

North Texas Coerced Debt Legal Representation Pilot Program

Advocate Training | April 22, 2024

Thank You for Being Here Today!

Thank you for participating in the Advocate Training for the North Texas Coerced Debt Pilot Program (Pilot Program). You're an invaluable partner in this process and we're really looking forward to collaborating on this important Pilot Program to help refer and connect survivors of financial abuse to free legal help.

Introductions

1. **Briana Gordley**, *Texas Appleseed*
2. **Ann Baddour**, *Texas Appleseed*
3. **Molly Voyles**, *Texas Council on Family Violence*
4. **Lauren Lluveras**, *Texas Council on Family Violence*
5. **Brittany Hightower**, *Lone Star Legal Aid*
6. **Melissa Gray**, *Texas Advocacy Project*
7. **Krystle King**, *Advocate*

Texas Coalition on Coerced Debt

The Texas Coalition on Coerced Debt (TCCD) is a coalition of Texas-based attorneys, advocates, policymakers, financial professionals, and law enforcement that are interested in promoting identity theft protections for survivors of family violence through policy interventions and by providing training on coerced debt and identity theft to domestic violence advocates, attorneys, law enforcement, and many other professionals.

TEXAS COALITION
ON COERCED DEBT

Agenda

1. ***What is the Coerced Debt Pilot Program?***

The Who, What, When, Where, and Why!

2. ***Introduction to Coerced Debt***

What is it and how does it impact the financial wellbeing of survivors?

3. ***Legislative Advocacy***

How Texas passed meaningful coerced debt legislation

4. ***Chapter 521 Order***

What is it and Why it Matters

5. ***Pilot Program Referral Process***

What steps need to be taken to get survivors connected to the Pilot Program?

6. ***Next Steps***

What happens now?

What is the Coerced Debt Pilot Program?

The Who, What, When, Where, and Why!

What is the Coerced Debt Pilot Program?

- Identify, refer, and connect survivors with coerced debts to pro bono legal services to receive a court order declaring them a victim of identity theft, also known as a **Chapter 521 order**.
- To receive a **Chapter 521 order**, an uncontested lawsuit must be filed. Uncontested means that there is no person being sued on the other side. This is primarily about relief for the survivor. Getting an order can help survivors clean up their credit by making it easier to remove coerced debts from credit reports, as well as other benefits.
- DV Program Advocates (you!) play a crucial role in ensuring that survivors are:
 - ◆ Properly screened for coerced debts,
 - ◆ Assisted with pulling their credit reports and disputing coerced debts, and
 - ◆ Referred to [Texas Advocacy Project](#) to get connected with pro bono legal counsel.

Who is participating in the Pilot Program?

3 Statewide Organizations

- Texas Advocacy Project
- Texas Council on Family Violence
- Texas Appleseed

5 Local DV Programs

- Genesis Women's Shelter & Support
- Mosaic Family Services
- SafeHaven
- Texas Muslim Women's Foundation
- The Salvation Army

3 Legal Experts

- National Consumer Law Center
- Lone Star Legal Aid
- Paula Pierce

What does the process look like?

Domestic violence program advocates will screen clients for coerced debts and refer eligible clients to TAP.

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graph LR; A[Domestic violence program advocates will screen clients for coerced debts and refer eligible clients to TAP.] --> B[TAP will receive referrals from the domestic violence program advocates, determine their eligibility for the Pilot Program, and connect clients with pro bono attorneys.]; B --> C[Pro bono attorneys will work with clients and engage in the "Chapter 521 Order" process to help clients become declared victims of identity theft.];
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TAP will receive referrals from the domestic violence program advocates, determine their eligibility for the Pilot Program, and connect clients with pro bono attorneys.

Pro bono attorneys will work with clients and engage in the “Chapter 521 Order” process to help clients become declared victims of identity theft.

What is my program's role in the Pilot Program?

- **Main Role:** Identify survivors eligible and interested to participate in the Pilot Program and make referrals to Texas Advocacy Project. This includes:
Screening for coerced debts and, **if capacity allows**, helping survivor's pull credit reports and dispute coerced debts
- **Additional Roles:**
 - ◆ Provide feedback on the intake/screening tool ✓
 - ◆ Attend an in-person advocate training ✓
 - ◆ Participate in monthly check-ins through fall of 2025

Introduction to Coerced Debt

What is it and how does it impact financial wellbeing of survivors?

Abuse Creates Economic Instability

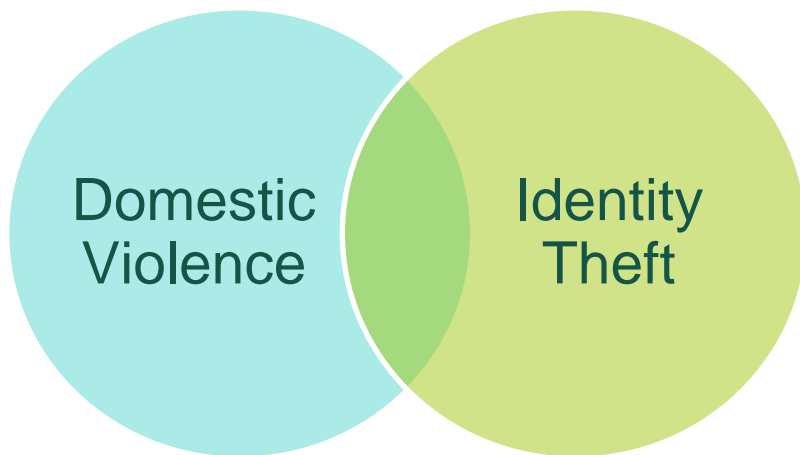
A survey of survivors in Texas and Louisiana found that **96%** of survivors sought help due to economic abuse perpetrated in an intimate relationship.

(Center for Survivor Agency & Justice,
March, 2022)

96%

What is Coerced Debt?

Any non-consensual credit-related transaction that occurs within an abusive intimate relationship



The survivor has lost control over the ability to make financial decisions for themselves, creating a connection between coerced debt and identity theft

Three Mechanisms of Coerced Debt

1. **Fraud**: Using the survivor's identity without their consent or knowledge to obtain a loan or credit in their name
2. **Coercion**: Using demands and threats to lead survivor to take on debt they would not have otherwise incurred
3. **Manipulation**: Deliberately managing conditions or information to lead survivor to take on debt they would not have otherwise incurred

Problem: Fraudulent coerced debts could be considered identity theft, but coerced debts taken out under coercion or manipulation wouldn't.

Examples of Coerced Debt

An abuser may coerce their partner into debt in any of the following ways:
(Surviving Economic Abuse, 2020)

- Make them take out a credit card or loan against their wishes
- Take out a loan, mortgage, credit card, or car finance agreements in the victim's name
- Put bills in the victim's name, including rent, utility bills, or cell phone contracts

The nature of coerced debt means there are negative and sometimes violent consequences for not doing what the abuser asks. Debt may feel like the safest option.

Prevalence of Coerced Debt

The Frequency, Nature, and Effects of Coerced Debt Among a National Sample of Women Seeking Help for Intimate Partner Violence (Adams, Littwin, Javorka, 2019)

- **Almost 3 in 4 (71%)** reported that their partners kept or hid financial information from them
- **43%** reported being pressured to take out credit in their own name when they did not want to
- **About half (52%)** reported that an abusive partner put debt in their name through a fraudulent or coercive transaction
- **Over half (63%)** discovered the harm because they were contacted by a creditor or bill collector
- **73%** stayed longer than they wanted in an abusive relationship because of financial concerns

Where does Coerced Debt show up?

- Reviewing credit report
- Discover charges or new credit on financial statements
- Denied credit
- Contacted by a creditor or debt collector
- Sued for an unrecognized debt
- Default debt judgment

Effects of Coerced Debt



→ Financial Dependence



→ Credit Report Problems



→ Financial Hardship

Legislative Advocacy

How Texas passed meaningful coerced debt legislation

First Coerced Debt Law in Texas: 2019

Main ID Theft Protections

- Federal: Blocking and disputing debts (Fair Credit Reporting Act)
- Texas: Chapter 521 Order (Texas Business and Commerce Code)

Presenting Issues

- No legal recognition that coerced debt is identity theft
- No protections for this type of abuse

Bridge the Gap → Legal Approach

- Expand the definition of “identity theft” to include coerced debt in the Penal Code (criminal code)

Identity Theft Defined: Criminal Law

Fraudulent Use or Possession of Identifying Information

Texas Penal Code Sec. 32.51(b)

- (b) A person commits an offense if the person, with the intent to harm or defraud another, obtains, possesses, transfers, or uses an item of:
- (1) identifying information of another person without the other person's consent or **effective consent**; (HB 2697, 2019)

The Magic Word: “Effective”

Legal Definition of "Effective Consent"

Texas Penal Code Sec. 1.07

Consent is not effective if:

- (A) induced by force, threat, or fraud;
- (B) given by a person the actor knows is not legally authorized to act for the owner;
- (C) given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or
- (D) given solely to detect the commission of an offense.

Second Coerced Debt Law in Texas: 2021

Slight Issue with 2019 Bill

- Required survivors to file a report with their local PD to access state and federal identity theft remedies, including a Chapter 521 court order

New Goals

- Create another path for survivors to access remedies without having to file a police report
- Streamline pathways to financial recovery tools available through district courts

Solution

- Align the Penal and Civil codes to eliminate the requirement for a police report to access a Chapter 521 court order

Identity Theft Defined: Civil Law

Unauthorized Use or Possession of Personal Identifying Information

Texas Business and Commerce Code § 521.051

- (a) A person may not obtain, possess, transfer, or use personal identifying information of another person without the other person's consent or **effective consent** and with intent to obtain a good, a service, insurance, an extension of credit, or any other thing of value in the other person's name.
- (a-1) For purposes of this section, "**effective consent**" includes consent given by a person legally authorized to act on behalf of the person from whom consent is required. Consent is not effective if:
- (1) **induced by force, threat, fraud, or coercion**; or
 - (2) given by a person who by reason of youth, mental illness, or intellectual disability is known by the actor to be unable to make reasonable decisions. ([HB 3529](#), 2021)

Coerced Debt Laws in Texas: Side by Side

2019: First Coerced Debt Law

HB 2697: Amended the definition of ID theft in the Penal Code

What It Did: Added "effective consent" to the definition of ID theft so that any debt incurred under force, threat, or fraud would be deemed identity theft

How It Helped: Allowed for the prosecution of abusive partners & gave survivors access to rights granted to victims of identity theft

2021: Second Coerced Debt Law

HB 3529: Amended the definition of ID theft in the Business and Commerce Code

What It Did: Added "effective consent" to the definition of ID theft so that any debt incurred under force, threat, fraud, or coercion would be deemed identity theft

How It Helped: Allowed survivors with coerced debts to access state identity theft protections under Chapter 521, Business and Commerce Code without being required to file a police report

Chapter 521 Order

What is it & Why it Matters

Unique Legal Remedy: Chapter 521 Order

Tex. Business and Commerce Code, Sec. 521.101

Court Order Declaring Individual a Victim of Identity Theft

(a) A person who is injured by a violation of Section 521.051 or who has filed a criminal complaint alleging commission of an offense under Section 32.51, Penal Code, may file an application with a district court for the issuance of an order declaring that the person is a victim of identity theft.

(b) A person may file an application under this section regardless of whether the person is able to identify each person who allegedly transferred or used the person's identifying information in an unlawful manner.

Unique Legal Remedy: Chapter 521 Order

Court Order Declaring Individual a Victim of Identity Theft (Chapter 521 Order)

- Allows a survivor with coerced debts to obtain a court order declaring them a victim of identity theft
- The order helps to remove their personal information from fraudulent public records and accounts, and to remove fraudulent debts from their credit report. It can also help in debt collection lawsuits related to fraudulent debts.

Legal Process

- Requires a lawsuit to be filed in state district court
- No opposing party (application for the survivor to be declared a victim of ID theft)
- If granted, declared a victim of identity theft for the specific debts or other issues identified in the lawsuit

Benefits

- Evidence that specified debts should be blocked by a credit bureau
- Supports dispute of the debts with debt collectors and creditors

10-Minute Break

Please return to your seats by 10:50am!

Pilot Program Referral Process

What steps need to be taken to get survivors connected to the Pilot Program?

Coerced Debt Pilot Program

Step 1: Determine Eligibility for the Pilot Program

Step 2: Review Survivor's Legal Rights

Step 3: Screen for Coerced Debt

Step 4: Refer Survivor to TAP

Step 5: Pull Credit Reports & Identify Coerced Debts

Step 6: Block & Dispute Coerced Debts

Step 1: Determine Eligibility for the Pilot Program

Pilot Program Referral Process

Step 1: Determine Eligibility for the Pilot Program

- To be eligible for the Coerced Debt Pilot Program (Pilot Program), the survivor must be a survivor of domestic violence, human trafficking, stalking, or sexual assault.
- If the survivor is eligible for the Pilot Program, proceed to Step 2.

If the survivor is receiving services at your domestic violence program, then they automatically qualify for TAP's services, pending a conflict check.

Step 2: Review Survivor's Legal Rights

Pilot Program Referral Process

Step 2: Review Survivor's Legal Rights

People have certain legal rights related to coerced debt. Please discuss the following information with the survivor:

- “There is a new, free service available to address credit problems related to debts caused by an abuser. These debts are called *coerced debts*. Under Texas law, you may have legal rights to get identity theft protections for coerced debts and qualify for a legal protection called a “Chapter 521 Order.” This order can be used to help rebuild credit by removing coerced debts from your credit report, or as a defense if you get sued to collect a coerced debt. At the end of this process, we can talk about any safety and privacy concerns you may have to determine the best path towards this new, free program that keeps you safe. Are you interested in answering a few questions to see if this program is a good fit for you?”
- If the survivor expresses interest in the Pilot Program, proceed to Step 3.

Step 3: Screen for Coerced Debt

Pilot Program Referral Process

Step 3: Screen for Coerced Debt

Initial Client Interview

- **Survivor's rarely self-identify as having experienced coerced debt.**
 - ◆ May not know of any debt or even how to describe coerced debt
 - ◆ Screening with intentionality is important
- **It may seem as though the survivor “consented” to the debt**
 - ◆ Ask probing questions to determine whether the survivor was forced to take out debt because of fear of harm to self or others, or as a pattern of control and abuse.

Tips for Interviews with Survivors

- It may be necessary to preface any economic or financial screening questions with phrases like:
 - ◆ I know this uncomfortable...”
 - ◆ I know talking about money can be uncomfortable...”
 - ◆ I am here to support you and will not judge you...”
 - ◆ I’m here to find out more about what happened and to support you in moving forward – whatever that looks like for you.”
- Stay away from using the word “force”
 - ◆ Survivors may have a reaction to that word and will instantly say that they were not “forced”
 - ◆ Try phrases like “*did you feel like you couldn’t say no*” or “did you feel pressured...”

Step 3: Screen for Coerced Debt

“Red Flag” Statements

- My ex handled all of the mail / I didn't have access to the mail during my relationship.
- I don't want my ex to know where I live now.
- The car loan is in my name, but I don't have a license or I don't have the car.
- I can't access my bank statement/tax returns/financial documents. My spouse handles all of that.
- I opened that account because my spouse asked/told me to.
- I guess my ex added himself/herself on that account. I didn't know.

Step 3: Screen for Coerced Debt

“Red Flag” Statements: Dive Deeper

- **My ex handled all of the mail / I didn't have access to the mail during my relationship.**
 - ◆ Was that your decision or your partner's?
 - ◆ Were you comfortable with that arrangement?

- **I don't want my ex to know where I live now.**
 - ◆ Do you keep your address confidential?
 - ◆ Do you think your ex might hurt you if they found out where you lived?

- **The car loan is in my name, but I don't have a license or I don't have a / the car.**
 - ◆ Why did it end up in your name?
 - ◆ Did you want to sign the loan?
 - ◆ Who made the payments?
 - ◆ Who has the car?

Step 3: Screen for Coerced Debt

“Red Flag” Statements: Dive Deeper

- **I can't access my bank statement/tax returns/financial documents. My spouse handles all of that.**
 - ◆ Could you access them if you wanted to?
 - ◆ What would happen if you asked for those documents?
 - ◆ Is your spouse secretive about that information?

- **I opened that account because my spouse asked/told me to.**
 - ◆ Did you feel like you had a choice?
 - ◆ What do you think would have happened if you hadn't opened the account?

- **I guess my spouse added himself/herself on that account. I didn't know.**
 - ◆ Do you know of any other financial actions by your spouse that might impact you?
 - ◆ When/how did you find out they were using this account?

Step 3: Screen for Coerced Debt

Ask the following screening questions – included in the pilot screening tool – to determine if the survivor is eligible for the Pilot Program. If the survivor answers “yes” to a question, please ask if they feel comfortable sharing more information about their experience. *They are not required to provide additional information at this point if they don't feel comfortable.*

1. Do you have financial problems related to debt because of something your abuser did?
2. Has your abuser ever kept financial information from you, such as information about bills or loans?
3. Has your abuser ever pressured, threatened, or forced you to borrow money or buy something on credit (such as taking out a car loan or credit card) when you didn't want to?
4. Have you ever found out about debt or bills that your abuser put in your name without you knowing?
5. Have you been or are you getting contacted about a debt that you don't recognize or that was taken out by your abuser?
6. Have you been denied credit, housing, or a job because of financial problems caused by your abuser?
7. Are you interested in getting free legal help to address these debt-related financial problems?

Ask Open-Ended Questions

- *“As far as you know, has anyone ever done something to impact your credit or debt? If so, can you tell me a little bit about what happened?”*
- *“Tell me about your household's financial situation. Who handles money matters? How often do you talk about finances? What are those conversations like?”*
- *“When you signed for that loan or credit card, what kind of information was shared with you about the process of paying it back? What were you feeling when you signed for it?”*
- *“Have you ever suspected or been worried that someone opened or used an account in your name without your permission? If so, can you tell me more about that? What gave you the idea that this might be occurring?”*

Step 4: Refer Survivors to TAP

Pilot Program Referral Process



TEXAS ADVOCACY PROJECT'S SERVICES & COERCED DEBT REFERRAL PROCESS

*Melissa Gray | Interim Chief Development and Communications
Officer & Pro Bono Director*

WHO WE ARE

Texas Advocacy Project is a non-profit organization providing **FREE** legal and social services to survivors of:

- Domestic & Dating Violence
- Sexual Assault
- Child Abuse
- Stalking
- Human Trafficking

We believe prevention efforts are fundamental to our mission of helping all Texans live free from abuse, and have an Advocacy & Outreach team dedicated to survivor services, outreach, and community education.

WHO WE HELP

In 2023, Texas Advocacy Project closed 4,989 cases serving 11,047 clients and children across Texas

In 2023, Texas Advocacy Project supported clients from ages 10 to 93 years old

74%* of all Texans will experience domestic violence or will know someone who has

Nearly 1 in 3* human trafficking victims are recruited by a family member or caregiver

In 2023, 1,550 of TAP clients and their family members received social work services

Over half of U.S. women and almost 1 in 3 U.S. men will experience sexual violence involving physical contact during their lifetimes*

1 in 9 girls & 1 in 20 boys will experience sexual abuse or assault before they turn 18

MOU & REFERRAL PROCESS



STEPS TO REFERRING A SURVIVOR

1. Identify unmet legal needs with a survivor and inform them of TAP.
2. Complete the referral form.
3. Submit the referral form to our Intake Specialists.

Send referral form to:
**CaseReferral@TexasAdvocacyProject.org &
MGRAY@TEXASADVOCACYPROJECT**

TCCD
TEXAS COALITION ON
COERCED DEBT

**TEXAS
ADVOCACY
PROJECT**
800.374.HOPE

**North Texas Coerced Debt Pilot
Referral Form**

Please complete this form and email it to:
CaseReferral@TexasAdvocacyProject.org and MGray@TexasAdvocacyProject.org

Note the survivor must feel comfortable executing a release before this information can be shared.

***Required fields**

Referring Agency:	Date:
<i>Survivor's Information</i>	
* Full Name:	* DOB:
* Phone Number:	Zip Code:
Safest way and time to contact?	
Safe to leave a message?	
<i>Abuser's Information</i>	
* Full Name:	* DOB:
<i>Other Helpful Information</i>	
What is your understanding of the survivor's legal needs? Ex: Identify theft? Negative Credit Report? Safety? Divorce/custody?	
<input type="text"/>	
What language does the survivor speak?	
<input type="text"/>	
Is there any additional information that would be helpful to know?	
<input type="text"/>	
<input type="checkbox"/> Check here if you are attaching the Coerced Debt Screening Tool (with survivor's permission)	

TAP Referral Form

This is the specialized referral form for the Pilot Program. You'll need to capture the following information:

- Referring Agency
- Survivor's name & contact information
- Abuser's information
- Survivor's primary language
- Additional information

You **must** get the survivor's consent to include the Screening Tool as a part of the referral. If the survivor doesn't want to include the screening tool with the referral form, then **do not include it**.



North Texas Coerced Debt Pilot Referral Form

Please complete this form and email it to:
CaseReferral@TexasAdvocacyProject.org and MGray@TexasAdvocacyProject.org

Note the survivor must feel comfortable executing a release before this information can be shared.

*Required fields

Referring Agency:	Date:
Survivor's Information	
* Full Name:	* DOB:
* Phone Number:	Zip Code:
Safest way and time to contact?	
Safe to leave a message?	
Abuser's Information	
* Full Name:	* DOB:
Other Helpful Information	
What is your understanding of the survivor's legal needs? Ex: Identify theft? Negative Credit Report? Safety? Divorce/custody?	
What language does the survivor speak?	
Is there any additional information that would be helpful to know?	
<input type="checkbox"/> Check here if you are attaching the Coerced Debt Screening Tool (with survivor's permission)	



PRIVACY CONSIDERATIONS

- Attorney-Client Privilege
- Consent to release information form



Step 4: Refer Survivor to TAP

If the survivor answered “yes” to any of the screening questions and indicated they are interested in getting legal help, they are a good candidate for the Pilot Program. Referrals into the Pilot Program are being conducted by the Texas Advocacy Project (TAP). Depending on a survivor’s privacy concerns, there are two ways for the survivor to get connected to TAP:

- **Option 1:** DV Program Advocate completes a TAP referral for the survivor
- **Option 2:** Survivor contacts TAP themselves

Safety Planning & Privacy Considerations

→ Privacy overview pertaining to the Pilot Program

- ◆ VOCA, VAWA, FVPSA, Victim-Advocate Privilege

→ Navigating privacy through the TAP referral process

- ◆ Release vs. No Release
- ◆ When to ask more detailed questions about coerced debt may vary based on survivor choice on release



Step 4: Refer Survivor to TAP, Option 1

DV Program Advocate completes a TAP referral for the survivor

If the survivor wants the DV Advocate (you!) to refer them to TAP, please discuss the safety considerations for this option. To contact TAP and make a referral for the survivor, the DV Advocate will need to complete a Release of Information (ROI) for the survivor, which will allow the DV Advocate and TAP to communicate on behalf of the survivor about their case.

1. Determine the survivor's eligibility for the Pilot Program
2. Confirm with the survivor the desire to be referred to TAP and what that process will entail: speaking with a TAP intake specialist, TAP staff attorney, and then potentially being connected (based on eligibility) to a pro-bono attorney
3. Complete the specialized intake form
4. Complete an ROI for the survivor
5. Email the referral form to TAP at casereferral@TexasAdvocacyProject.org and mgray@texasadvocacyproject.org

Step 4: Refer Survivor to TAP, Option 2

Survivor contacts TAP themselves

If the survivor does not want to complete an ROI for safety or other personal reasons, then they will need to contact TAP directly to connect to the Pilot Program. The survivor will need to disclose to TAP (either on the phone or on the online application) that they would like to see if they are eligible to participate in the “Coerced Debt Legal Representation Pilot Program.”

1. Phone: Call TAP at 800-374-4673 to speak directly with a TAP team member.
2. Online: Use [this link](#) or go to texasadvocacyproject.org and click “Apply for Services Online” to complete TAP’s application for services.

Disclaimer: The second option may take longer for the survivor to get connected to TAP due to not being directly referred to TAP by a DV program.

Lunch & Fireside Chat

Please pick up your lunch and & join us for a lunchtime conversation!

Krystle's Story



Coerced Debt Pilot Program: Recap

Step 1: Determine Eligibility for the Pilot Program

Step 2: Review Survivor's Legal Rights

Step 3: Screen for Coerced Debt

Step 4: Refer Survivor to TAP

Step 5: Pull Credit Reports & Identify Coerced Debts

Step 6: Block & Dispute Coerced Debts

Step 5: Pull Credit Reports & Identify Coerced Debts

Pilot Program Referral Process

Step 5: Pull Credit Reports & Identify Coerced Debts

Before taking this step:

Pulling a credit report can be very emotional for a survivor. It can often feel like “proof,” in writing, that their abuser has done something to them and the weight of that can be heavy. Often, survivors feel **depressed** and **hopeless** after this, so it is important for an advocate to support them through this process.

Step 5: Pull Credit Reports & Identify Coerced Debts

What is a Credit Report?

- Credit reports list a history of a person's finances (credit cards, loans, etc.) and is one of the key ways to identify coerced debts or balances that reflect unauthorized use of accounts by an abuser
- [AnnualCreditReport.com](https://www.annualcreditreport.com) is the *only* website authorized by the federal government to issue free, weekly credit reports from the three consumer reporting agencies (CRA), or more commonly known as the credit bureaus - Equifax, Experian, and TransUnion
- Since not all businesses report to all three credit bureaus, the information on each credit report may vary.

Source: AnnualCreditReport.com

Step 5: Pull Credit Reports & Identify Coerced Debts

Where can I pull Credit Reports?

You can get a free credit report from the credit bureaus using AnnualCreditReport.com. You can download a free credit report from each credit bureau **once every week**.

There are three ways you can request a copy of your credit reports:

- **Online:** AnnualCreditReport.com
- **Phone:** 1-877-322-8228 (TTY: 1-800-821-7232)
- **Mail:** Fill out the [Annual Credit Report request form](#) and mail it to:
 - ◆ Annual Credit Report Request Service
PO Box 105281
Atlanta, GA 30348-5281

Step 5: Pull Credit Reports & Identify Coerced Debts

Requesting Credit Reports Online

- You can request your free annual credit report from <https://www.annualcreditreport.com/index.action>
- [AnnualCreditReport.com](https://www.annualcreditreport.com) is the official site, authorized by the Federal government – **don't use other sites that claim to offer free reports**
- You will typically get your report immediately by ordering it online after you have verified your identity through an authentication process

Annual CreditReport.com

The only source for your free credit reports. Authorized by Federal law.

Home

All about credit reports

Request yours now!

What to look for

Protect your identity

Frequently asked questions

Contact us



Free weekly online credit reports are available from Equifax, Experian and TransUnion. Credit reports play an important role in your financial life and we encourage you to regularly check your credit history.

[Request your free credit reports](#)

Spot identity theft early. Review your credit reports.

Suspicious activity or accounts you don't recognize can be signs of identity theft. Review your credit reports to catch problems early.

[Learn more about Identity Theft](#)





Free weekly online credit reports are available from Equifax, Experian and TransUnion. Credit reports play an important role in your financial life and we encourage you to regularly check your credit history.

3 steps to your free online credit reports



1. Fill out a form

Fill out one form to request one, two, or three credit reports

[Request your credit reports](#)

2. Pick the reports you want

Request your credit reports from Equifax, Experian or TransUnion.

3. Request and Review your reports online

Before you get your credit reports, you will answer a few more questions. These questions are meant to be hard. You may even need your records to answer them. They are used to ensure that nobody but you can get your credit information.

If you can, save or print your credit reports so you can review them later.

For information on how to obtain your credit report in Braille, Large Print, and Audio Formats please visit the [Accessibility Page](#).

 **You repeat this step for each credit report**

Please select one or more of the following nationwide consumer credit reporting companies to request your free credit report.

EQUIFAX

TransUnion.

Experian
A world of insight

Click Next to continue

NEXT

Click Cancel to return to AnnualCreditReport.com Home Page

CANCEL

Step 5: Pull Credit Reports & Identify Coerced Debts

Requesting Credit Reports by Phone

- Call 1-877-322-8228 (TTY: 1-800-821-7232)
- You will go through a verification process over the phone
- Your credit report will be mailed to you within 15 days

Blind and Visually Impaired Consumers can request reports in Braille, Large Print or Audio Formats

- Orally certify that you are blind or a person with a visual impairment
- Pick the format you want
- Your credit reports should arrive in about 3 weeks

→ Your rights to your credit reports

→ What is a credit report?

→ Getting your reports

All about credit reports

Getting your reports

You can get a free report once every 12 months from each of the three nationwide consumer credit reporting companies. That means if you order a report from one of the companies on March 1, you can't get another report from the same company until March 2 next year.

To ask for your report online:

You can ask for your free credit report from <https://www.AnnualCreditReport.com>. Make sure you are on this site before ordering your report. This is the official site, authorized by the Federal government, for you to get your free reports. You usually can get your report immediately by ordering online.

You may also ask for your report by phone or mail, but it may take up to 15 days for you to get it.

To ask for your report by phone:

- Call 1-877-322-8228
- You will go through a simple verification process over the phone.

To ask for your report by mail:

- Download the [request form](#) (You need an Adobe viewer to view the requested form. Download the free [Adobe viewer](#))
- Print and complete the form

Mail the completed form to:

Annual Credit Report Request Service
P.O. Box 105281
Atlanta, GA 30348-5281

For more information visit www.consumerfinance.gov/askcfpb/311/how-do-i-get-a-copy-of-my-credit-report.html.

Step 5: Pull Credit Reports & Identify Coerced Debts

Requesting Credit Reports by Mail

- Download the [request form](#)
- Print and complete the form
- Mail the completed form to:
 - ◆ Annual Credit Report Request Service
P.O. Box 105281
Atlanta, GA 30348-5281
- After the form is received, it will be processed within 15 days and the reports will be mailed to you.
- **Make sure a safe address and phone number is used for any communications.**

Step 5: Pull Credit Reports & Identify Coerced Debts

Identify Coerced Debts

Once you and the survivor have successfully pulled their credit reports, it's important for you to assist the survivor with reviewing each account on their credit report to assess for **fraud** and **coercion**.

- 1. Fraud:** Using the survivor's identity without their consent or knowledge to obtain a loan or credit in their name.
- 2. Coercion:** Using demands and threats to force the survivor to take on debt they would not have otherwise incurred.

Step 5: Pull Credit Reports & Identify Coerced Debts

Identify Coerced Debts

Each credit report looks different, which can make reviewing accounts more difficult if you or the survivor is not familiar with each type of credit report.

1. **Equifax:** Revolving, Mortgage, Installment, Other
2. **Experian:** Open Accounts, Closed Accounts or Alphabetically
3. **TransUnion:** Accounts with Adverse Information, Satisfactory Accounts

It's important to be familiar with not only knowing how to pull credit reports, but with how each credit report is formatted. This will make it easier for you to help the survivor with reviewing their accounts for fraud and coercion.

Credit Report: Equifax

Account Details

View detailed information about this account. Contact the creditor or lender if you have any questions about it.

High Credit	██████████	Owner	INDIVIDUAL
Credit Limit	██████████	Account Type	REVOLVING
Terms Frequency	MONTHLY	Term Duration	0
Balance	\$212	Date Opened	Sep 22, 2021
Amount Past Due		Date Reported	Mar 10, 2022
Actual Payment Amount		Date of Last Payment	Feb 01, 2022
Date of Last Activity		Scheduled Payment Amount	██████████
Months Reviewed	5	Delinquency First Reported	
Activity Designator		Creditor Classification	UNKNOWN
Deferred Payment Start Date		Charge Off Amount	
Balloon Payment Date		Balloon Payment Amount	
Loan Type	Credit Card	Date Closed	
Date of First Delinquency			

Credit Report: Experian

CAPITAL ONE



Account Info

Account Name	CAPITAL ONE
Account Number	████████████████████
Account Type	Credit card
Responsibility	Individual
Date Opened	09/22/2021
Status	Open/Never late.
Status Updated	Mar 2022
Balance	\$212
Balance Updated	████████████████████
Recent Payment	\$0
Monthly Payment	████████████████████
Credit Limit	████████████████████
Highest Balance	████████████████████

Step 5: Pull Credit Reports & Identify Coerced Debts

Identify Coerced Debts - **Assessing for Fraud**

When you're assessing for fraudulent accounts and fraudulent account activities on the survivor's credit report, they likely won't recognize the account at all. To identify fraudulent use, ask the survivor the following questions:

- 1. Were you aware this account existed before you got your credit report?**
 - a. If yes, did your partner/ex-partner ever use this account without you knowing?
 - b. If no, go to question 2.

- 2. Do you suspect that your partner/ex-partner opened this account in your name without you knowing?**
 - a. If yes, what makes you think this?
 - b. If no/unsure, move on to the next account on the credit report.

Step 5: Pull Credit Reports & Identify Coerced Debts

Identify Coerced Debts - **Assessing for Coercion**

When you're assessing for coercive accounts on the survivor's credit report, they will likely recognize the account, so you'll need to ask the following questions to learn more information about the circumstances around the account being opened:

- 1. Did your partner/ex-partner ever ask, encourage, or pressure you to use or let them use this account?**
 - a. If yes, go to question 2.
 - b. If no, move on to the next account on the credit report.

- 2. What do you think might have happened if you said "no" when they asked you to use this account? Did they make you think they might hurt you or a loved one in some way if you didn't let them use the account?**
 - a. If yes, gather additional information.
 - b. If no, move on to the next account on the credit report.

Step 5: Pull Credit Reports & Identify Coerced Debts

Identify Coerced Debts - Record Important Information

It's important to record what accounts are fraudulent and coercive and the circumstances around those accounts. You can do this two ways:

- **Highlight and/or circle fraudulent and/or coercive accounts directly on the survivor's credit report**
- **Record the important account information on a separate sheet of paper**
 - ◆ Account Name & Number
 - ◆ Responsibility on the Account
 - ◆ Type of Account
 - ◆ Coerced Debt Tactic
 - ◆ Purpose of Debt
 - ◆ Amount of Debt

Once you have assisted the survivor in identifying which debts on their credit report(s) are fraudulent and coerced, you can move forward with helping them block and dispute those accounts.

Pulling Credit Reports: Unique Issues for Survivors

Because of privacy and safety concerns, advocates need to be aware of the unique issues survivors may face when pulling their credit reports.

- **Need to use a safe address or one unknown to abusive partner**
- Online access
 - ◆ Can use old address
 - ◆ Problems with security questions
- Mail access
 - ◆ Sometimes sent to address on file – **make sure, if needed, to update to new safe address for any mailings.**
 - ◆ Documentation of address

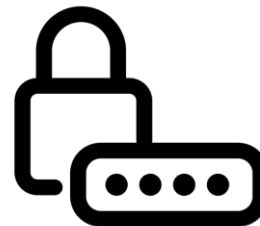


Safety Planning & Privacy Considerations

It's crucial to safety plan with survivors around access to finances through this process.

Discuss changing passwords and PIN numbers to all financial accounts.

- Checking and savings accounts
- Credit card accounts
- Online banking accounts (checking/savings, credit cards, etc.)
- Other online accounts (utilities, cable, medical, Netflix, etc.)
- Shopping tools (PayPal, Apple/Google Pay, Amazon, etc.)
- Communication tools (phone, email, social media, What's App, etc.)
- Cloud storage (Google Drive, iCloud, DropBox, etc.)

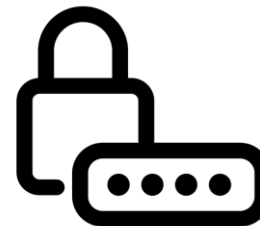


Safety needs are unique to each individual and frequently change – safety plans should be too.

Safety Planning & Privacy Considerations

It's equally as important to safety plan around a survivor's personal information.

- Phone settings (turn off)
 - ◆ Location tracking
 - ◆ Data tracking
 - ◆ Geolocation tags
 - ◆ Syncing with iCloud or Google Drive
- Online personal information
 - ◆ Google survivor's name (pictures, addresses, phone numbers)
 - ◆ Don't post personal info/photos on social media
- Online website browser settings
 - ◆ Clear history
 - ◆ Remove store credit cards
- Consider VPNs and other data security measures



Safety needs are unique to each individual and frequently change – safety plans should be too.

Step 6: Block & Dispute Coerced Debts

Pilot Program Referral Process

Step 6: Block & Dispute Coerced Debts

Identity Theft Protections: Know Your Rights

If the survivor has coerced debts, then they are considered a victim of identity theft and have the same protections as people whose identities have been stolen and used by strangers. Under the Fair Credit Reporting Act (15 U.S.C. Sec. 1681), victims of identity theft have the right to:

1. Request that the consumer reporting agency (CRA) that prepared their credit report block information on the report that appears because of the identity theft,
2. File a dispute with a CRA to remove information resulting from identity theft that creditors and debt collectors reported, and
3. Dispute any other incorrect information that is on their credit report, like addresses or phone numbers that are not theirs.

Step 6: Block & Dispute Coerced Debts

Steps for Disputing Coerced Debts

There are four main steps you can help the survivor with to dispute coerced debts:

1. Find out the details about the debt in their name ✓
2. File a report of identity theft
3. Dispute the debt with the consumer reporting agencies
4. Dispute the debt with the creditor, lender, or debt collector

Step 6: Block & Dispute Coerced Debts

2. File an Identity Theft Report

The survivor will need to report their identity theft to a law enforcement agency and get a copy of the report. The most common ways to do this are by:

1. Filing an **Identity Theft Report** with the Federal Trade Commission (FTC)
2. Filing a **police report**

It is a good idea to file both an Identity Theft Report with the FTC and a police report with a local police department, but it isn't necessary to do both. It's the survivor's choice.

Step 6: Block & Dispute Coerced Debts

2. File an Identity Theft Report - Federal Trade Commission

There are two ways the survivor can fill out the Identity Theft Report:


- 1. Online:** They can access the Identity Theft Report through the Federal Trade Commission's website - www.IdentityTheft.gov - to fill out the online form.
- 2. Telephone:** They can also call and report the identity theft to the Federal Trade Commission at 1-877-438-4338.

The form will ask the survivor to list the different debts that were taken out in their name because of the identity theft. If they are reporting more than five identity theft accounts, they can file additional separate forms with up to five different debts included in each form.



FEDERAL TRADE COMMISSION

IdentityTheft.gov

 Log In

En Español

Languages



Report identity theft and get a
recovery plan

Get Started 

or browse recovery steps



FEDERAL TRADE COMMISSION

IdentityTheft.gov

Which statement best describes your situation?

I want to report identity theft.



Someone has my information or tried to use it, and I'm worried about identity theft.



My information was exposed in a data breach.



Something else.





What did the identity thief use your information for?

Select all that apply

Credit card accounts

Loans or leases (student loans, small business loans, mortgages, car loans or leases, apartment leases, etc.)

Debit, checking, or savings accounts

Employment or taxes

Telephone, mobile, or utility accounts

Government benefits or IDs (Social Security, Medicare, unemployment, passport, driver's license, etc.)

Other account types (Internet, insurance, securities, medical, etc.)



FEDERAL TRADE COMMISSION

IdentityTheft.gov

Report Identity Theft to the FTC

Next, we are going to ask for specific details. We will use the information you provide to create your:

FTC Identity Theft Report



&

Recovery Plan



These will help you **fix problems** caused by the identity theft.

Continue →

IdentityTheft.Gov - Report Identity Theft to the FTC

1. Theft details

- Specific information about each account you're reported as identity theft

1. Your Information

- Name, Contact information (number and email address), Date of birth, Current mailing address

1. Suspect Information

- Do you know anything about the person who stole your identity? (If you answer "Yes," putting additional information is *optional*)

1. Additional Information

- Credit bureaus, Law Enforcement details, Data breach history, Debt collectors

1. Personal Statement

- A personal statement with additional, information you want to be included as a part of your identity theft report

Step 6: Block & Dispute Coerced Debts

2. File an Identity Theft Report - Police Report

If the survivor plans to file a police report, it is a good idea to first file the **Identity Theft Report** with the **FTC**. Depending on the survivor's specific circumstances, they can file a police report in person, online, or by telephone. When making a police report, it is helpful to have:

1. Information to identify the specific debt or debts that are the result of identity theft.
2. A copy of the **Identity Theft Report** that the survivor filed with the **FTC** (the police can use the form as a basis for their report).
3. The “Relevant Texas Laws” resource (we’ll provide you with this) in case the police officer is unfamiliar with protections for victims of coerced debts.

Step 6: Block & Dispute Coerced Debts

2. File an Identity Theft Report - Police Report

Helpful Tip: If you do not live in a city with its own police department, the survivor can call their non-emergency dispatch phone number. When they call:

1. Explain that they are a victim of identity theft and would like to file a police report.
2. Ask how they should go about filing the police report. Generally, it will be either entirely over the phone or in person with a deputy who comes to their house. In some cases, they might be able to file the report online.

They should request that an official, written incident report be made that includes a list of all the identity theft accounts. They are entitled to an official copy of the report if they ask for one. It may take 7-10 days for them to get a copy of the report after they file it.

Step 6: Block & Dispute Coerced Debts

3. Dispute the debt with the consumer reporting agencies.

The survivor will need to write a dispute letter that says:

1. They are a victim of identity theft,
2. The accounts that shouldn't be on their consumer report / that should be blocked due to identity theft. They will need to describe the account or accounts in enough detail so that the agency can easily recognize it,
3. Any other information appearing on their credit report that does not belong to them or is incorrect (phone numbers, addresses, etc.), and
4. They want the account/information blocked from their credit report and they are also disputing that they owe the debt because it was the result of identity theft.

Step 6: Block & Dispute Coerced Debts

3. Dispute the debt with the consumer reporting agencies.

The FTC has a list of sample dispute letters that the survivor can use to dispute errors on their report. The website is: <https://www.identitytheft.gov/#/Sample-Letters>

This website also has a list of additional documents to include with the dispute letter (e.g., proof of identity) and a copy of the identity theft report the survivor filed (with the FTC and/or police).

What next?

- After the survivor completes the dispute letter, they will need to mail the dispute letter, along with additional documents, to each of the CRAs using certified mail, return receipt requested.

What happens once the CRAs receive the dispute letter?

- The CRA must investigate. They generally have 30 days to investigate and then inform the survivor of the results.

Step 6: Block & Dispute Coerced Debts

3. Dispute the debt with the consumer reporting agencies.

If the survivor requested a block, the CRAs **must** block the information from showing up on their reports **or** let them know they denied their request. The exceptions are if:

1. The block was requested in error (you made a mistake)
2. The block was requested based on a material misrepresentation of fact (you lied)
3. The consumer obtained possession of goods, services, or money as a result of the blocked transaction (you benefited from the identity theft)

If the information is blocked, it won't show up on the survivor's credit report (yay!) Keep all mailing records (certified mail and return receipts) and any letters they get from the CRAs to share with their lawyer.

Step 6: Block & Dispute Coerced Debts

4. Dispute the debt with the creditor, lender, or debt collector.

At the same time the survivor sends their dispute letter to the credit bureaus, **they should also send a dispute letter directly to the furnisher**, which is the company that is sending information about the debt to the CRAs. The dispute letter to the furnisher **should only contain** information applicable to the furnisher and *not* information about unrelated coerced debts.

Disputing debts with the consumer reporting agencies and the furnishers reduces the chance that furnishers will later re-send false information about a coerced debt to a CRA.

The furnisher may be:

- The original creditor of a credit card,
- The original lender of a loan, or
- A debt collector.

The furnisher is included with the account information in the survivor's credit report.

Step 6: Block & Dispute Coerced Debts

4. Dispute the debt with the creditor, lender, or debt collector.

EXAMPLE: If you have unpaid debt owed to a credit card company on your credit report, it is likely that the furnisher is the credit card company. In this case, if you are going to dispute the debt, you will need to send your dispute letter to the credit card company itself.

How the survivor disputes the debt will depend on the kind of debt in their name:

- Credit cards
- Auto loans/leases
- Utilities
- Housing (rental debt, mortgage/home equity loans)
- Payday loans
- Tax debt
- Bank account/debit accounts
- Student loans

Step 6: Block & Dispute Coerced Debts

4. Dispute the debt with the creditor, lender, or debt collector.

This is not a complete list. Other types of coerced debt exist. Some are more difficult than others to dispute and may require an attorney to negotiate and dispute with the furnisher.

- Auto loan debt
- Home mortgage loans
- Student loans
- Tax debt

For other types of debt (credit cards, payday loans), the survivor can use the sample dispute letters from the FTC. The survivor should mail the dispute letter to the furnisher at the same time that they mail the dispute letter to the CRAs. Keep all mailing records (certified mail and return receipts) and any letters you get from furnishers to share with your lawyer.

*** FTC Sample Dispute Letters → <https://www.identitytheft.gov/#/Sample-Letters> ***

Other Steps

Actions to Prevent Additional Fraudulent and Coerced Debts

Under the Fair Credit Reporting Act (15 U.S.C. Sec. 1681) are **several quick and free actions** you can take to help survivors respond to coerced debt on their credit reports prior to being referred to TAP for the Pilot Program:

1. Security Freeze
2. Short-term Fraud Alert
3. Extended Fraud Alert

Additional Steps - Security Freeze

Security Freeze

- Available to everyone for free under the Fair Credit Reporting Act
- Prevents anyone, *including the survivor*, from opening accounts in survivor's name
- Most secure option for protecting survivor's credit from ongoing fraud
- Only a limited number of entities can see file while freeze is in place:
 - ◆ Creditors of existing accounts
 - ◆ Certain government entities like child support agencies
 - ◆ Companies hired to monitor credit file to prevent fraud

Additional Steps - Security Freeze

Security Freeze

- Must request with *each consumer reporting agency* either by certified mail, return receipt, or at their online website:
 - ◆ Equifax: <https://www.equifax.com/personal/help/>
 - ◆ Experian: http://www.experian.com/consumer/security_freeze.html
 - ◆ TransUnion: <http://www.transunion.com/credit-freeze/place-credit-freeze>
- Can only be lifted using *secure PIN* provided to survivor
 - ◆ Temporary for specific time period or a particular creditor or permanently
 - ◆ Need to request a lift every time need to obtain credit
 - ◆ Don't need to lift for housing or employment screening
 - ◆ **Do not lose the PIN**
- Important Consideration: Survivors may be reluctant to freeze during periods of transition or right after recent escape from abuse
 - ◆ Safety concerns
 - ◆ Need access to credit to open new accounts

Additional Steps - Fraud Alert

Short-term Fraud Alert

- Available to everyone under the Fair Credit Reporting Act
- Will *not* prevent new accounts from being opened, but creditors must verify survivor's identity before opening a new account
 - ◆ Creditors may contact survivor
 - ◆ Let survivor know they need to update contact info
- Valid for 1 year and may be renewed
- Only need to request from 1 of the "Big 3" consumer reporting agencies who will notify the others
 - ◆ Certified mail, return receipt
 - ◆ Online

Additional Steps - Fraud Alert

Extended Fraud Alert

- Victims of identity theft can request an extended fraud alert under the Fair Credit Reporting Act
- Won't prevent new accounts from being opened, but creditors must verify survivor's identity before opening a new account.
 - ◆ Creditors may contact survivor
 - ◆ Let survivor know they need to update contact info
- Valid for 7 years and includes 5-year removal from list for offers of credit/insurance
- Allows survivor to request two free reports every 12 months.
- Only need to request from 1 of the "Big 3" consumer reporting agencies who will notify the others
 - ◆ Certified mail, return receipt
 - ◆ Online
- Must provide ID theft report, and credit bureaus can ask for more

Managing Expectations

For survivors seeking to access identity theft protections through the Pilot Program, it's crucial to set realistic expectations regarding the process

- This process requires time and offers no guarantee of success
- The duration of the process shouldn't deter survivors from pursuing this option, as resolving any debt issue inherently involves a time investment

Empowerment through Choice

- Even in cases where ID theft relief may seem unlikely, attempting this route can still hold value
- Some survivors view it as a way to maintain control over their situation.

Next Steps

What happens now?

Next Steps

Continuing Education Units & Evaluation Form

- Complete the post-training survey & evaluation to request CEUs
 - ◆ CEU Credit: Attendance Verification & Evaluation Form
 - ◆ TCFV will provide your CEU certificate upon survey submission.

TCFV's Supportive Role

- ◆ Offers technical assistance for coerced debt screening and related matters
- ◆ Email your assistance requests to policy@tcfv.org or directly to LLLuveras@tcfv.org

CEUs Only



Evaluation Only



Next Steps

Texas Appleseed Website: Important Materials

- Important materials all located on new website
- Referral resources and forms, training guides, living FAQ document
- <https://www.texasappleseed.org/coerced-debt-pilot-resources>

Monthly Meetings

- Check-ins to touch base about referrals and problem solve issues
- Leadership, advocates, Texas Appleseed, TCFV, TAP

Additional Resources

- Coerced Debt Toolkit: <https://financialabusehelp.org/>
- Compendium on Coerced Debt: <https://csaj.org/resource/compendium-on-coerced-debt>

Closing Q&A

What final questions do you have that haven't been answered?

Thank You!

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CEUs & Evaluation Form

CEUs Only



Evaluation Only

