

Know Your Rights

Here's an overview of your rights when recovering from identity theft. If someone is using your information to open new accounts or make purchases, report it and get help.

If someone steals your identity, you have the right to:

- create an FTC Identity Theft Report
- place a 90-day initial fraud alert on your credit report
- place a seven-year extended fraud alert on your credit report
- get free copies of your credit report
- get fraudulent information removed (or "blocked") from your credit report
- dispute fraudulent or inaccurate information on your credit report
- stop creditors and debt collectors from reporting fraudulent accounts
- get copies of documents related to the identity theft
- stop a debt collector from contacting you.

Documenting the Theft

You have the right to create an **FTC Identity Theft Report**. Your FTC Identity Theft Report proves to businesses that someone stole your identity, and makes it easier to correct problems caused by identity theft.

You can create an FTC Identity Theft Report by filing a report with the FTC.

Working with Credit Bureaus

You have the right to:

Place a 90-day initial fraud alert on your credit report. The fraud alert tells creditors that they must take reasonable steps to verify who is applying for credit in your name. To place this alert, contact one of the three national credit bureaus: Equifax, TransUnion, or Experian. The one you contact must notify the others.

When you place an initial fraud alert, you're also entitled to a free copy of your credit reports. You'll get a confirmation letter from each credit bureau with instructions for how to get your free reports.

Place a seven-year extended fraud alert on your credit report. To do this, send a copy of your FTC Identity Theft Report to each credit bureau. The extended fraud alert means potential creditors must contact you before they issue credit in your name. In your letter, be sure to give the best way for a creditor to reach you.

Each credit bureau will send you a letter confirming that they placed an extended fraud alert on your file. That letter also will include instructions about how to get free copies of your credit report.

Get credit bureaus to remove fraudulent information from your credit report. This is called blocking. You must send them a copy of your FTC Identity Theft Report, proof of your identity, and a letter stating which information is fraudulent. Then the credit bureau must tell the relevant creditor that someone stole your identity. Creditors cannot turn fraudulent debts over to debt collectors.

Dispute fraudulent or inaccurate information on your credit report. Do this by writing to the credit bureau. They must investigate your dispute and amend your report if you are right.

In many states, you have the right to place a freeze on your credit report. A credit freeze makes it less likely that an identity thief could open a new account in your name.

Communicating with Creditors and Debt Collectors

You have the right to:

Stop creditors and debt collectors from reporting fraudulent accounts. After you give them a copy of a valid FTC Identity Theft Report, they may not report fraudulent accounts to the credit reporting companies.

Get copies of documents related to the theft of your identity, like transaction records or applications for new accounts. Write to the company that has the documents, and include a copy of your FTC Identity Theft Report. You also can tell the company to give the documents to a specific law enforcement agency.

Stop a debt collector from contacting you. In most cases, debt collectors must stop contacting you after you send them a letter telling them to stop.

Get written information from a debt collector about a debt, including the name of the creditor and the amount you supposedly owe. If a debt collector contacts you about a debt, request this information in writing.

Limits on Financial Losses

You have limited liability for fraudulent debts caused by identity theft.

Under most state laws, you're not responsible for any debt incurred on **fraudulent new accounts** opened in your name without your permission.

Under federal law, the amount you have to pay for unauthorized use of your **credit card** is limited to \$50. If you report the loss to the credit card company before your credit card is used by a thief, you aren't responsible for any unauthorized charges.

If your **ATM or debit card** is lost or stolen, you can limit your liability by reporting the loss immediately to your bank or credit union.

If you report your debit card lost:	Your maximum loss is:
Before any unauthorized charges are made.	\$0
Within 2 business days after you learn about the loss or theft.	\$50

If you report your debit card lost:	Your maximum loss is:
More than 2 business days after you learn about the loss or theft, but less than 60 calendar days after your statement is sent to you,	\$500
More than 60 calendar days after your statement is sent to you.	Possibly unlimited

If someone makes unauthorized debits to your bank or credit union account using your debit card **number** (not your card), you aren't responsible – if you report the problem within 60 days after they send your account statement showing the unauthorized debits.

Most state laws limit your liability for fraudulent checks issued on your bank or credit union account if you notify the bank or credit union promptly.

Other Federal Rights

Under the Justice for All Act, you have additional rights when the identity thief is criminally prosecuted in federal court. You have the right to:

- reasonable protection from the accused

- reasonable, accurate, and timely notice about any public court proceeding, parole proceeding involving the crime, or release or escape of the accused

- not be excluded from any public court proceeding unless the judge decides that your testimony would change significantly if you heard other testimony

- be reasonably heard at any public proceeding in the district court that involves release, plea, sentencing, or parole

- confer with the attorney for the government in the case.

- full and timely restitution as provided in the law proceedings free from unreasonable delay

- be treated with fairness and respect for your dignity and privacy.

State Rights

In many states, businesses or organizations that lose or misplace certain types of personal information must tell you if that has happened. To learn more, check with your state and local consumer protection offices.