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# Identity Theft

What it is and How to Protect Yourself



# Overview

- ❑ Definitions & Examples
- ❑ ID Theft Statistics
- ❑ ID Theft Laws
- ❑ Database Breaches
- ❑ Virginia Computer Crimes Act
- ❑ Phishing
- ❑ Handling Identity Theft
- ❑ Resources
- ❑ Contact Info



# Identity Theft Definition & Types

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# Identity Theft Definition

- Types of crime in which someone wrongfully obtains and uses another person's personal data in some way that involves fraud or deception, typically for economic gain.
- Increases annually as more and more individuals are using online resources.



# How Identity Theft Occurs

- ❑ Dumpster Diving
- ❑ Intercepting Mail
- ❑ Lost or Stolen Credit/Debit Cards
- ❑ Online Shopping
- ❑ Shoulder Surfing
- ❑ Social Networking Sites
- ❑ Spam and Phishing Emails
- ❑ Viruses



# Identity Theft Statistics

Compiled by the Federal Trade Commission (FTC)



# FTC Consumer Sentinel Network Data Book

- The Consumer Sentinel Network (CSN) contains over 8 million complaints dating from calendar year 2008 through calendar year 2012.
- The CSN received over 2 million complaints during calendar year 2012: 52% fraud complaints; 18% identity theft complaints; and 30% other types of complaints.
- Identity Theft was the number one complaint category in the CSN for calendar year 2012.



# Fraud Statistics

- Over one million CSN 2012 complaints were fraud-related. Consumers reported paying over \$1.4 billion in those fraud complaints; the median paid was \$535.
- 57% of all fraud-related complaints reported the method of initial contact. Of those complaints, 38% said email, while 34% said the telephone. Only 9% of those consumers reported mail as the initial point of contact.
- Florida is the state with the highest per capita rate of reported, while Virginia is ranked 7th.

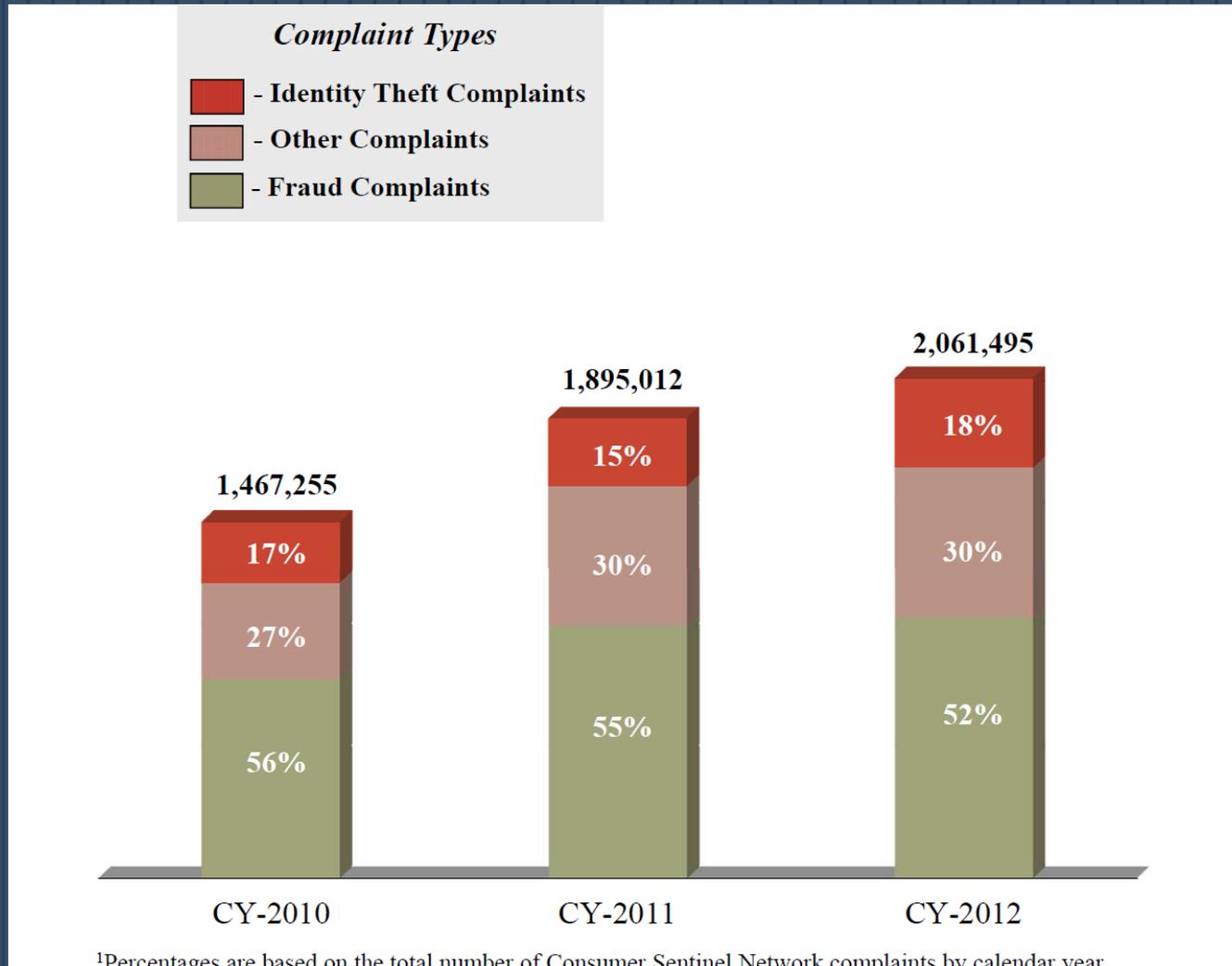


# Identity Theft Statistics

- Government documents/benefits fraud (46%) was the most common form of reported identity theft, followed by credit card fraud (13%), phone or utilities fraud (10%), and bank fraud (6%).
- Government documents/benefits fraud has increased 27% since calendar year 2010; employment-related fraud complaints have declined 6% since calendar year 2010.
- Florida is the state with the highest per capita rate of reported identity theft complaints, while Virginia ranked 24<sup>th</sup>.



# Identity Theft Reports Increase





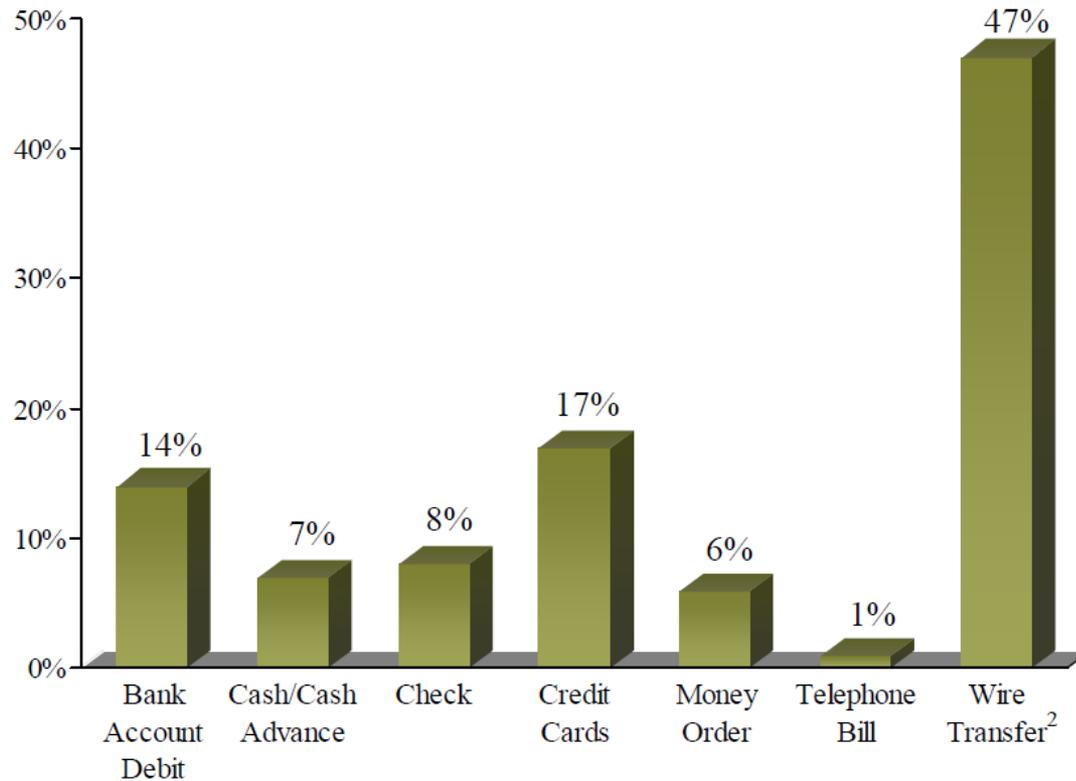
# Identity Theft Prevalence

Rank	Category	No. of Complaints	Percentages <sup>1</sup>
1	Identity Theft	369,132	18%
2	Debt Collection	199,721	10%
3	Banks and Lenders	132,340	6%
4	Shop-at-Home and Catalog Sales	115,184	6%
5	Prizes, Sweepstakes and Lotteries	98,479	5%
6	Impostor Scams	82,896	4%
7	Internet Services	81,438	4%
8	Auto Related Complaints	78,062	4%
9	Telephone and Mobile Services	76,783	4%
10	Credit Cards	51,550	3%
11	Foreign Money Offers and Counterfeit Check Scams	46,112	2%
12	Advance Payments for Credit Services	42,974	2%
13	Television and Electronic Media	41,664	2%
14	Health Care	35,703	2%
15	Mortgage Foreclosure Relief and Debt Management	33,791	2%
16	Business and Job Opportunities	32,496	2%
17	Travel, Vacations and Timeshare Plans	30,324	1%
18	Internet Auction	29,553	1%
19	Credit Bureaus, Information Furnishers and Report Users	29,268	1%
20	Office Supplies and Services	24,210	1%



# Methods of Consumer Payments

**Consumer Sentinel Network Fraud Complaints  
by Method of Consumer Payment<sup>1</sup>**  
*January 1 – December 31, 2012*





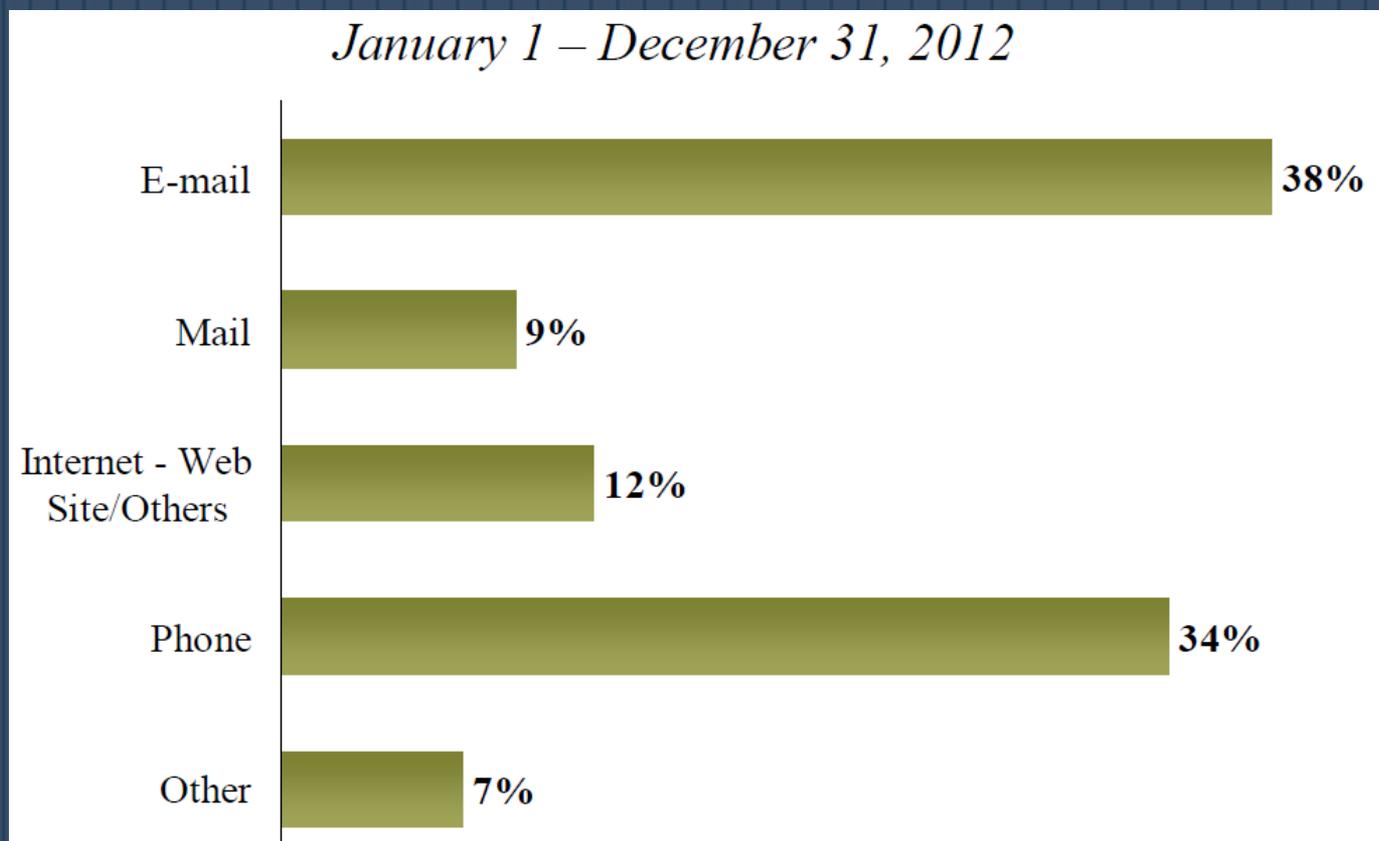
# Changes in Consumer Payments

## Consumer Sentinel Network Fraud Complaints by Method of Consumer Payment *Calendar Years 2010 through 2012*

Payment Method	CY - 2010			CY - 2011			CY - 2012		
	Complaints	Percentages <sup>1</sup>	Amount Paid <sup>3</sup>	Complaints	Percentages <sup>1</sup>	Amount Paid <sup>3</sup>	Complaints	Percentages <sup>1</sup>	Amount Paid <sup>3</sup>
Bank Account Debit	16,042	15%	\$37,514,461	33,954	14%	\$89,449,151	31,000	14%	\$80,498,368
Cash/Cash Advance	4,317	4%	\$24,254,971	17,739	7%	\$154,310,539	15,702	7%	\$123,637,822
Check	9,634	9%	\$63,045,152	18,737	8%	\$93,307,882	16,794	8%	\$90,150,775
Credit Cards	28,332	26%	\$65,411,856	42,231	17%	\$128,190,090	36,223	17%	\$94,876,853
Money Order	2,878	3%	\$11,197,094	15,198	6%	\$54,499,305	13,277	6%	\$56,946,850
Telephone Bill	4,744	4%	\$1,109,499	2,205	1%	\$472,378	1,513	1%	\$903,260
Wire Transfer <sup>2</sup>	44,503	40%	\$145,127,814	115,886	47%	\$437,266,630	102,783	47%	\$450,607,224
Total Reporting Payment Method	110,450		\$347,660,847	245,950		\$957,495,975	217,292		\$897,621,152



# How Victims are Initially Contacted





# Changes in Contact Methods

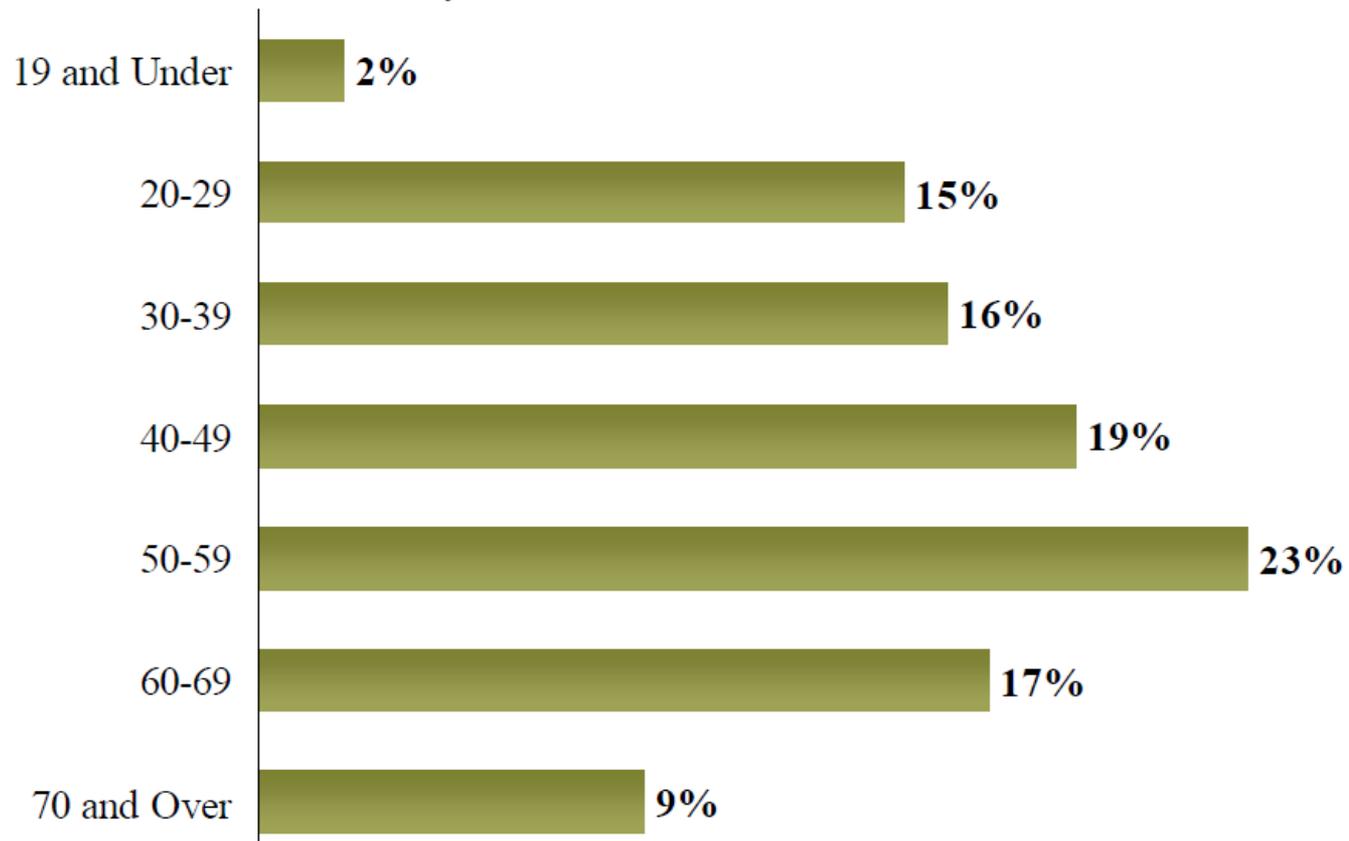
## *Calendar Years 2010 through 2012*

Contact Method	CY - 2010		CY - 2011		CY - 2012	
	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>
E-mail	202,260	43%	256,392	42%	229,273	38%
Mail	50,074	11%	45,442	7%	52,485	9%
Internet - Web Site/Others	53,519	11%	79,356	13%	75,423	12%
Phone	94,587	20%	174,622	29%	207,664	34%
Other	69,541	15%	51,406	8%	44,113	7%
Total Reporting Contact Method	469,981		607,218		608,958	



# Ages of Victims

*January 1 – December 31, 2012*





# Changes in the Ages of Victims

## *Calendar Years 2010 through 2012*

Consumer Age	CY - 2010		CY - 2011		CY - 2012	
	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>
19 and Under	3,143	1%	11,513	2%	10,476	2%
20-29	80,832	17%	74,394	15%	66,042	15%
30-39	92,637	20%	83,356	17%	74,585	16%
40-49	109,569	23%	97,262	20%	84,513	19%
50-59	114,697	24%	109,468	23%	102,941	23%
60-69	31,560	7%	71,704	15%	75,653	17%
70 and Over	36,518	8%	36,278	7%	40,239	9%
Total Reporting Age	468,956		483,975		454,449	



# Contacting Law Enforcement

## *Calendar Years 2010 through 2012*

If the victim notified a police department, was a report taken?	CY-2010		CY-2011		CY-2012	
	Complaints	Percentages <sup>2</sup>	Complaints	Percentages <sup>2</sup>	Complaints	Percentages <sup>2</sup>
Yes	62,521	62%	67,350	57%	80,144	54%
No	6,512	7%	7,619	7%	8,122	6%
Not Reported	3,293	3%	7,597	6%	12,160	8%
<i>Total Who Notified a Police Department</i>	<i>72,326</i>	<i>72%</i>	<i>82,566</i>	<i>70%</i>	<i>100,426</i>	<i>68%</i>
<i>Total Who Did Not Notify a Police Department</i>	<i>28,203</i>	<i>28%</i>	<i>35,788</i>	<i>30%</i>	<i>47,116</i>	<i>32%</i>
Total Reporting Law Enforcement Contact Information	100,529		118,354		147,542	



# How Virginia Citizens are Affected

**Fraud and Other Complaints Count from Virginia Consumers = 42,355**

*Top 10 Fraud and Other Complaint Categories Reported by Virginia Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	4,900	12%
2	Banks and Lenders	3,732	9%
3	Shop-at-Home and Catalog Sales	3,104	7%
4	Internet Services	2,172	5%
5	Impostor Scams	2,170	5%
6	Auto Related Complaints	2,120	5%
7	Telephone and Mobile Services	2,107	5%
8	Credit Cards	1,659	4%
9	Prizes, Sweepstakes and Lotteries	1,590	4%
10	Foreign Money Offers and Counterfeit Check Scams	1,453	3%



# How Virginia Citizens are Affected

**Identity Theft Complaints Count from Virginia Victims = 6,616**

*Identity Theft Types Reported by Virginia Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Government Documents or Benefits Fraud	2,250	34%
2	Credit Card Fraud	1,058	16%
3	Phone or Utilities Fraud	903	14%
4	Bank Fraud	447	7%
5	Employment-Related Fraud	204	3%
6	Loan Fraud	153	2%
	Other	1,572	24%
	Attempted Identity Theft	541	8%



# Identity Theft Laws



# Identity Theft in Virginia

## ▣ Virginia Code Section § 18.2-186.3

A. It shall be unlawful for any person, without the authorization or permission of the person or persons who are the subjects of the identifying information, with the intent to defraud, for his own use or the use of a third person, to:

1. Obtain, record or access identifying information which is not available to the general public that would assist in accessing financial resources, obtaining identification documents, or obtaining benefits of such other person;
2. Obtain goods or services through the use of identifying information of such other person;
3. Obtain identification documents in such other person's name; or
4. Obtain, record or access identifying information while impersonating a law-enforcement officer or an official of the government of the Commonwealth.



# Identity Theft in Virginia (Cont.)

## ▣ Virginia Code Section § 18.2-186.3

B. It shall be unlawful for any person without the authorization or permission of the person who is the subject of the identifying information, with the intent to sell or distribute the information to another to:

1. Fraudulently obtain, record, or access identifying information that is not available to the general public that would assist in accessing financial resources, obtaining identification documents, or obtaining benefits of such other person;
2. Obtain money, credit, loans, goods, or services through the use of identifying information of such other person;
3. Obtain identification documents in such other person's name; or
4. Obtain, record, or access identifying information while impersonating a law-enforcement officer or an official of the Commonwealth.



# Identity Theft in Virginia (Cont.)

## ▣ Virginia Code Section § 18.2-186.3

B1. It shall be unlawful for any person to use identification documents or identifying information of another person, whether that person is dead or alive, or of a false or fictitious person, to avoid summons, arrest, prosecution, or to impede a criminal investigation.



# What is Identifying Information?

- Identifying Information shall include but not be limited to:
  - (i) name;
  - (ii) date of birth;
  - (iii) social security number;
  - (iv) driver's license number;
  - (v) bank account numbers;
  - (vi) credit or debit card numbers;
  - (vii) personal identification numbers (PIN);
  - (viii) electronic identification codes;
  - (ix) automated or electronic signatures;
  - (x) biometric data;
  - (xi) fingerprints;
  - (xii) passwords; or
  - (xiii) any other numbers or information that can be used to access a person's financial resources, obtain identification, act as identification, or obtain money, credit, loans, goods, or services.



# Identity Theft Penalties

- Penalties for violating 18.2-186.3
  - Class 1 Misdemeanor
  - If over \$200, Class 6 Felony
  - Any second or subsequent conviction shall be punishable as a Class 6 Felony
  - If 5 or more person's identifying info stolen, then Class 5 Felony
  - If 50 or more person's identifying info stolen, then Class 4 Felony



# Identity Theft Penalties

- Restitution for violating 18.2-186.3
  - Upon conviction, in addition to any other punishment, a person found guilty of this offense shall be ordered by the court to make restitution as the court deems appropriate to any person whose identifying information was appropriated or to the estate of such person.
  - Such restitution may include the person's or his estate's actual expenses associated with correcting inaccuracies or errors in his credit report or other identifying information.



# Database Breaches

- §18.2-186.6 requires companies to notify AG's Office and affected Virginia consumers if database of personal info is breached
- If over 1,000 potential victims, then companies must also notify credit reporting agencies
  - "Reasonably harmed" standard triggers notification
  - Without "unreasonable delay"
  - Must alert law enforcement if would impede criminal investigation
- AG's office may bring an action to impose civil penalties per violation. Also allows for an individual cause of action.



# Virginia Computer Crimes Act

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# Overview of Computer Crimes Act

## □ Statutes ~ §18.2-152.1 – §18.2-152.15

- Computer Crimes Act Definitions
- Computer Fraud
- SPAM
- Computer Trespass
- Computer Invasion of Privacy
- Theft of Computer Services
- Harassment by Computer
- Using Computer to Gather ID Info (Phishing)



# Phishing (§18.2-152.5:1)

## Using a computer to gather identifying information

- A. It is unlawful for any person to use a computer to obtain, access, or record, through the use of material artifice, trickery or deception, any identifying information
  - Any person who violates this section is guilty of a Class 6 felony.
- B. Any person who violates this section and sells or distributes such information to another is guilty of a Class 5 felony.
- C. Any person who violates this section and uses such information in the commission of another crime is guilty of a Class 5 felony



# Phishing Example

Sign In - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media

Address <http://www.lemondedegaetane.com/aw-cgi/ws2/SignIn.html>



**ebay**

**Sign In: Verify your account information** [help](#)

**New to eBay?** or **Already an eBay user?**

If you want to sign in, you'll need to register first.

Registration is fast and **free**.

[Register >](#)

eBay members, sign in to save time for bidding, selling, and other activities.

**eBay User ID**

[Forgot](#) your User ID?

**Password**

[Forgot](#) your password?

[Sign In >](#)

[Keep me signed in](#) on this computer unless I sign out.

[Account protection tips](#) | [Secure sign in \(SSL\)](#)



# Types of Phishing Scams

- ❑ Advance Fee Scams
  - Nigerian and/or 419 Scams
- ❑ Banking Scams
- ❑ Email Attachments
- ❑ Help Desk or Email Account Deactivation
- ❑ Pharmaceutical Scams
- ❑ “Vishing”
  - VOIP (Telephone) Based



# Handling Identity Theft

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# Protecting Yourself From ID Theft

- ❑ Protect your social security number
- ❑ Use caution when giving out personal info (phishing)
- ❑ Treat your trash carefully
- ❑ Protect your postal mail
- ❑ Check your bank statements often
- ❑ Check your credit reports (1 free report annually)
  - Annualcreditreport.com (recommended by FTC)
- ❑ Protect your computer (firewall, anti-virus, lock wireless networks)
- ❑ Use some plain common sense (i.e. too good to be true)



# Recognizing Signs of ID Theft

- ❑ You see withdrawals from your bank account that you can't explain.
- ❑ You don't get your bills or other mail.
- ❑ Debt collectors call you about debts that aren't yours.
- ❑ You find unfamiliar accounts or charges on your credit report.
- ❑ You get notice that your information was compromised by a data breach at a company where you do business or have an account.



# Who Should Victims Contact?

- Creditors (Card Issuers & Utilities)
- Credit Bureaus
- Federal Trade Commission (FTC)
- Local/State Law Enforcement
- Office of the Attorney General



# Reporting Identity Theft - FTC

## □ Place an Initial Fraud Alert

- Can be done by contacting one of the three major credit bureaus

## □ Order your credit reports

- Notify credit bureaus that you've already submitted an initial fraud alert

## □ Report identity theft to FTC

- Print copy of FTC report and provide this copy to the police
- FTC report + police report = identity theft report



# Reporting Identity Theft – More

- ❑ Victims should contact all creditors immediately with whom their name has been used fraudulently—by telephone and in writing.
- ❑ Victims should get replacement cards with new account numbers for their own accounts that have been used fraudulently.
- ❑ Victims should request that a statement be added to their reports, such as: “My identification has been used to apply for fraudulent credit. Contact me at (victim’s telephone number) to verify ALL applications.”
- ❑ Victims should ask that old accounts be processed as “account closed at consumer’s request.”



# Three Major Credit Bureaus

CREDIT BUREAU	Report Consumer Fraud	Request Credit Report	Get off Mailing Lists
<b>Equifax Information Services, LLC</b> P.O. Box 740241 Atlanta, GA 30374-0241 <a href="http://www.equifax.com">www.equifax.com</a>	Call 1.800.525.6285 and write to address at left	Call 1.800.685.1111	Call 1.888.567.8688 and write to address at left
<b>Experian (TRW)</b> P.O. Box 2002 Allen, TX 75013 <a href="http://www.experian.com">www.experian.com</a>	Call 1.888.397.3742	Call 1.888.397.3742	Call 1.800.567.8688
<b>Trans Union</b> P.O. Box 2000 Chester, PA 19022 <a href="http://www.transunion.com">www.transunion.com</a>	Call 1.800.680.7289 and write to: Fraud Victim Asst. Dept.. P.O. Box 6790 Fullerton, CA 92834-6790	Call 1.800.888.4213 or write to: P.O. Box 1000 Chester, PA 19022	Call 1.888.567.8688 and write to: P.O. Box 97328 Jackson, MS 39288- 7328





# Sources of Information

VA Office of the Attorney General

<http://www.ag.virginia.gov>

Internet Crime Complaint Center

<http://www.ic3.gov>

Federal Trade Commission (FTC)

<http://www.ftc.gov>



# Contact Information

- Address: Computer Crime Section  
Office of the Attorney General  
Commonwealth of Virginia  
900 East Main Street  
Richmond, VA 23219
  
- Email: [CyberCrimeUnit@oag.state.va.us](mailto:CyberCrimeUnit@oag.state.va.us)
- Website: <http://www.ag.virginia.gov>
- Phone: (804) 786-2071