**Ask the Lawyer—Identity Theft**

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In June 2015, the U.S. Office of Personnel Management (OPM) announced the occurrence of a cybersecurity incident which may have led to the exposure of personal information of an estimated 4.2 million current and former federal civilian employees.

Regrettfully, this is not the first—and probably not the last—such incident that has threatened to unveil sensitive data for federal employees.

Therefore, knowing a few critical facts about identity theft may assist you in reducing your chances of becoming a victim. You or someone you are representing may become a victim of identity theft.

**What is Identity Theft?**

Identity theft is a serious crime in which someone acquires and fraudulently or illegally uses another person’s personal information, such as name, social security number, date of birth, address, account numbers or driver’s license, without the victim’s knowledge or consent.

**What do identity thieves do with your personal information?**

The Bureau of National Justice Statistics, National Crime Victimization Survey, classifies identity theft cases into three general types:

- Unauthorized use or attempted use of an existing account
- Unauthorized use, or attempted use, of personal information to open a new account

**What can you do to avoid becoming a victim of identity theft?**

In light of the recent OPM cybersecurity incident, you should take immediate steps to protect your personal information. You may have been one of the victims though you may not be aware of it. If you are a victim of identity theft, you should immediately contact your bank, credit card company and other account holders to provide notice of the fraud. Second, file a fraud alert on your credit report. Third, file a police report to document the theft and allow police to investigate the crime. Finally, send a dispute letter to the account holder of the fraudulent debt within 60 days to notify the creditor of the fraud and request that the fraudulent information not be sent to the credit reporting agencies to be included on your credit report.

**How can I tell that someone has stolen my information?**

Detecting identity theft requires you to pay attention to the details! Set up monitoring systems on your bank and checking accounts, and query any unexplained withdrawals from your bank account or changes on your credit cards.

Consider electing to receive electronic statements so that your mail cannot be redirected to someone else’s home. Make a list of the monthly bills you receive via email, and take notice if you stop receiving an electronic bill that you are expecting. Acquire your credit reports from all three credit bureaus and review them carefully.

Under the Fair Credit Reporting Act, each of the nationwide credit reporting companies (Equifax, Experian and TransUnion) must provide a free copy of your credit report, at your request, once every 12 months.

The three reporting agencies have set up a website, www.annualcreditreport.com, to provide this free service.

**What if you are a victim of identity theft?**

If you believe you are a victim of identity theft, you should immediately contact your bank, credit card company and other account holders to provide notice of the fraud. Second, place a fraud alert on your credit report. Third, file a police report to document the theft and allow police to investigate the crime.

Finally, send a dispute letter to the account holder of the fraudulent debt within 60 days to notify the creditor of the fraud and request that the fraudulent information not be sent to the credit reporting agencies to be included on your credit report.

**How can I prevent identity theft?**

You should take immediate steps to secure your personal information. You may have been one of the victims though you may not be aware of it. If you are a victim of identity theft, you should immediately contact your bank, credit card company and other account holders to provide notice of the fraud. Second, place a fraud alert on your credit report. Third, file a police report to document the theft and allow police to investigate the crime.

Finally, send a dispute letter to the account holder of the fraudulent debt within 60 days to notify the creditor of the fraud and request that the fraudulent information not be sent to the credit reporting agencies to be included on your credit report.