

**Identity Theft Resource Center**  
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## PRESS RELEASE- **CHOICEPOINT**

- CONSUMER AND VICTIM INFORMATION
- SCAM ALERTS ABOUT THE CHOICEPOINT SITUATION
  - CALL FOR CHANGE

### **For immediate publication and consideration**

**ITRC knows that millions of people are already concerned about the ChoicePoint situation and when the final numbers are released there will be shock waves across the country. People will be frightened, alarmed and in need of immediate information.**

**We are asking for your assistance in getting the information below out to the public and to legislators.**

**We particularly wish that you warn people about potential scams that are almost certain to appear as they do following all natural and man-made disasters. The vultures are circling and these scams will appear in the nature of phishing scams and telephone scams. (see point 4)**

#### **History:**

On February 16<sup>th</sup>, at 8 am Pacific Time, ITRC contacted Chuck Jones from ChoicePoint to verify the press story about the company and to get the most recent update about the current situation. The purpose of the contact was to make sure that ITRC would not be an erroneous source of information. Since then, we have kept on top of this situation by calling authorities in the Los Angeles Sheriff's Department and other criminal justice officials.

#### **Information For the Public:**

1. **Should you receive an exposure notification letter stating that you are one of the affected parties**, we encourage you to immediately place fraud alerts with the 3 credit reporting agencies and order your FREE victim of id theft credit report. Do not use your free annual credit reports for this purpose. You are entitled to a free report as a suspected or potential victim of this scam by federal law. These are automated lines. We encourage everyone to be patient and not give in to the temptation to buy a credit report from another source or to respond to an email or phone call that will link you to a site to verify information.

TransUnion: 800-680-7289, TDD- 877-553-7803  
Experian: 888-397-3742, TDD- 800-972-0322  
Equifax: 800-525-6285

2. Stay calm. **Not all people who will be notified will become victims of identity theft.** However should an examination of your report show a problem, immediately contact the police in your jurisdiction or the Los Angeles Sheriff's Department. With lists provided by Choicepoint, these law enforcement organizations will be able to confirm if the fraudulent activity you see is possibly tied to the ChoicePoint case. There will be people who find out they are id theft victims but it was not due to the ChoicePoint situation.
3. **There is FREE assistance for all victims.** You do not need to purchase monitoring services or give in to any company taking advantage of the hysteria and concerns of the public to sell you a product or service. The Federal Trade Commission (877-IDTHEFT), the ITRC (858-693-7935 or [itrc@idtheftcenter.org](mailto:itrc@idtheftcenter.org)) and various state and county victim assistance centers are available to provide immediate FREE assistance to you.
4. **Scams:** No legitimate organization will contact you via email or telephone requesting that you verify any information, especially financial account numbers or Social Security numbers. **We anticipate scam artists will take advantage of this situation** so be cautious and when in doubt, double-check all companies you interact with. The FTC, state Attorney General offices and the Better Business Bureau will be your best source of information. Please realize that even someone stating they are from law enforcement may not be. Take a name, badge number and then call that law enforcement agency per the number listed in a phone book or on the internet to confirm that individual works there and is part of the notification project. Consumers must THINK FIRST and take action only after confirming that the action is appropriate.

**Number for the public to reach ITRC for info: 858-693-7935 or email at [itrc@idtheftcenter.org](mailto:itrc@idtheftcenter.org)**  
**Website: [www.idtheftcenter.org](http://www.idtheftcenter.org)**

#### **To Legislators:**

1. This situation dramatically illustrates the need for a number of new laws in each state:
  - a. Police reports shall be taken in the jurisdiction where the victim lives, the report shall be given to the victim and the case may then be referred as necessary to a more appropriate law enforcement agency for investigation as needed. This is a basic human need- to have a report taken as a crime victim. We recommend the wording used in CA penal code 530.6

2. “Security Breach” laws:

This wording is really a misnomer. The law should read any illegal or fraudulent acquisition of personal identifying information (as defined by federal id theft law), no matter what form that information is stored in, including but not limited to paper and electronic storage shall be cause for notification of affected parties. Clearly law enforcement may request a delay in an exposure notification letter if necessary due to an investigation. Clear and concise language must be part of this bill and model language will be available soon.

3. There is an immediate need for a Congressional hearing to clarify the elements of this situation and to explore possibly remedies to avoid other exploitations like this.

a. That hearing should include a report from the GAO that includes evaluations of all companies like ChoicePoint as to how they authentication “businesses” they interact with, information security measures taken in-house and any procedures used to monitor for fraudulent activity. This study should include an evaluation of written policies and an onsite visitation to see if they are being implemented per that written policy.

b. Panelists of this hearing should have the opportunity not only to testify (per normal procedures) but to also question each other as part of an open, constructive discussion. Panelists should include affected businesses, consumer advocates, law enforcement, prosecutors, security specialists, privacy experts and companies that may already have business solutions for monitoring fraudulent activity. The tone of this hearing should not be adversarial but rather one that will end with mutually acceptable solutions.

c. After deliberation, this hearing committee should consider the need for a new regulatory commission that would monitor companies that make information available to 3<sup>rd</sup> parties. The FTC is already overworked and understaffed. This problem of breaches and information theft is going to get worse and not better. We need to be prepared and have a well-informed commission in place to deal with the evolution of this crime.

4. Due to the immediate needs of the affected individuals and the changed policies of the FCRA due to FACTA, a bill should be introduced as an urgent measure to:

a. Allow victims of a “security breach” the option to have a 7-year fraud alert and not just the 90-day alert permitted. They should not have to become victims before we allow them to protect themselves.

b. Similarly, these individuals should be given the option of “freezing” their credit reports if they choose, for free, as already permitted by 4 states. Again, they should not have to wait to become a victim of identity theft.

c. Our goal with both of these recommendations is to empower people and not wait for further victimization. The breach or information exposure notification letter should be sufficient to place these alerts or freezes or a system could be set up that the affected company would provide a list of all affected individuals to the CRAs for cross-reference if the affected group is too large for a mailing.