



# TALLAHASSEE POLICE DEPARTMENT GENERAL ORDERS MANUAL

 Proudly Policing Since 1841	<b>SUBJECT</b> <p style="text-align: center;">Identity Theft, Forgery &amp; Fraud Investigations</p>	 Nationally Accredited 1986	
	<b>CHIEF OF POLICE</b> <p style="text-align: center;"><i>Signature on File</i></p>		
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## AUTHORITY/RELATED REFERENCES

General Order 18, Criminal Investigations

## ACCREDITATION REFERENCES

CALEA Chapter 42  
CFA Chapter 18

## KEY WORD INDEX

<b>Assisting Victims with Identity theft</b> <b>Community Awareness and Prevention</b> <b>Documenting Forgery/Fraud Cases</b> <b>Documenting Identity Theft Cases</b> <b>Worthless Checks</b>	Procedure II Procedure V Procedure III Procedure I Procedure IV
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## POLICY

Agency members shall take those measures necessary to record criminal complaints and assist identity theft victims. Members shall work with federal, state and local law enforcement to identify and arrest perpetrators of identity theft.

## DEFINITIONS

**Document** – A paper upon which a mark is made for the purpose of conveying a message.

**Financial Crimes Unit Intake Form (PD 417)** – A specialized document that allows victims of Identity Theft and other Fraud related offenses to provide critical information in a concise manner. This form is available on Sharepoint.

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**Forgery** – The false making or material altering, with intent to defraud, of any writing which, if genuine, might apparently be of legal value.

**FTC** – Federal Trade Commission is the national resource for identity theft and maintains Consumer Sentinel.

**Identity Theft** – The wrongful use of another person’s identifying information (e.g., credit cards, social security or driver’s license numbers) to commit financial or other crimes. Identity theft is generally a means for committing other offenses such as fraudulently obtaining financial credit or loans, among other crimes.

**Identity Theft Pamphlet (PD 376)** – A quick reference guide for victims of identity theft containing information about credit bureaus, preventative actions and informational websites.

**Worthless Check** – A check which was written by the actual account holder and has been stamped “Insufficient Funds” or “Account Closed” by the bank and returned to the merchant.

### PROCEDURES

#### I. DOCUMENTING IDENTITY THEFT CASES

- A. All sworn members are authorized to take crime reports pertaining to identity theft. Recording all relevant information and data in initial reports is essential to the follow-up investigation, therefore, officers and/or supervisors should:
1. Fully record information concerning criminal acts that may have been committed by illegally using another’s personal identity as covered by state and federal law.
  2. Classify as identity theft fraudulent acts committed against an individual when there is evidence the following types of unauthorized activities have taken place in the victim’s name:
    - a. Credit card, debit card or ATM card usage.
    - b. Credit card checks written against their account.
    - c. Credit card accounts opened or account addresses changed.
    - d. Establishing a line of credit at a store or obtaining a loan at a financial institution.
    - e. Goods or services purchased in their name.

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- f. Gaining access to secure areas.
  - g. Used to commit computer fraud.
- B. As appropriate, verify identifying information of the victim to include date of birth, social security number, driver's license number, other photo identification, current and most recent prior addresses, and telephone numbers.
- C. If the victim or reporting person has completed a PD 417:
- 1. Verify the information contained within the report, and
  - 2. Provide the PD 417 to Records or the Financial Crimes Unit.
- D. Document the nature of the fraud or other crime committed in the victim's name.
- E. Determine what types of personal identifying information may have been used to commit these crimes (e.g., social security number, driver's license number, birth certificate, complete credit card numbers) and whether any of these have been lost, stolen or potentially misappropriated.
- F. Document any information concerning where the crime took place, the financial institutions or related companies involved, and the residence or whereabouts of the victim at the time of these events.
- G. Determine whether the victim authorized anyone to use his or her name or other personal information.
- H. Determine whether or not the victim has knowledge or belief a specific person has used his or her identity to commit fraud or other crimes.
- I. Determine whether or not the victim is willing to assist in the prosecution of any suspect identified as involved in the crime.
- J. Determine if the victim has filed a report of the crime with another law enforcement agency, and whether or not such agency provided the victim with a report number.
- K. Record or document the crime, the fraudulent documents or information used, and the manner in which the victim's identifying information was obtained.
- L. Forward the report, through the chain of command, to the Financial Crimes Unit for investigative follow-up, or promptly disseminate to intelligence agencies and federal agencies if it appears to have national security implications.

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### II. ASSISTING VICTIMS WITH IDENTITY THEFT

Officers taking reports of identity theft should take those steps reasonably necessary to assist victims resolve their problem. Officers should provide victims of identity theft an identity theft pamphlet (PD 376). Officers should encourage victims to:

- A. Contact the FTC (1-877-IDTHEFT) which acts as the nation's clearinghouse for information related to identity theft crimes.
- B. Cancel each credit and charge card and request new cards with new account numbers.
- C. Request copies of their credit report by contacting the fraud departments of the three major credit reporting agencies [Equifax (1-800-525-6285), Experian (1-888-397-3742) and TransUnion (1-800-680-7289)].
- D. If bank accounts are involved, report the loss to each financial institution, cancel existing accounts and open new ones with new account numbers. If deemed necessary, place stop payments on outstanding checks and contact creditors to explain.
- E. If a driver's license is involved, contact the victim's state motor vehicle department. If the driver's license uses the social security number, request a new driver's license number. In such cases, also check with the Social Security Administration to determine the accuracy and integrity of your account.
- F. Change the locks on their house and cars if there is any indication these have been copied or otherwise compromised.

### III. DOCUMENTING FORGERY/FRAUD CASES

The following information shall be collected or documented for initial forgery or fraud reports:

- A. Establish and document the proper jurisdiction for the crime. A check returned to a bank inside the city limits does not, necessarily, mean the actual crime occurred there. Determine where the check was presented and the fraudulent transaction took place. If the business is in the county or another jurisdiction, refer the complaint to the Leon County Sheriff's Office or the appropriate law enforcement agency.
- B. Document the account holder's name, address, and telephone number.

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- C. Document the name of the proper victim (e.g., if Publix absorbs the loss, that corporation will be the victim, not the account holder).
- D. Document the name of the clerk who conducted the fraudulent transaction. If they are on scene interview them and obtain a sworn written statement.
- E. Document the name of any potential suspect.
- F. Document the normal check or credit card transaction approval procedures. If a manager or head teller also has to approve the check, personally contact that employee.
- G. Collect and impound any Affidavit of Forgery as evidence.
- H. List each check or receipt as a separate exhibit in the offense report and on the property receipt. Information about the checks shall include:
  - 1. Check number
  - 2. Name of the bank
  - 3. Account number
  - 4. Amount
  - 5. Payee
- I. Collect the check or forged receipt, handling it as little as possible. The check or forged receipt shall be impounded as evidence. The officer should not submit a completed Request for Analysis form. The investigator assigned to the case will make that request when needed.
- J. Obtain any video or photographs per General Order 19.
- K. Document the name, address, and telephone numbers of all individuals involved even if they are not on scene.
- L. Document the incident in detail by the time of event. Include exactly what each witness can testify to.
- M. Contact the account holder to determine how the checks or credit cards were stolen. If a report has been filed with another law enforcement agency, obtain that case number if available.

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### **IV. WORTHLESS CHECKS**

Offense reports should not be completed for worthless checks (insufficient funds) unless they appear to be part of an overall scheme to defraud. The merchant should report these checks directly to the Office of the State Attorney.

### **V. COMMUNITY AWARENESS AND PREVENTION**

Where reasonable and appropriate, officers shall provide the public with information on the prevention of identity crime. This may be accomplished through public education/information forums, community crime prevention and awareness presentations, or similar speaking or information-dissemination efforts.

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