00-001 Identity Theft Procedures

Los Angeles County Sheriff's Department

FIELD OPERATIONS DIRECTIVE

Field Operations Support Services

IDENTITY THEFT PROCEDURES

PURPOSE

The purpose of this Directive is to provide additional procedures for Sheriff's personnel when investigating and processing identity theft crime reports.

BACKGROUND

Penal Code Section 530.5 provides that every person who willfully obtains personal identifying information of another person without the authorization of that person and uses that information for any unlawful purpose, including to obtain, or attempt to obtain, credit, goods, services, or medical information in the name of the other person without the consent of that person, is guilty of a public offense (misdemeanor or felony).

Personal identifying information, as used in this section, means the name, address, telephone number, Driver License number, social security number, place of employment, employee identification number, mother's maiden name, demand deposit account number, savings account number, or credit card number of an individual person.

Currently, some identity theft cases are investigated by Sheriff's station detectives while others are assigned to the Forgery/Fraud Detail. Many of these cases are reported as grand thefts or under other statistical codes. As a result, it is difficult to assess the true number of cases reported to the Department.

DEPUTY RESPONSIBILITIES

When presented with the crime of identity theft, deputies shall take an incident report listing "Identity Theft, 530.5 PC" on the Classification Line for victims that reside in, or when the crime occurs within the Department's jurisdiction. While the Department may investigate the 530.5 PC violation, this does not necessarily mean that it will handle the entire case. If the suspect(s) are committing other crimes in the name of the victim in other jurisdictions, those respective law enforcement agencies may also investigate the separate offenses.

For example, a victim resides in Century Station's area and discovers that someone has used their personal identifying information to apply for a credit card and the card was delivered to an address in Beverly Hills. The card is subsequently used to make purchases in Beverly Hills.

In this scenario, the Sheriff's Department (Century Station) would write an incident report documenting the crime. The report would also be a "Courtesy" report for violation of Penal Code Section 484g (Using Access Card Obtained Without Consent of Cardholder or Issuer) and a special request distribution (SRD) to the Beverly Hills Police Department would take place.

A 530.5 PC report should contain at least one incident of fraudulent activity (e.g., Visa Card account number 1234 5678 9012 3456 applied for in the victim's name, and the victim said they never applied for such card).

Deputies shall advise the victim to call the three credit bureaus (Transunion [800] 916- 6800, Equifax [800] 203-7843, and Experian [888] 397-3742) and have a "Fraud Alert" placed on their account. This alert usually lasts for 90 days unless accompanied by a copy of a police report. The incident report shall reference this notification.

Deputies shall also tell the victim they are entitled to a free copy of their credit report from all three bureaus if they are a victim of fraud. They should examine each report as some activity may show on one report and not the other. Different credit bureaus occasionally receive reports from different sources.

If the victim has made reports to other agencies (e.g., United States Secret Service, United States Postal Service, California Department of Motor Vehicles, other law enforcement agencies, etc.), those reports shall be referenced in the Department Incident (first) Report.

Deputies shall issue the victim a copy of the Department's *Victim's Guide to Identity Theft* and reference it in the first report. Copies of the guide can be obtained from the Sheriff's Intranet Data Network. For further information click on the following hyperlinks:

"*Victim's Guide to Identity Theft*"

"*Victim's Guide to Fraud*"

WATCH SERGEANT/FIELD SUPERVISOR RESPONSIBILITIES

All approved incident reports, which contain the elements of identity theft and are assignable to station detectives per the Case Assignment and Reporting Manual, shall have a Special Request Distribution (SRD) to Commercial Crimes Bureau, Forgery/Fraud Detail. All other forgery/fraud types of crimes shall be assigned and distributed as delineated in the Case Assignment and Reporting Manual.

STATION DETECTIVE BUREAU RESPONSIBILITIES

If an approved incident report is assigned to station detectives (e.g., a suspicious circumstances report) and later found to contain the elements of identity theft, the station detective bureau shall ensure the Los Angeles Regional Crime Information System (LARCIS) is updated to reflect this. Additionally, if the case remains assigned to station detectives, the Investigating Officer (IO) shall SRD a copy of the report to the Forgery/Fraud Detail.

If, after the preliminary investigation by the IO, a case appears to contain the elements of crimes assignable to the Forgery/Fraud Detail, the IO may refer it there for handle.

Questions may be directed to the Forgery/Fraud Detail at [REDACTED TEXT] or Field Operations Support Services at [REDACTED TEXT]