

## Laws to Protect Your Information

To better protect the people of Pennsylvania, the House of Representatives has passed new measures into law to increase the security of personal identifying information.

### Criminals Pay Restitution

**Act 42 of 2009:** This law requires judges to sentence persons convicted of identity theft to make restitution for all reasonable expenses incurred by the victim or on the victim's behalf relating to investigating the theft, bringing or defending civil or criminal actions related to the theft, or taking other efforts to correct the victim's credit record or negative credit reports related to the theft.

### Safety on the Internet

**Act 60 of 2006:** The PA House also approved the enactment of a new law to provide greater confidentiality of Social Security numbers. The law limits the use of a Social Security number as a personal identifier on documentation and via the Internet, when not required by law and encryption methods are not available. This will reduce the potential for individuals to commit the crimes of fraud and identity theft.

### Consumer Notification

**Act 94 of 2005:** This law, known as the Breach of Personal Information Notification Act, requires those who maintain or store personal information to disclose any breach in the security of their system to affected residents of the Commonwealth. This law provides consumers with the opportunity to take preventive steps against identity theft, should their personal information be compromised.

### Penalties for Criminals

**Act 62 of 2002:** Pennsylvania's Identity Theft Act makes it a third-degree felony to commit a first offense of the crime of identity theft and provides a maximum penalty of seven years in prison and a \$15,000 fine. A third or subsequent offense raises the crime to a second-degree felony with a maximum penalty of 10 years in prison and a \$25,000 fine.



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# Safeguarding Your Identity

*New measures in  
Pennsylvania to help  
protect you from identity theft  
and steps that you can take  
to fight back*



# YOU CAN TAKE STEPS TO PROTECT YOUR GOOD NAME.

## What is identity theft?

Identity theft occurs when someone uses a person's name and other personal information, such as birth date, Social Security number, address or bank account information, without permission, for fraudulent purposes.

## How will I know if I am the victim of identity theft?

Failing to receive bills or other mail, receiving credit cards for which you didn't apply, being denied credit for no apparent reason, or being contacted by debt collectors or businesses about merchandise or services you didn't buy are possible signs that you have been a victim of identity theft.

Carefully check your credit reports and look for inquiries from companies you haven't contacted, accounts you didn't open and debts on your accounts that you did not incur.

The major nationwide consumer reporting agencies – Equifax, Experian and TransUnion – are required by law to provide each person a free copy of his or her credit report each year when requested (visit [AnnualCreditReport.com](http://AnnualCreditReport.com), call 1-877-322-8228 or write Annual Credit Report Request Service, P.O. Box 105281, Atlanta GA 30348-5281 to order these free credit reports)

## What can I do if I think I might be a victim of identity theft?

- ◆ Contact the fraud department of any one of the three consumer reporting companies – Equifax (1-800-525-6285), Experian (1-800-397-3742) or TransUnion (1-800-680-7289) – to place a fraud alert on your credit report.

- ◆ Close the accounts that you know or believe have been tampered with or opened fraudulently. When you close an account, speak with someone in the security or fraud department of each company.

- ◆ File a report with local law enforcement.
- ◆ File a complaint with the Federal Trade Commission, which maintains a database of identity theft cases used by law enforcement agencies for investigations.

## How can I protect myself against identity theft?

- ◆ Avoid using information such as birth dates, last four numbers of your Social Security number or phone number as Personal Identification Numbers (PINs) for accounts.
- ◆ Shred financial documents and paperwork with personal information before you discard them.
- ◆ Protect your Social Security number. Don't carry your Social Security card in your wallet or write your Social Security number on a check.
- ◆ Don't give out personal information over the telephone, through the mail, over the Internet or in person unless you know who you are dealing with and you know why they need the information.
- ◆ Check your financial information regularly and look for irregularities.
- ◆ Maintain careful records of your banking and financial accounts to compare to statements.
- ◆ Periodically check your credit report to make sure it is accurate.

## There are so many types of identity theft. Who do I contact for what?

- ▶ **INVESTMENT FRAUD** – Contact the U.S. Securities and Exchange Commission at [sec.gov](http://sec.gov).

- ▶ **MAIL THEFT** – Contact the U.S. Postal Inspection Service at [www.usps.gov/websites/depart/inspect](http://www.usps.gov/websites/depart/inspect).

- ▶ **PASSPORT FRAUD** – Contact the United States Department of State at [travel.state.gov/passport/passport\\_1738.html](http://travel.state.gov/passport/passport_1738.html).

- ▶ **TELEPHONE FRAUD** – For cellular phones and long distance service, contact the Federal Communications Commission at [www.fcc.gov](http://www.fcc.gov) or 1-888-TELL-FCC or write FCC/Consumer Information Bureau, 445 12<sup>th</sup> Street, Room 5A863, Washington DC 20554. Complaints can be filed online at [www.fcc.gov](http://www.fcc.gov) or questions may be emailed to [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov).

- ▶ **SOCIAL SECURITY NUMBER MISUSE** – Contact [socialsecurity.gov/oig](http://socialsecurity.gov/oig), call 1-800-269-0271, fax 1-410-597-0118 or write SSA Fraud Hotline, P.O. Box 17768, Baltimore MD 21235. You may call 1-800-772-1213 to verify the accuracy of the earnings reported on your Social Security number, request a copy of your Society Security statement, or get a replacement Social Security number if yours is lost or stolen.

- ▶ **TAX FRAUD** – Contact the Internal Revenue Service at [treas.gov/irs/ci](http://treas.gov/irs/ci). Visit [irs.gov](http://irs.gov) and type in the IRS key word “identity theft” for more information.