for the very same information. It also allows you to request the information be made available to the Torrington Police Department.** We have found it useful to provide a copy of the FACTA Law with the submission of the Identity Theft Affidavit and Letter of Dispute to the individual creditors.

Step 5: Submit the Identity Theft Affidavit

Submit affidavit to the investigating officer assigned to your case at Torrington Police Department with copies of all information and records obtained from the creditors with regard to the fraudulent accounts.

We request that you **only submit this packet to the Torrington Police Department if you desire prosecution** and would be willing and available to appear and testify in court should a suspect be identified and arrested.



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Step 6: Optional – Identity Theft File Database

You have the option to have your personal information entered into the Federal Bureau of Investigation's Identity Theft File. Physical descriptors and identifying information including name, date of birth, place of birth, social security number, and type of identity theft is entered into the database. This allows agencies to be alerted if an identity is stolen. A password is created and provided to you for future identification verification purposes. This information is retained for a maximum of five years. If you are interested in having your information added to the database, you must sign the **Identity Theft File Consent Document** located in this packet, and provide it to the investigating officer.

Additional Resources:

ID Theft Clearing House – Counselors will advise you on how to deal with the credit-related problems that could result from ID theft. Call toll free at 1-877-ID-THEFT (1-877-438-4338).

Post Office – If you're a victim of identity theft and the U.S. Mail is involved, contact your nearest Postal Inspection Service office by phone 1-877-876-2455 or web <https://ehome.uspis.gov/mailtheft/idtheft.aspx>

Social Security Administration – If you suspect that someone is using your social security number to obtain employment, contact the Social Security Administration's fraud hotline at 1-800-269-0271. Order a copy of your Personal Earnings and Benefit Estimate Statement (PEBES) to check the accuracy of your work history from your local office or at <http://www.ssa.gov/online/ssa-7004.pdf> . You can also create an online account at <https://www.ssa.gov/myaccount>

State Department – If your passport has been stolen, notify the passport office in writing. You can obtain additional information from the State Department's website: <http://travel.state.gov/reportppt.html>.

Check your bank statements and balances –

www.chexsystems.com

www.telecheck.com

www.askcertegy.com

Order Your Annual Credit Report - www.annualcreditreport.com

Western Union – If you utilized Western Union to make transactions connected to a scam, report the incident to the Western Union Fraud Department at 1-800-448-1492 or online: <https://www.westernunion.com/global-service/report-fraud>

Opt out of unsolicited offers

- 1-888-567-8688 or www.optoutprescreen.com
- Two choices: 5 years or permanently (takes up to 60 days to apply)
- Direct Marketing Association: www.dmachoice.org (commercial mail for 5 years)

Check your data breach status – Check if your email has been part of a recent data breach

- <http://haveibeenpwned.com>
- If your email has been breached, change your username and password.



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Tax Fraud

If someone has used your Social Security number to file a **Federal tax refund**, or you suspect your SSN has been stolen, alert the IRS.

- Complete IRS form 14039 (available on website)
- www.irs.gov/pub/irs-pdf/f14039.pdf
- Follow the instructions located on the form to submit to the IRS.
- If your e-filed return rejects because of a duplicate filing under your SSN, you will have to file a paper return and attach a copy of IRS form 14039.

If someone has used your Social Security number to file a **CT State tax refund**, take the following steps to report the fraud:

- Contact the Department of Revenue Services Refund Protection Group at (855) 842-1441 to receive further instructions on how to clear the matter for the State of Connecticut.
- You must file a paper return for the tax year the fraud filing occurred.

Additional information on protecting yourself against ID theft:

- <http://www.ct.gov/drs/cwp/view.asp?a=4030&q=515160>

Report IRS impersonation scams at:

- https://www.treasury.gov/tigta/contact_report_scam.shtml



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Documentation for Investigation and Prosecution

The following items of evidence should be obtained by using the sample dispute letters to dispute charges and requesting all documentation related to the account(s).

1. If your existing accounts are being accessed, please obtain the following types documents:

- A. Bank statements or bills showing where the transaction occurred.
 - 1) Please circle or underline the fraudulent transactions; do not use a highlighter.
 - 2) Obtain a physical address for the transactions from your bank.
- B. Bills from companies showing merchandise ordered.
 - 1) Addresses where items were delivered.
 - 2) Phone numbers associated with the order.
- C. Any information from the creditor that shows how or where the account was used.
- D. The name and phone number of any representatives you speak with.

2. If new accounts have been opened in your name please obtain the following:

- A. Bank statements that you received for accounts that are not yours.
- B. Credit reports showing the accounts that are not yours.
 - 1) Please circle or underline the accounts; do not use a highlighter.
- C. Bills from utility companies that you did not open.
- D. Letters or documentation from creditors or utility companies that contain:
 - 1) Copies of applications for credit.
 - 2) How the account was opened (i.e. in person, over the phone, on the internet).
 - 3) Where the account was opened if done in person.
 - 4) Where the account is being used (i.e. address of transactions).
 - 5) Address where any cards, bills, merchandise or correspondence was mailed.
 - 6) Any phone numbers associated with the fraudulent account.
- E. The name and phone number of any representatives you speak with.

3. If someone is using your personal information for employment we will need:

- A. Copies of Department of Economic Securities or Social Security Administration report showing your information being used for employment in Torrington.
- B. If only your Social Security Number is being used for employment, please provide a **stamped** Social Security Number verification letter from the Social Security Administration that verifies the Social Security Number in question is assigned to you.

If only a partial account number is listed on the document, please write the entire number on the copy you provide to the police department.

Identity Theft Victims' Complaint and Affidavit

A voluntary form for filing a report with law enforcement and disputes with credit reporting agencies and creditors about identity theft-related problems. Visit ftc.gov/idtheft to use a secure online version that you can print for your records.

Before completing this form:

1. Place a fraud alert on your credit reports, and review the reports for signs of fraud.
2. Close the accounts that you know, or believe, have been tampered with or opened fraudulently.

About You (the victim)

Now

- (1) My full legal name: _____
First Middle Last Suffix
- (2) My date of birth: _____
mm/dd/yyyy
- (3) My Social Security number: _____ - _____ - _____
- (4) My driver's license: _____
State Number
- (5) My current street address:

Number & Street Name Apartment, Suite, etc.

City State Zip Code Country
- (6) I have lived at this address since _____
mm/yyyy
- (7) My daytime phone: (____) _____
 My evening phone: (____) _____
 My email: _____

This section is for the victim's information, even if he or she cannot complete the form.

Leave (3) blank until you provide this form to someone with a legitimate business need, such as when you are filing your report at the police station or sending the form to a consumer reporting company to correct your credit report.

At the Time of the Fraud

- (8) My full legal name was: _____
First Middle Last Suffix
- (9) My address was: _____
Number & Street Name Apartment, Suite, etc.

City State Zip Code Country
- (10) My daytime phone: (____) _____ My evening phone: (____) _____
 My email: _____

Skip (8) - (10) if your information has not changed since the fraud.

About the Fraud

What & When

- (11) My personal information or documents (for example, credit cards, birth certificate, driver's license, Social Security card, etc.) were *lost or stolen* on or about _____
mm/dd/yyyy
- (12) I **discovered** that my personal information had been *used* by someone else on or about _____
mm/dd/yyyy
- (13) I did OR did not authorize anyone to use my name or personal information to obtain money, credit, loans, goods, or services — or for any other purpose — as described in this report.
- (14) I did OR did not receive any money, goods, services, or other benefit as a result of the events described in this report.

(12):
Let us know the date you noticed — this may be some time after the thief began to use it.

Who

- (15) I believe the following person(s) used my information or identification documents to open new accounts, use my existing accounts, or commit other fraud.

(A) Name: _____
 First Middle Last Suffix

Address: _____
 Number & Street Name Apartment, Suite, etc.

 City State Zip Code Country

(15):
Enter what you know (even if you can't complete everything) about anyone you believe was involved.

Phone Numbers: (____) _____ (____) _____

Additional information about this person: _____

(B) Name: _____
 First Middle Last Suffix
Address: _____
 Number & Street Name Apartment, Suite, etc.

 City State Zip Code Country

(B) and (17):
Attach
additional
sheets as
needed.

Phone Numbers: (____) _____ (____) _____

Additional information about this person: _____

- (16) I am OR am not willing to press charges and/or work with law enforcement if charges are brought against the person(s) who committed the fraud.
- (17) Additional information (for example, how the identity thief gained access to your information or which documents or information were used):

About the Information or Accounts

- (18) I wish to dispute the following personal information (such as my name, address, Social Security number, or date of birth) in my credit report as inaccurate as a result of this identity theft:
(A) _____
(B) _____
(C) _____
- (19) Credit inquiries from these companies appear on my credit report as a result of this identity theft:
Company Name: _____
Company Name: _____
Company Name: _____

(20) Below are details about the different frauds committed using my personal information.

Name of Institution	Contact Person	Phone	Extension
Account Number	Routing Number	Affected check number(s)	
Account Type: <input type="checkbox"/> Credit <input type="checkbox"/> Bank <input type="checkbox"/> Phone/Utilities <input type="checkbox"/> Loan <input type="checkbox"/> Government Benefits <input type="checkbox"/> Internet or Email <input type="checkbox"/> Other			
Select ONE: <input type="checkbox"/> This account was opened fraudulently. <input type="checkbox"/> This was an existing account that someone tampered with.			
Date Opened or Misused (mm/yyyy)		Total Amount Obtained (\$)	

Name of Institution	Contact Person	Phone	Extension
Account Number	Routing Number	Affected check number(s)	
Account Type: <input type="checkbox"/> Credit <input type="checkbox"/> Bank <input type="checkbox"/> Phone/Utilities <input type="checkbox"/> Loan <input type="checkbox"/> Government Benefits <input type="checkbox"/> Internet or Email <input type="checkbox"/> Other			
Select ONE: <input type="checkbox"/> This account was opened fraudulently. <input type="checkbox"/> This was an existing account that someone tampered with.			
Date Opened or Misused (mm/yyyy)		Total Amount Obtained (\$)	

Name of Institution	Contact Person	Phone	Extension
Account Number	Routing Number	Affected check number(s)	
Account Type: <input type="checkbox"/> Credit <input type="checkbox"/> Bank <input type="checkbox"/> Phone/Utilities <input type="checkbox"/> Loan <input type="checkbox"/> Government Benefits <input type="checkbox"/> Internet or Email <input type="checkbox"/> Other			
Select ONE: <input type="checkbox"/> This account was opened fraudulently. <input type="checkbox"/> This was an existing account that someone tampered with.			
Date Opened or Misused (mm/yyyy)		Total Amount Obtained (\$)	

(20):
 If there were more than three frauds, copy this page blank, and attach as many additional copies as necessary.

Enter any applicable information that you have, even if it is incomplete or an estimate.

If the thief committed two types of fraud at one company, list the company twice, giving the information about the two frauds separately.

Contact Person:
 Someone you dealt with, whom an investigator can call about this fraud.

Account Number:
 The number of the credit or debit card, bank account, loan, or other account that was misused.

Amount Obtained:
 For instance, the total amount purchased with the card or withdrawn from the account.

IDENTITY THEFT FILE CONSENT DOCUMENT

By signing this document, I hereby provide the _____ (*Insert local, state, or federal law enforcement agency name*) permission to enter my personal data into the Federal Bureau of Investigation's (FBI's) Identity Theft File. This information may include, but is not limited to, physical descriptors and identifying information including my name, date of birth, place of birth, Social Security number, the type of identity theft, and a password provided to me for future identification verification purposes. I am also providing permission to enter my photograph and fingerprints into this file when that capability becomes available.

I understand that this information is being submitted as part of a criminal investigation of a crime of which I was a victim and will be available to entities having access to the FBI's National Crime Information Center (NCIC) files for any authorized purpose. I am providing this data voluntarily as a means to document my claim of identity theft and to obtain a unique password to be used for future identity verification purposes.

I understand that the FBI intends to remove this information from the NCIC active file no later than five years from the date of entry. I also understand that I may at any time submit a written request to the entering agency to have this information removed from the active file at an earlier date. I further understand that information removed from the active file will not thereafter be accessible via NCIC terminals, but it will be retained by the FBI as a record of the NCIC entry until such time as its deletion may be authorized by the National Archives and Records Administration.

I understand that this is a legally binding document reflecting my intent to have personal data entered into the FBI's Identity Theft File. I declare under penalty of perjury that the foregoing is true and correct. (*See Title 28, United States Code [U.S.C.], Section 1746.*)

SIGNATURE

DATE

PRINTED NAME

The Privacy Act of 1974 (5 U.S.C. § 552a) requires that local, state, or federal agencies inform individuals whose Social Security number is being requested whether such disclosure is mandatory or voluntary, the basis of authority for such solicitation, and the uses which will be made of it. Accordingly, disclosure of your Social Security number is voluntary; it is being requested pursuant to 28 U.S.C. § 534 and _____ (add any applicable state authorization, if desired) for the purposes described above. The Social Security number will be used as an identification tool; consequently, failure to provide the number may result in a reduced ability to make such identifications or provide future identity verifications.

Sample Dispute Letter to a Credit Bureau

The text in **[brackets]** indicates where you must customize the letter.

[Date]

[Your Name]

[Your Address]

[Your City, State, Zip Code]

(Write to each relevant credit reporting agency, one at a time:)

[RE: Your Account Number (if known)]

Dear Sir or Madam:

I am a victim of identity theft. The information listed below, which appears on my credit report, does not relate to any transaction(s) that I have made. It is the result of identity theft.

[Identify item(s) resulting from the identity theft that should be blocked, by name of the source, such as the credit card issuer or bank, and type of item, such as credit account, checking account, etc.]

Please block this information from my credit report, pursuant to section 605B of the Fair Credit Reporting Act which requires you to block the fraudulent information on my credit report resulting from my identity theft within four business days and to promptly notify all furnishers of this information.

Enclosed are the following:

- A copy of my credit report I received from your company. The fraudulent items are circled.
- A copy of my Identity Theft Report and proof of my identity (copy of driver's license).

I appreciate your prompt attention to this matter, and await your reply.

Sincerely,

[Your Name]

Enclosures: **[List what you are enclosing]**

Sample Dispute Letter for New Account

The text in [brackets] indicates where you must customize the letter.

[Date]

[Your Name]

[Your Address]

[Your City, State, Zip Code]

[Name of Company]

[Fraud Department (companies may specify an address to receive fraud dispute letters), or
Billing Inquiries Department]

[Address]

[City, State, Zip Code]

[RE: Your Account Number (if known)]

Dear Sir or Madam:

I am a victim of identity theft. I recently learned that my personal information was used to open an account at your company. I did not open or authorize this account, and I therefore request that it be closed immediately. I also request that [Company Name] absolve me of all charges on the account, and that you take all appropriate steps to remove information about this account from my credit files.

Enclosed is a copy of my Identity Theft Report supporting my position, and a copy of my credit report showing the fraudulent items related to your company that are the result of identity theft. [Consumers should redact information that is unrelated to the dispute with this company.]

I am requesting that you provide me with copies of any and all applications and business transaction records related to the fraudulent account. In addition, please make these records available to the Torrington Police Department upon their request. This request is made pursuant to the Fair Credit Billing Act's amendments to the Truth and Lending Act, 15 U.S.C. §§ 1666-1666b, 12 C.F.R. § 226.13. See also 12 C.F.R. § 226.12(b).

Please investigate this matter by closing the fraudulent account and send me a letter explaining your findings and actions.

Sincerely,

[Your Name]

Enclosures: [List what you are enclosing]

Sample Dispute Letter For Existing Accounts

The text in [brackets] indicates where you must customize the letter.

[Date]

[Your Name]

[Your Address]

[Your City, State, Zip Code]

[Name of Company]

[Fraud Department (companies may specify an address to receive fraud dispute letters), or
Billing Inquiries Department]

[Address]

[City, State, Zip Code]

[RE: Your Account Number (if known)]

Dear Sir or Madam:

I am writing to dispute [a] fraudulent charge(s) on my account in the amount(s) of \$_____, and posted on [dates]. I am a victim of identity theft, and I did not make [this/these] charge(s). I request that you remove the fraudulent charge(s) and any related finance charge and other charges from my account, send me an updated and accurate statement, and close the account (if applicable). I also request that you cease reporting the inaccurate information to all of the nationwide credit reporting agencies (CRAs) to which you provided it.

I am requesting that you provide me with copies of any and all applications and business transaction records related to the fraudulent charges. In addition, please make these records available to the Torrington Police Department upon their request. This request is made pursuant to the Fair Credit Billing Act's amendments to the Truth and Lending Act, 15 U.S.C. §§ 1666-1666b, 12 C.F.R. § 226.13. See also 12 C.F.R. § 226.12(b).

Enclosed are copies of [use this sentence to describe any enclosed information, such as sales slips, payment records, police report, identity theft affidavit] supporting my position. Please investigate this matter and correct the billing error as soon as possible.

Sincerely,

[Your Name]

Enclosures: [List what you are enclosing]

Fair and Accurate Credit Transactions Act of 2003

PUBLIC LAW 108-159 DECEMBER 4, 2003

SEC. 151. SUMMARY OF RIGHTS OF IDENTITY THEFT VICTIMS.

(a) IN GENERAL-

(1) SUMMARY- Section 609 of the Fair Credit Reporting Act (15 U.S.C. 1681g) is amended by adding at the end the following:

(d) SUMMARY OF RIGHTS OF IDENTITY THEFT VICTIMS-

(1) IN GENERAL- The Commission, in consultation with the Federal banking agencies and the National Credit Union Administration, shall prepare a model summary of the rights of consumers under this title with respect to the procedures for remedying the effects of fraud or identity theft involving credit, an electronic fund transfer, or an account or transaction at or with a financial institution or other creditor.

(2) SUMMARY OF RIGHTS AND CONTACT INFORMATION- Beginning 60 days after the date on which the model summary of rights is prescribed in final form by the Commission pursuant to paragraph (1), if any consumer contacts a consumer reporting agency and expresses a belief that the consumer is a victim of fraud or identity theft involving credit, an electronic fund transfer, or an account or transaction at or with a financial institution or other creditor, the consumer reporting agency shall, in addition to any other action that the agency may take, provide the consumer with a summary of rights that contains all of the information required by the Commission under paragraph (1), and information on how to contact the Commission to obtain more detailed information.

(e) INFORMATION AVAILABLE TO VICTIMS-

(1) IN GENERAL- For the purpose of documenting fraudulent transactions resulting from identity theft, not later than 30 days after the date of receipt of a request from a victim in accordance with paragraph (3), and subject to verification of the identity of the victim and the claim of identity theft in accordance with paragraph (2), a business entity that has provided credit to, provided for consideration products, goods, or services to, accepted payment from, or otherwise entered into a commercial transaction for consideration with, a person who has allegedly made unauthorized use of the means of identification of the victim, shall provide a copy of application and business transaction records in the control of the business entity, whether maintained by the business entity or by another person on behalf of the business entity, evidencing any transaction alleged to be a result of identity theft to:

(A) the victim;

(B) any Federal, State, or local government law enforcement agency or officer specified by the victim in such a request; or

(C) any law enforcement agency investigating the identity theft and authorized by the victim to take receipt of records provided under this subsection.

(2) VERIFICATION OF IDENTITY AND CLAIM- Before a business entity provides any information under paragraph (1), unless the business entity, at its discretion, otherwise has a high degree of confidence that it knows the

identity of the victim making a request under paragraph (1), the victim shall provide to the business entity

(A) as proof of positive identification of the victim, at the election of the business entity

(i) the presentation of a government-issued identification card;

(ii) personally identifying information of the same type as was provided to the business entity by the unauthorized person; or

(iii) personally identifying information that the business entity typically requests from new applicants or for new transactions, at the time of the victim's request for information, including any documentation described in clauses (i) and (ii); and

(B) as proof of a claim of identity theft, at the election of the business entity

(i) a copy of a police report evidencing the claim of the victim of identity theft; and

(ii) a properly completed--

(I) copy of a standardized affidavit of identity theft developed and made available by the Commission; or

(II) an affidavit of fact that is acceptable to the business entity for that purpose.

(3) PROCEDURES- The request of a victim under paragraph (1) shall--

(A) be in writing;

(B) be mailed to an address specified by the business entity, if any;

and

(C) if asked by the business entity, include relevant information about any transaction alleged to be a result of identity theft to facilitate compliance with this section including--

(i) if known by the victim (or if readily obtainable by the victim), the date of the application or transaction; and

(ii) if known by the victim (or if readily obtainable by the victim), any other identifying information such as an account or transaction number.

(4) NO CHARGE TO VICTIM, information required to be provided under paragraph (1) shall be so provided without charge.

(5) AUTHORITY TO DECLINE TO PROVIDE INFORMATION- A business entity may decline to provide information under paragraph (1) if, in the exercise of good faith, the business entity determines that--

(A) this subsection does not require disclosure of the information;

(B) after reviewing the information provided pursuant to paragraph

(2), the business entity does not have a high degree of confidence in knowing the true identity of the individual requesting the information;

(C) the request for the information is based on a misrepresentation of fact by the individual requesting the information relevant to the request for information; or

(D) the information requested is Internet navigational data or similar information about a person's visit to a website or online service.