

IC 4-6-13

Chapter 13. Identity Theft Unit

IC 4-6-13-1

"Unit"

Sec. 1. As used in this chapter, "unit" refers to the identity theft unit established under section 2 of this chapter.

As added by P.L.137-2009, SEC.2.

IC 4-6-13-2

Identity theft unit; purpose

Sec. 2. The attorney general shall establish an identity theft unit to assist prosecuting attorneys in enforcing identity deception (IC 35-43-5-3.5) and related criminal statutes and to carry out this chapter.

As added by P.L.137-2009, SEC.2.

IC 4-6-13-3

Duties of identity theft unit

Sec. 3. (a) The unit shall do the following:

- (1) Investigate consumer complaints regarding identity theft, identity deception, fraud, deception, and related matters.
- (2) Assist victims of identity theft, identity deception, fraud, deception, and related crimes in obtaining refunds in relation to fraudulent or authorized charges or debits, canceling fraudulent accounts, correcting false information in consumer reports caused by identity deception, correcting false information in personnel files and court records, and related matters.
- (3) Cooperate with federal, state, and local law enforcement agencies in the investigation of identity theft, identity deception, fraud, deception, violations of the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), and related crimes. To the extent authorized by federal law, the unit may enforce compliance with the federal statutes or regulations described in this subdivision or refer suspected violations of the statutes or regulations to the appropriate federal regulatory agencies.
- (4) Assist state and federal prosecutors in the investigation and prosecution of identity theft, identity deception, fraud, deception, and related crimes.

(b) The attorney general shall adopt rules under IC 4-22-2 to the extent necessary to organize the unit.

As added by P.L.137-2009, SEC.2.

IC 4-6-13-4

Powers of the attorney general

Sec. 4. The attorney general may do any of the following when conducting an investigation under section 3 of this chapter:

- (1) Issue and serve a subpoena for the production of records,

including records stored in electronic data processing systems, books, papers, and documents for inspection by the attorney general or the investigator.

(2) Issue and serve a subpoena for the appearance of a person to provide testimony under oath.

(3) Apply to a court with jurisdiction to enforce a subpoena described in subdivision (1) or (2).

As added by P.L.137-2009, SEC.2.

IC 4-6-13-5

Duty of attorney general to notify a prosecuting attorney

Sec. 5. If the attorney general determines during an investigation conducted under this chapter that there is reasonable suspicion to believe that a person has committed identity deception or a similar offense, the attorney general shall promptly notify a law enforcement agency and the prosecuting attorney that have jurisdiction over the person or offense.

As added by P.L.137-2009, SEC.2.

IC 4-6-13-6

Agency cooperation with the identity theft unit

Sec. 6. (a) The following may cooperate with the unit to implement this chapter:

- (1) The bureau of motor vehicles.
- (2) The secretary of state.
- (3) The department of financial institutions.
- (4) The department of insurance.
- (5) The state police department.
- (6) The department of workforce development.
- (7) The department of state revenue.
- (8) A prosecuting attorney.
- (9) Local law enforcement agencies.

(b) Notwithstanding IC 5-14-3, the entities listed in subsection (a) may share information with the unit.

As added by P.L.137-2009, SEC.2.

IC 4-6-13-7

Jurisdiction of other agencies not limited

Sec. 7. The establishment of the unit and the unit's powers does not limit the jurisdiction of an entity described in section 6 of this chapter.

As added by P.L.137-2009, SEC.2.

IC 4-6-13-8

Power to deputize attorney general or deputy attorney general

Sec. 8. A prosecuting attorney may deputize the attorney general or a deputy attorney general for purposes of the prosecution of an identity deception offense or a related offense.

As added by P.L.137-2009, SEC.2.

IC 4-6-13-9

Educational programs

Sec. 9. The unit may initiate and maintain an educational program to inform consumers of:

- (1) risks relating to identity deception and similar crimes;
- (2) steps consumers may take to minimize their risks of becoming a victim of identity deception;
- (3) methods to detect identity deception and similar crimes; and
- (4) measures that identity deception victims may take to recover from the crime and to hold the perpetrator of the crime accountable in a court of law.

As added by P.L.137-2009, SEC.2.