

# MAKING GOVERNMENT WORK FOR IDENTITY THEFT VICTIMS

EXPANDING ACCESS TO JUSTICE FOR  
ECONOMICALLY MARGINALIZED AND VULNERABLE  
NEW YORK CITY IDENTITY THEFT VICTIMS

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## **NYPD personnel systematically refuse to provide identity theft police reports to victims of identity theft.**

New York City Police Department (NYPD) personnel systematically refuse to provide identity theft police reports to victims, preventing them from obtaining relief from the far-reaching consequences of identity theft and achieving financial security.

In our increasingly technological society, identity theft is surging.<sup>1</sup> New York State ranks twelfth in the nation in identity theft, and in 2024, New Yorkers reported 58,692 identity theft cases to the Federal Trade Commission (FTC).<sup>2</sup> This crime disproportionately impacts NYC's most marginalized communities, including people with low income/low wealth, people of color, immigrants, people with disabilities, seniors, and domestic violence survivors.<sup>3</sup> Identity theft causes enduring hardship:<sup>4</sup> debt collection, state court lawsuits, judgment enforcement, and ruined credit overwhelm and consume victims for years.

State and federal law provide remedies for victims of identity theft, but to access these remedies, victims often need a report from law enforcement.<sup>5</sup> Unfortunately, for too many New Yorkers, such a report is virtually impossible to obtain. Many NYPD personnel will not take nor provide the victim's police report, instead demanding additional documentation or telling victims that what happened to them was not a crime. In other cases, personnel may take the report, but the victim is then unable to obtain a copy.

Without an identity theft police report, victims cannot defend against debt collection actions or get fraudulent accounts removed from their credit reports. Victims languish, unjustly, for years, with negative information staying on credit reports—preventing victims from accessing housing and credit of their own—and with creditors enforcing judgments against the income that victims need to survive.<sup>6</sup>

## NYPD must train its personnel and require them to provide identity theft reports in compliance with NYS law.

The NYPD must implement oversight processes so that victims of identity theft are able to defend against debt collection actions and have fraudulent accounts removed from their credit reports.

### Current Law and Practice

New York Executive Law § 646 provides that an identity theft victim “may make a complaint to the local law enforcement agency of the county” where the identity theft took place or where the financial harm was suffered, and that the “local law enforcement agency shall take a police report of the matter and provide the complainant with a copy of such report free of charge.” Identity theft and related crimes are clearly defined in the NY Penal Code at Article 180.

Separately, the NYPD Patrol Guide defines a complaint as an “*allegation*” of unlawful or improper conduct that necessitates investigation to determine if an unlawful or improper act actually occurred.<sup>7</sup> An identity theft complaint can be taken by any member of the service and then referred to a desk officer and detective for review and investigation.<sup>8</sup> Reporting criteria are contained in the Crime Complaint Reporting System Reference Guide, which, unfortunately, is not publicly available.<sup>9</sup> But the Patrol Guide makes clear that investigation is not required before a complaint can be recorded.<sup>10</sup> And at a joint hearing by the New York City Council’s Committee on Aging and Committee on Public Safety, NYPD Deputy Chief Julie Morrill, of the Quality Assurance Section, testified that additional documentation is not required for a complaint of identity theft to be taken—investigation happens afterwards.<sup>11</sup>

Notwithstanding their state law mandate and internal policy, NYPD personnel still often refuse to take identity theft reports.<sup>12</sup> Instead, they deflect in a range of ways, claiming the identity theft is a civil or family matter, directing the complainant to go to another precinct, or demanding additional documentation that is impossible to get for a person who did not open the account in question.<sup>13</sup> Sometimes personnel intimidate victims to dissuade them, often with a discriminatory dimension. Domestic violence survivors are frequently told that the identity theft committed by their abusers was not a crime because they were married at the time.<sup>14</sup> One client of CAMBA Legal Services, Inc., a Spanish-speaking immigrant with a history of trauma, was taken to an interrogation room when she tried to make an identity theft report, and threatened in Spanish with arrest for perjury. Another client, an immigrant from China, was told that “identity theft is a Chinese problem,” and that the police could not help him. Even individuals who are able to make a report face additional obstacles: some

reports do not contain information such as credit account numbers or balances, even when the victim reported that information. Some reports only state the balance without interest and fees, even though the creditor seeks to hold the victim liable for those charges and they are the direct result of the identity theft.<sup>15</sup>

Often, victims cannot get a copy of the police report. In advocates' experience, obtaining a police report for identity theft is a multi-step process, involving filing the complaint at a precinct and receiving a "receipt" or being told to call back later for the number, and separately requesting and receiving the actual police report of identity theft. But many victims are not told it is possible to get a more comprehensive report than the receipt, while others get the runaround when they try to call back for the number, and still others are unable to get a copy despite their best efforts.

## Recommendations for Reform

First, officers should receive training underscoring: (1) the definition of identity theft under the penal code and what factual circumstances meet that definition; (2) that documentation is not necessary to report identity theft; and (3) the level of detail that should be included in an identity theft police report so that victims can obtain relief, including account numbers and account balances, if the complainant has that information. Training should be trauma-informed and should also discuss the pervasiveness of identity theft, the targeting of marginalized communities, and the methods by which identity theft is perpetrated.

Second, NYPD's Quality Assurance Initiatives division should implement mechanisms to determine whether identity theft reports are actually being taken. These should include a publicized, easily accessible grievance and escalation process for victims who face problems getting a report, and procedures for regular oversight and resolution of these grievances.

Third, the New York City Mayor's Office of Criminal Justice (NYC MOCJ) should produce Know Your Rights materials for victims of identity theft that are posted online and in all police precincts explaining what identity theft is and how it can be reported. Materials should include information about how victims can address identity theft, similar to existing materials issued by the FTC and the New York State Attorney General, but more specific and tailored to New York City residents. NYC MOCJ should undertake a public information campaign to broadly publicize the assistance that victims can get through NYC MOCJ.

Fourth, the process of obtaining a copy of an identity theft report should be streamlined. Once a report is taken, a copy of it should be automatically provided to the complaining victim by the means they identify as most convenient—and most secure—for them. This could be by mail, email, and/or secure online portal. This

would significantly reduce the barriers for victims, who might otherwise be dissuaded by the extensive steps required to obtain a copy.

One persistent obstacle to the taking of identity theft reports is the view by precincts that identity theft is an unsolvable crime. The Mayor's Office and NYPD should work together to address that concern as part of any overhaul. We recommend that precincts be permitted to separately report identity theft crimes so they are not included in overall crime statistics to remove the potential disincentives to taking identity theft reports.

These policy changes would address the systemic problem identified here for all NYC residents and could be immediately adopted. The Mayor could issue an executive order outlining the proposed recommendations and reforms, followed by introduction of a bill in the City Council that would mandate the proposed recommendations in local law in order to sustain and institutionalize the reforms. The Mayor's Office should give due consideration to a legal enforcement mechanism for identity theft victims to ensure compliance with the recommended mandates.

The budgetary action needed to implement the proposed recommendations and reforms would be relatively minimal. Costs would include:

- Developing a training curriculum and implementing training for NYPD personnel related to identity theft and the taking of identity theft police reports.
- Developing quality assurance processes to assess compliance with the rules and directives around the taking of identity theft reports.
- Developing NYPD guidance and directives on identity theft and the taking of identity theft police reports.
- Developing procedures to streamline the process by which victims obtain copies of identity theft reports.
- Developing a public information campaign on identity theft and how victims can obtain identity theft police reports.

NYPD is the principal city agency involved in implementing the proposal. However, the New York City Mayor's Office of Criminal Justice, the Mayor's Office to End Gender-Based Violence, the New York City Department of Consumer and Worker Protection, and New York City Department for the Aging should all have an opportunity to help design and implement the recommendations and reforms outlined in the proposal.

## Prior Reform Efforts

Over the last several decades, stakeholders in NYC and beyond have sought workarounds and improvements to the identity theft reports problem, with little success.

The FTC created a process for identity theft victims to make a report online under penalty of perjury, called the FTC Identity Theft Report.<sup>16</sup> Federal guidance makes clear that this report is a law enforcement report and should be sufficient grounds for a victim to obtain relief, and the FTC has issued a memorandum to law enforcement explaining the importance of the separate identity theft police report and instructing law enforcement personnel to provide victims with an “Identity Theft Report,” composed of the police report with the victim’s FTC ID Theft Complaint attached or incorporated.<sup>17</sup> Unfortunately, law enforcement personnel rarely do so.<sup>18</sup> In addition, advocates have helped clients obtain alternate identity theft reports through, for example, the Federal Bureau of Investigation’s Internet Crime Complaint Center and the United States Postal Inspection Service. But credit reporting agencies and creditors routinely reject all these reports, instead demanding a local police report.<sup>19</sup>

In 2017, consumer advocates from thirteen legal services organizations wrote to the NYPD Commissioner describing the problem and NYPD’s legal obligation to provide police reports to identity theft victims.<sup>20</sup> The NYPD never responded. Additional advocacy efforts led to one meeting between the Mayor’s Office to End Gender-Based Violence, consumer advocates, and the NYPD. No systemic reform came out of any of these advocacy efforts.

Starting in 2018, CAMBA Legal Services obtained funding from the New York State Office for Victim Services to provide legal services to victims of crime, including identity theft victims. CAMBA paralegals began accompanying identity theft victims to police precincts to help them secure identity theft police reports and witnessed firsthand how difficult it is to obtain a report. Paralegals often had to visit the precinct multiple times, spend hours waiting, and advocate with detectives and officers—but even with this extraordinary advocacy, they still did not achieve universal success.

Most recently, in 2024, CAMBA Legal Services and the Feerick Center engaged in joint advocacy efforts with the NYC Council regarding NYPD’s widespread and longstanding refusal to provide identity theft police reports to victims. This led to NYC adopting Local Law 35 of 2025 (formerly Int. 1101-2024), which requires the NYPD to post information about identity theft on its website and provide training to NYPD personnel on responding to and investigating suspected identity theft.<sup>21</sup> To our knowledge, NYPD has yet to comply with Local Law 35 of 2025. A search for “identity theft” on the NYPD website on April 27, 2026, yielded limited information.<sup>22</sup>

Also in response to advocates' outreach efforts, the Quality Assurance Section of the NYPD began conducting precinct-specific training on the taking of identity theft reports in response to advocate complaints on behalf of clients, but the problems remain widespread.

## Measuring Success

The success of these reforms could be measured in a variety of ways:

- NYC could survey consumer law advocates on an annual basis to assess whether the NYPD is effectively implementing the proposed recommendations and reforms.
- NYC could establish a complaint process for individual identity theft victims that is easily accessible and would enable the NYPD to monitor complaints and trends.
- NYC could conduct regular evaluations of the proposed recommendations and reforms, via quality assurance mechanisms, audits, investigations, or spotchecking of practices in precincts throughout the city.

## Conclusion

NYPD personnel systematically refuse to provide police reports of identity theft victims, many of whom are people of color, immigrants, people with disabilities, and people with low wealth/low incomes. This widespread practice is often discriminatory and prevents victims from obtaining relief from identity theft, leading to financial hardship and barriers to building savings and accessing credit. The reforms described above would meaningfully address this problem and would give identity theft victims a critical resource they need to undo the consequences of the crime committed against them, and achieve financial security.

## Endnotes

- 1 See, e.g., Report, Consumer Sentinel Network Data Book 2024, Fed. Trade Comm. 54 (Mar. 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/csn-annual-data-book-2024.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/csn-annual-data-book-2024.pdf) [Hereinafter FTC, Consumer Sentinel Network Data Book 2024]; Katherine Cloud, Ilya Brovin, and Andrey Severyukhin, *How identity fraud is increasing in the age of AI*, World Economic Forum (Dec. 11, 2025), <https://www.weforum.org/stories/2025/12/how-identity-fraud-is-increasing-in-the-age-of-ai/>.
- 2 FTC, Consumer Sentinel Network Data Book 2024 at 54.
- 3 See Sarah Dranoff, *Identity Theft: A Low-Income Problem*, American Bar Association (Dec. 15, 2014), [https://www.americanbar.org/groups/legal\\_services/publications/dialogue/volume/17/winter-2014/identity-theft--a-lowincome-issue/?login](https://www.americanbar.org/groups/legal_services/publications/dialogue/volume/17/winter-2014/identity-theft--a-lowincome-issue/?login).
- 4 Marguerite DeLiema et al., *Identity Theft and Older Adults: How Minorities and the Poor Suffer the Worst Consequences*, 5 *Innov. Aging* 322-23 (2021), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8680321/>.
- 5 See, e.g., Fair Credit Reporting Act, 15 U.S.C. 1681c-1; Truth in Lending Act, 15 U.S.C. 1643; N.Y. GBL 604-a. And while a police report is not required to make out a defense of identity theft to a state court debt collection act, judges often order victims to obtain them.
- 6 Ryan Bolger, *Door Shut and Ears Plugged: How Consumer Reporting Casts Identity Theft Victims Out of Financial Society and How the Law Can be Harmonized to Bring Them Back In*, 15 *Brooklyn J. of Corp., Fin. & Comm. L.* 156-64 (2020), <https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?article=1344&context=bjcfcl>; Manual, *Protecting Wages, Benefits, and Bank Accounts from Judgment Creditors*, National Consumer Law Center (Oct. 29, 2020), <https://library.nclc.org/article/protecting-wages-benefits-and-bank-accounts-judgment-creditors>; Diane Johnston & Divya Subrahmanyam, *Denied! How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors*, Fordham University School of Law, CAMBA Legal Services, Inc., and The Legal Aid Society 5-6 (Sept. 2018), <https://camba.org/wp-content/uploads/2025/09/Denied-How-Economic-Abuse-Perpetuates-Homelessness-for-Domestic-Violence-Survivors.pdf>.

7 Patrol Guide, *Procedure 207-01*, New York Policy Department [https://www.nyc.gov/html/nypd/downloads/pdf/public\\_information/public-pguide1.pdf](https://www.nyc.gov/html/nypd/downloads/pdf/public_information/public-pguide1.pdf).

8 *Id.* at *Procedure 207-34*.

9 *Id.*

10 *Id.*

11 Committee on Aging Jointly with the Committee on Public Safety, New York City Council, Meeting Minutes 76-77 (Oct. 30, 2024), <https://legistar.council.nyc.gov/View.ashx?M=F&ID=13573224&GUID=4570BF93-498A-4BBF-B771-C1EC93EFB25A>.

12 *Id.* at 76.

13 This statement is based on the extensive experiences of the authors, other advocates, and their clients.

14 This is true in the experience of advocates and their clients. See also Johnson & Subrahmanyam, *supra* note 6, at 16 & n.70; Angela Littwin, *Coerced Debt: The Role of Consumer Credit in Domestic Violence*, 100 Calif. L. R. 951, 954 (2012), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1867554](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1867554); Emily M. Poor, *Police Gatekeeping*, 30 Mich. J. of Race & L. 49, 72-73 (2025), <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=1415&context=mjrl>.

15 This statement is based on the experiences of advocates and their clients.

16 See *IdentityTheft.gov*, Federal Trade Comm., [www.IdentityTheft.gov](http://www.IdentityTheft.gov).

17 Memorandum, Division of Privacy and Identity Protection, *Importance of Identity Theft Report*, Fed. Trade Comm. <https://www.consumer.ftc.gov/sites/default/files/articles/pdf/pdf-0088-ftc-memo-law-enforcement.pdf>.

18 Poor, *supra* note 14, at 72; *Expanding Services to Reach Victims of Identity Theft and Financial Fraud*, Office of Victims of Crime, U.S. Dep’t of Justice (Oct. 2010), [https://ovc.ojp.gov/sites/g/files/xyckuh226/files/pubs/ID\\_theft/pfv.html](https://ovc.ojp.gov/sites/g/files/xyckuh226/files/pubs/ID_theft/pfv.html).

19 This is true based on the experiences of advocates and their clients. In addition, consumers nationwide have complained to the Consumer Financial Protection Bureau about receiving similar responses from credit reporting agencies, refusing to block information based on an FTC Identity Theft Report alone. See Consumer Complaint Database, “Credit reporting ftc identity theft report, May 6 2023 - May 6, 2026,” Consumer Financial Protection Bureau, [https://www.consumerfinance.gov/data-research/consumer-complaints/search/?dateRange=3y&date\\_received\\_max=2026-05-06&date\\_received\\_min=2023-05-06&page=1&product=Credit%20reporting%20or%20other%20personal%20consumer%20reports&searchField=all&searchText=Credit%20reporting%20ftc%20identity%20theft%20report&size=25&sort=created\\_date\\_desc&tab=List](https://www.consumerfinance.gov/data-research/consumer-complaints/search/?dateRange=3y&date_received_max=2026-05-06&date_received_min=2023-05-06&page=1&product=Credit%20reporting%20or%20other%20personal%20consumer%20reports&searchField=all&searchText=Credit%20reporting%20ftc%20identity%20theft%20report&size=25&sort=created_date_desc&tab=List) (accessed May 10, 2026).

20 Letter from Consumer Advocates to NYPD Comm. O’Neill, *Re NYPD’s Identity Theft Complaint Intake and Reporting Procedures* (June 23, 2017), <https://protectborrowers.org/wp-content/uploads/2026/05/2017.06.23-Letter-to-Police-Commissioner.pdf>.

21 Local Law of New York City No. 35 (2025), *To Amend The Administrative Code Of The City Of New York, In Relation To Requiring The Police Department To Provide Information And Officer Training Relating To Identity Theft*, <https://intro.nyc/local-laws/2025-35>.

22 “Identity theft,” New York City, <https://www.nyc.gov/main/search?search-terms=%22identity+theft%22&sitesearch=www.nyc.gov%2Fsite%2Fnypd#q=%22identity%20theft%22> (last visited May 10, 2026).