

**Victim Impact Statement of Juan J. Martinez, Ph.D.
Submitted for the Record
Committee on Ways and Means, Subcommittee on Social Security
Hearing on the Role of Social Security Numbers in Identity Theft and Options to
Guard Their Privacy**

April 13, 2011

The following is a statement that I would like to be read into the hearing record before the Ways and Means Subcommittee on Social Security:

Chairman Sam Johnson, Ranking Member Xavier Becerra and members of Congress,

One often associates theft as a violent crime where something is physically taken from an individual usually by force. This may be in the form of armed robbery, a forced break-in, a car jacking or a “hold-up.” I, fortunately, was not subjected to any of these ordeals, but I am a victim. Something significantly more valuable than material goods was taken from me and for 5 years (and possibly more years to come) I have been working to regain that which was stolen from me. I am speaking of my identity that in 2005, Mr. Roberto Ramos-Carvente willfully, knowingly and unlawfully took from me.

It is possible that the defendant came to this country to gain a better life for himself and his family. It is also possible that in taking my name, my social security number, my birth date and other information, Mr. Ramos-Carvente thought that he wasn't hurting anyone. The problem is that in taking this information, the defendant initiated a cascade of events that has made certain aspects of my life rather unpleasant.

Mr. Ramos-Carvente, starting in 2005 and continuing into 2010, utilized my identity (including, but not limited to the use of my name, social security number, and date of birth) to unlawfully gain employment and establish savings and checking accounts in various states of the USA including Colorado and Missouri. During this time, the defendant did not pay the required federal or state income taxes on the wages he earned. Since he had utilized my personal information to gain employment, his reported income on W2 forms were linked to federal and Illinois state tax returns that my wife and I filed as required by law. Suffice it to say, I have spent more time than I would like to admit trying to regain something that is rightfully mine: my identity, what I feel makes me, me. I have spent numerous work days, weekends and any available free time gathering information for audits, contacting credit bureaus, contacting the IRS, contacting the Social Security Administration, contacting banks, contacting telephone companies, contacting various local and federal law enforcement authorities to report the defendant's actions as identity theft. Meanwhile, the defendant led his life not caring about the wake of a mess that he left behind as he made his way from town to town, employer to employer.

One of the major headaches that resulted from the defendant's criminal activity was that my family's tax returns to the IRS were consistently “flagged” and subjected to re-examination by auditors. This was due to our filing tax returns that contained un-reported wages that were unknown to me (those unlawfully earned by the defendant posing as me) year after year. I have

had to prove to the IRS that the wages reported by the defendant in each fiscal year were in fact unlawfully earned by him and not by me. For example, the burden of proof was placed on me to prove that wages earned in the state of Colorado were not earned by me as I have never resided in Colorado nor worked in that state. As one can imagine, trying to prove one's own identity when another has documentation in the same name, with the same social security number and same date of birth can be a rather trying and difficult task. Trying to do this to federal agencies such as the IRS and the Social Security Administration has not been in any way easy as the wheels of bureaucracy do not always turn at a reasonable rate.

I am proof that ID theft is not a victim-less crime. Mr. Ramos-Carvente stole from me and whether or not he did this knowingly is not my concern. I want him to know that he hurt my family and at this time, I have very little sympathy for him. He deserves the punishment that he has received and I am grateful to the various local and federal law enforcement agencies across the country whose collective efforts resulted in his arrest. I take solace knowing that has been incarcerated and that the nightmare that he put us through is now hopefully over.

Respectfully,

/s/

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