

TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



TITLE: Identity Crimes		NUMBER: 640B
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New X Amends Rescinds	Dated September 28, 2007	
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01 Purpose: The purpose of this General Order is to provide department personnel with protocols for accepting, recording, investigating and deterring identity theft crimes.

02 Policy: Identity crime costs businesses, end consumers, and individuals billions of dollars. Significant credit problems and financial loss often affect a victim for years. Identity crime also has been directly linked to terrorist activities in funding operations and obtaining documentation for illegal purposes. Therefore, it is the policy of the department to take measures necessary to record criminal complaints, assist victims in contacting other relevant investigative and consumer protection agencies, and work with federal, state, and other local law enforcement and reporting agencies to identify and deter perpetrators.

03 Definitions: Identity theft is the wrongful use of another person’s identifying information - such as personal identifiers (name, date of birth, address, mother’s maiden name, etc.) and/or credit card, social security or driver’s license numbers - to commit financial or other crimes. Generally, identity theft is a means for committing other offenses, such as fraudulently obtaining financial credit or loans.

04 Statutory Mandate: The Annotated Code of Maryland, Criminal Law Article, §8-304 relates:

A. A person who knows or reasonably suspects that the person is a victim of identity fraud may contact a local law enforcement agency that has jurisdiction over:

1. any part of the county in which the person lives; or
2. any part of the county in which the crime occurred.

B. After being contacted by said person, the local law enforcement agency shall promptly:

1. prepare and file a report of the alleged identity fraud; and
2. provide a copy of the report to the victim.

C. The local law enforcement agency contacted by the victim may subsequently refer the matter to a law enforcement agency with proper jurisdiction.

05 Procedures:

A. Taking Crime Reports: When taking a crime report officers shall:

1. Record the crime on a Takoma Park Police Department Incident - Offense Report. The report should contain a clear narrative documenting the criminal acts.

2. Obtain or verify, as appropriate, identifying information of the victim, to include date of birth, social security number, driver's license number, current and most recent prior addresses and telephone numbers.

3. Document the nature of the fraud or other crime committed in the victim's name.

4. Determine what types of personal identifying information may have been used to commit the crime(s) (i.e., social security number, driver's license number, birth certificate, credit card numbers and state of issuance, etc.).

5. Document any information concerning where the crime took place, the financial institution or related companies involved, and the residence or whereabouts of the victim when the events occurred.

6. Determine if the victim authorized anyone to use his/her name or personal identifying information.

7. Determine if the victim is willing to assist in the prosecution of suspect(s) identified in the crime.

8. Determine if the victim has filed a report of the crime with allied law enforcement agencies and whether any such agency provided the complainant with a case number.

9. Collect any documents the complainant has showing the identity theft criminal activity.

10. Have Victim/Witness Services Coordinator provide and review with complainant/victim copies of the following online documents:

* U.S. Department of Justice (USDOJ) Fraud Section's report on Identity Theft and Identity Fraud, specifically the recommended actions under the section captioned "What Should I Do If I've Become

A Victim Of Identity Theft?" (www.usdoj.gov/criminal/fraud)

- Social Security Administration report "Identity Theft And Your Social Security Number", specifically the recommended actions under the section captioned "What if I think someone is using my number and creating credit problems for me?" (www.socialsecurity.gov)

B. At the point whereby Administrative Services staff processes the report for department records, they will automatically produce a copy and mail it cost-free to the victim.

C. Report Routing: After a report has been endorsed through the chain-of-command, it will be reviewed and compared to the standard solvability formula. Follow-up investigations may be forwarded to a detective or an allied agency.

D. NCIC Entry: When an identity theft case is forwarded to the Criminal Investigations Section for follow-up, it is the responsibility of the investigating detective to offer the victim an opportunity to read and sign the Identity Theft File Consent Document form. If and when the victim completes the Identity Theft File Consent Document form, it is the responsibility of the investigating detective to ensure the form is faxed to the Maryland State Police (MSP) Department. Detectives should contact the MSP at 410-653-4210 to obtain the appropriate fax number.

E. Providing Public Information On Prevention of Identity Crime: The department has available, and routinely distributes at community events and upon request, the pamphlet "Identity Theft", which contains applicable crime prevention tips from the National Crime Prevention Council and the Maryland Community Crime Prevention Institute.