

# Fraud and Forgery

Facilitator Guide

## Session Overview

Introduction and Learning Objectives	05m
<b>INDIVIDUAL EXERCISE</b> – Fraud Questionnaire	45m
<b>Break</b>	<b>10m</b>
Review Worksheet Answers	30m
Discussion – Q & A and Wrap-up	20m
<b>End of Session / Break</b>	<b>10m</b>

### Learning Objectives:

- Differentiate between the different types of fraud and provide examples of each
- Differentiate between the different types of forgeries and provide examples of each
- Differentiate between the crimes of theft and identity theft
- Given specific facts and using the RCWs, determine which crimes have occurred and identify the key elements and definitions

*Total Session Time: 2 hours*

### **Main Topics of Session:**

- *Fraud in general*
- *Criminal Law:*
  - *Theft*
  - *ID Theft*
  - *Criminal Impersonation*
  - *Money laundering*
  - *Forgery*

### **Facilitators Needed: 1(CL)**

### **Location: Classroom**

### **Materials Needed:**

- *PowerPoint - Fraud and Forgery*
- *HANDOUT[p] - Fraud Exercise Questionnaire*
- *HANDOUT[p] - ANSWER KEY - Fraud Exercise Questionnaire*

### **Students Should Already Have:**

- *Pocket Press Books*  
*[THUMB DRIVE]*
- *Criminal Law Student Resource Guide*



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## DISCUSSION - Intro

**QTC:** What is fraud?

**AR:** According to the American Heritage Dictionary - fraud is:

A deception deliberately practiced in order to secure unfair or unlawful gain; an act of trickery, a trick. Someone is a fraud if: they defraud or cheat someone - or is someone who assumes a false pose, an impostor.

**QTC:** What are the different types of fraud?

**AR:** Forgery, criminal impersonation, false certification, false representation, swindles, retain fraud, credit card fraud, and identify theft.



## **STUDY MATERIAL** - HANDOUT[p] - Fraud Exercise Questionnaire

**Instructions:** Work together with your squad to complete this questionnaire. You have the remainder of the first hour to complete it.



## BREAK



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## NOTE TO FACILITATOR

Use the remaining hours to review the worksheet with the class and cover the crimes listed on the face sheet of this document. Have the students refer to the Criminal Law Student Resource Guide book.

After the allotted time limit, lead recruits through a discussion regarding each scenario and discuss the responses with the class. Challenge them through questioning to ensure that they understand the criminal activities that are going on in each problem. Use the follow-up questions in the answer key to elicit additional discussion as time allows.

At the end of this exercise, the recruits should have a thorough understanding of the following RCW's and their key definitions, key elements, and type of crimes:

- RCW 9A.56 - Definitions and degrees of Theft
- RCW 9A.56-060 - Unlawful Issuance of Checks or Drafts,
- RCW 9A. 56.320 - Financial Fraud
- RCW 9A.56.330 - Possession of Another's Identification
- RCW 9A.60.010 - Definition of Fraud
- RCW 9A.60.020 - Forgery
- RCW 9A.60.030 - Obtaining a Signature by Deception or Duress
- RCW 9A.60.040 and 045 - Criminal Impersonation
- RCW 9A.83.020 - Money Laundering
- RCW 9.35.020 - Identity Theft



## DISCUSSION - Forgery

**QTC:** What is forgery?

**AR:** RCW 9A.60.020 defines forgery as an act, with the intent to injure or defraud, by falsely making, completing or altering a written instrument, or by possessing, uttering, offering disposing of, or putting off as true a written instrument which an individual knows to be forged.

**QTC:** What are the different types of forgeries?

**AR:** Manufacturing of checks/and or a fake signature, passing altered check, kiting checks, and account fraud.



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### QTC: What is the difference between a forgery and a theft?

AR: A forgery is the changing or altering of a document. A theft is the unauthorized taking of control over property or services of something of value with the intent to deprive the owner of that property. Documents or services that are forged have been altered, changed or completed. Theft is taking something of value that belongs to someone else.

RCW 9A.56.101 defines theft as:

To wrongfully obtain or exert unauthorized control over the property or services of another or the value thereof, with intent to deprive him or her of such property or services; or

By color or aid of deception to obtain control over the property or services of another or the value thereof, with intent to deprive him or her of such property or services; or

To appropriate lost or miss-delivered property or services of another, or the value thereof, with intent to deprive him or her of such property or services.

### QTC: How is identify theft different from theft?

AR: Theft is the taking of property or services of value and Identify Theft is the possession, use or transfer of identification or financial information of another person, living or dead and using that information with the intent of aiding or abetting any crime. Having the information of someone else alone, does not constitute identify theft, the intent to use the information to aid or abet a crime is what constitutes identify theft.



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**QTC: What is money laundering?**

AR: The short answer is: Money laundering is an attempt to hide financial transactions or resources of unlawful activities.

The RCW goes on to articulate Money laundering as: when a person conducts or attempts to conduct a financial transaction involving the proceeds of specified unlawful activity and:

Knows the property is proceeds of specified unlawful activity; or

Knows that the transaction is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds, and acts recklessly as to whether the property is proceeds of specified unlawful activity; or

Knows that the transaction is designed in whole or in part to avoid a transaction reporting requirement under federal law.

**QTC: What are some examples of money laundering?**

AR: Using a legitimate business to pass "dirty money" through. For example, a dry cleaning operation can be used as a legitimate business when in fact it is a front for drug dealing. The money made through the sale of the drugs is deposited into the bank account, in small amounts for the dry cleaner. Because any deposit over \$10,000 is reported to the Federal Government, money laundering often operates in small "deposits" through which the funds can be passed and go unnoticed by a bank or the Federal Government.

Another method of laundering money is to make legitimate purchases of products and then resell those products. The process of "cleaning" the funds through the purchase of legitimate products launders the funds.

**STUDY****STUDY MATERIAL - HANDOUT[p] - ANSWER KEY - Fraud Exercise Questionnaire**

NTF: After the class discussion on the answers, distribute this handout.



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## SAY TO CLASS

### Review Learning Objectives

1. What is fraud? What are the different types of fraud?
2. What is forgery? What are the different types of forgery?
3. What is money laundering? What are some examples of money laundering?

In this session through research and exercises on fraud and related offenses, you have learned how to appropriately apply these offenses to crimes where financial deceptions are involved. In the next session, you will learn about computer crimes.

- Fraud's a category of crime
- Forgery is a specific Crime
- Within a "fraud" situation, you have many crimes
- Next up: computer crimes



## JOURNAL ENTRY

Time: 3 min

Instructions: Take out your learning journals and take three minutes to jot down your observations about yourself, new insights, key learning, and any lingering questions you may still have.



## END OF SESSION

