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Initial Process for Identifying Purposes

When taking a report and making a determination between victims and involved parties, if the person or entity is at a loss or there was a potential for loss the officer should list the party as a victim. This will usually include the account holder, cardholder, merchant, business and/or financial institution. If a person who is employed by a business, merchant or financial institution and took the forged or stolen documents from the suspect or witnessed the fraud take place, they should be marked as a witness.

Forged Checks

Upon an arrest being made for check forgery, an affidavit must be obtained from the person who accepted the check and the account holder. The affidavit, or the report, if not making an arrest, should include identifying information but also needs to include;

- A. The account name,
- B. The account number,
- C. The check number to whom the check is made payable, and
- D. The amount.

The check should be seized as evidence and preserved for prints. If possible, obtain a picture of the front and the back of the check and determine if there is any potential for video surveillance to be obtained during the initial investigation or by an investigator.

If you are able to determine the age of the victim, the charge can be enhanced to the next highest degree if the victim is 65 years of age or older.

List the name of the suspect, if available, in the CAD comments for investigative purposes in the future.

Forgery of Money/ Counterfeit Money

The responding officer should first determine if the money is counterfeit or just deceptive money. **Deceptive money** includes any money that has obvious markings such as:

- A. Chinese symbols,
- B. Movie prop markings,
- C. Fake money markings, or
- D. Other distinguishable marks apparently visible on the bill.

A report may be taken for theft under *Theft by Deceptive Copy Money*.



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For normal Counterfeit Money, the charge is *Forgery of Currency*, a 3rd Degree Felony. Document the serial numbers of the bills in your narrative and take photographs of the forged currency. Consider preserving the counterfeit money for prints if applicable. If the suspect is contacted the on call fraud detective should be notified. List the suspect name and forged serial number in the CAD comments for future investigations.

Theft by Deceptive Copy Money

For reported Class C Deceptive Money reports, no report will be taken unless a suspect is identified, there is legitimate information to follow up with identifying the suspect or the offense would be a class B or higher.

If no suspect is identified, make a log entry and book the fake money in for destruction. Proving the intent to deprive another of property is important with this offense. Proving the suspect knew the money was fake is needed for prosecution purposes.

The appropriate charge will be based on the total value of the purchase and the change given to the suspect based on the theft ladder amounts. If there is any confusion, call the on call Fraud detective for assistance.


Credit/ Debit Card Abuse

For case report purposes, anyone who is at a loss or had the potential for loss should be listed as a victim. The cardholder and the card provider should be listed as victims. The merchant can also be listed as a victim, provided they have sustained a loss. The person who accepted the card (store clerk, bank teller, etc.) should be listed as a witness.

In cases where the victim is in possession of their own credit or debit card and are reporting it was fraudulently used (i.e. a cloned card) refer to *ID Theft*.

Gas Pump Skimmers Fraudulent Use or Possession of Credit/Debit Card Information

Reports of suspicious items at gas pumps or ATM teller machines could indicate a card skimmer. A skimmer is a device that is secreted into the machine in order to steal card information to be physically retrieved later or sent over wireless networks. Upon arrival on scene, make the initial contact with the reporting party, contact the on call Fraud Detective for instructions on evidence collection and how to proceed with the rest of the case.

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Other violations of this law may include when someone is in possession of a card number and an expiration date written down on a piece of paper or in a phone without the effective consent of the owner, or they are in possession of a large amount of cards with numbers. If you are unable to contact a victim to determine consent of the account holder, it is presumed there is no consent if the person possesses **five** or more of the above described account numbers. Less than five items possessed or used starts this offense at a state jail felony and increases based on the amount of items possessed.

The Fraud Division has the ability to read cards and determine if the information contained therein is fraudulent, falsified or suspicious. Doing so is considered a search and thus should be handled in accordance with other searches set forth by law and policy.


Hindering Secured Creditor

The desk officer should take reports during normal business hours. Banks and credit unions typically produce these reports and understand what documentation is needed when making a report. An offense occurs when someone has destroyed, removed, concealed, encumbered, harmed or reduced in value an item on loan or leased to them. If any of the following documents are not presented no report will be taken:

- A. Copy of Lease or Purchase Agreement.
- B. Copy of 10 Day Demand Letter.
- C. Copy of Certified Delivery or Return of Certified Delivery.
- D. Statement from the bank advising what steps were taken to recover the property.

Issuance of Bad Check or Similar Sight Order

Commonly referred to as "Hot Checks", these cases are handled by the Taylor County District Attorney's Hot Check Division. They are located at 300 Oak Street on the second floor. Citizens wishing to make hot check reports should be referred to that division. The link to their website is <http://www.TaylorCounty-DistrictAttorney-CheckFraud-HotCheck>.

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Fraudulent Use or Possession of Identifying Information

For reporting purposes, the person whose identifying information was stolen should be listed as the victim. Where the identifying information was used (business, bank, or credit card company) should be listed as an involved party. Presumption to fraudulently using identifying information is assumed when the suspect is in possession of **three** or more pieces of information without reasonable explanation of why they have the information. Common pieces of identifying information can include.

- A. Name AND date of birth together
- B. A person's fingerprint
- C. Credit/ debit card number, address, routing number or financial institution account number
- D. Social Security or other government-issued ID number

If the victim lives in Abilene or the suspected activity occurred in Abilene complete a report. If neither the victim nor the suspected activity occurred in Abilene, refer the reporting party to their local jurisdiction to complete a report.

Exploitation of Elderly 65 or older, Disabled or Child under 14 YOA

A report should be completed any time an offense is alleged. This offense occurs when the victim suffered financial loss as a result of someone using his or her disability or age to gain monetary or personal benefit, profit or gain. There must be a loss for there to be an offense.

Notification should be made to Adult Protective services by calling (800) 252-5400 or online at <https://www.txabusehotline.org/Login/Default.aspx>

Include in your report the intake specialist's number and their reference number in your report. If made online you will include the reference number only.

Online/Facebook/Craigslist/Confidence Scams

These reports are usually documented as ID Theft or Thefts depending on the circumstances. If an offense occurs as it relates to an online fraud through Craigslist, Cash App, and Facebook, dating websites or other applications and there is no known local suspect, the victim should be encouraged to make a report at www.ic3.gov and or identitytheft.gov. If the offense includes counterfeit checks received in the mail, the victim will file a report with the FBI at www.ic3.gov and should be directed to reconcile their account with the bank.

If the Theft is in reference to an IRS Tax Return, the victim should be referred to the IRS office or provided a false tax return form at the DDO.