

Caitlin Hartford

From: John DeRousse
Sent: Wednesday, February 10, 2010 8:22 AM
To: Janelle Lyman; Caitlin Hartford
Subject: FW: Procedure Manual Typo

It's in Chapter 3.12 and is actually page 54 of 337 at the bottom of the page.

From: Janelle Lyman
Sent: Wednesday, February 10, 2010 7:12 AM
To: John DeRousse
Subject: RE: Procedure Manual Typo

Caitlin now does all the updates for the manuals and SOP's. I'll forward this on to her. Do you know what Chapter this is? Page 53 isn't necessarily page 53 in the working copy.

Janelle

From: John DeRousse
Sent: Tuesday, February 09, 2010 4:45 PM
To: Janelle Lyman
Subject: Procedure Manual Typo

At the bottom of page 53 is the following paragraph. The red insert is a correction that needs to be made when possible.

"A Case Activation checkbox will be added to the Detective Division Case Checklist that accompanies all detective case files. This box will be checked only after a suspect has been run through both the WSIN and LinX databases and an"

updated + uploaded
5/3/10

-john

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4

Section 3 CHECKLIST

Adult Protective Services Complaint	
Intake Procedure	3.0
Aircraft Accidents	3.01
Alarms	3.02
Ani-Ali (911 Hang-up)	3.03
Animal Control	3.04
SEVERAL SECTIONS REMOVED TO SAVE PAPER	
Discharge of Firearm by Officer:	
No Death or Injury	3.26
DUI Investigation / Alcohol and Drug	
Impaired Traffic Offenders	3.27
Fire Response	3.28
Fireworks Disposal	3.29
Forgeries	3.30
Fugitive from Justice	3.31
Harbor Patrol Unit	3.32
Hazardous Materials	3.33
Hazardous Material Incidents	3.34
Hazardous Road Conditions	3.35
Hostage/ Barricaded Subject	3.36
Identity Theft/Identity Theft	3.37
Password Requirements & Procedure	
Intra-Department Communication	3.38
K9 Applications	3.39

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3.37 IDENTITY THEFT & IDENTITY THEFT VICTM'S NCIC PASSWORD FILE

IDENTITY THEFT

Identity Theft is the use of, or the intended use of a person's identifiers and/or financial information with intent to commit a crime. Any officer who responds to an Identity Theft incident that occurred in Everett or where the victim (person or business) resides in Everett will complete a police incident report entitled, "Identity Theft." The mere theft of an individual's personal identifiers or financial information (example -- theft of a wallet or purse) is not Identity Theft. These reports should be titled as Theft, Burglary, Robbery, etc.

Officers are not to utilize a matter of record report form for any Identity Theft crime reports.

IDENTITY THEFT REPORT REQUIREMENTS:

- A person/business who believes that his/her financial information or means of identification has been illegally obtained, used, or disclosed to another to commit, aid or abet a crime, may file an incident report with law enforcement either in the jurisdiction where the person/business resides or in the jurisdiction where the crime occurred
- Law enforcement must create the report and provide the victim with a copy
- Law enforcement agency may refer the completed report to another agency
- Law enforcement agency is not required to assign the completed report for follow-up investigation

Taking a report is mandatory when the victim lives in Everett or when the crime occurred in Everett. For purpose of Identity Theft, the victim can be a person (living or deceased) or place of business, depending on who owns the identification or financial information used. If the victim requests a copy of the police report, he or she should be directed to the Records/Public Disclosure Unit. The Records/Public Disclosure Unit will prioritize Identity Theft victim public records requests.

Although taking a report is mandatory as described above, normal police department protocols will determine whether or not the matter is assigned to a detective for follow-up investigation.

CHECKLIST:

Create an incident report or follow-up report as noted below:

- If Identity Theft report already on file: Document the new identity theft information in a follow-up report to the original Identity Theft report

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- If no Identity Theft report is on file: Draw a new case number and initiate an Identity Theft report

- Obtain the victim's statement.
- Make sure account numbers are noted on victim statements or bank records.
- Obtain documentation on how and where victim's identity and/or financial information was used.
- Obtain statements from bank tellers and other witnesses if possible.
- Obtain related bank information and/or other financial documentation.
- Attempt to secure any other related evidence, i.e. video surveillance tapes from banks, stores or other retail outlets.
- Recommend that the victim close any accounts that have been tampered with.
- Provide handouts on Identity Theft referring the victim to the three nationwide consumer reporting companies for a fraud alert and/or credit freeze.
 - Equifax
 - Experian
 - TransUnion
- Direct the victim to the Records/Public Disclosure Unit for assistance if he/she requests a copy of the incident report.

IDENTITY THEFT VICTIM'S NCIC PASSWORD FILE – VICTIM REQUIREMENTS:

The National Crime Information Center (NCIC) Identity Theft File is a means for law enforcement to "flag" stolen identities so that imposters can be identified when they are encountered by law enforcement. In order for a victim to qualify for entry into the NCIC Identity Theft File, a report taken by a law enforcement agency must meet the following three criteria:

1. Someone is using a means of identification belonging to the victim;
2. The identity of the victim is being used without the victim's permission; and
3. The victim's identity is being used or intended to be used to commit an unlawful activity

Further, in order for the Everett Police Department to enter a password into NCIC for a victim, the victim must meet the following criteria:

1. Filed an Identity Theft report with the Everett Police Department. *Only the agency that takes the identity theft complaint may make an NCIC identity theft entry.*
2. Signed an Identity Theft File Consent Document (located in Records)
3. Photo ID

If a victim meets all of the above criteria, they may be directed to the Everett Police Records Unit for assistance. A victim will need to complete an Identity Theft File Packet (located in the Records Unit). Upon completion of the packet, the Records Unit will enter the information into NCIC. After this entry has been made, the Records Unit will forward a copy of the ID Theft File entry to the Financial Crimes Unit for review. If the Financial Crimes Unit determines that the case is not actually an identity theft, they will notify the Records Unit and the entry will be removed from NCIC.

IDENTITY THEFT VICTIM'S NCIC PASSWORD FILE – PATROL PROCEDURE:

While in the field, officers conducting records checks on individuals may receive an Identity Theft Person "hit." Officers receiving these hits should do the following:

CHECKLIST:

- Recontact the subject and ask him or her for their password
- If the subject recites the password as identified in the NCIC hit, then proceed with the original contact as usual
- If the subject is unable to recite a password, then the officer may detain that subject for a reasonable amount of time in order to attempt to confirm that person's identity. This may involve asking the subject other questions such as their last known address, age, arrest history, social security number, tattoos, etc. The officer may obtain a photograph of the person or attempt to contact other subjects who may be able to verify the subject's identity
- If the subject recites an incorrect password, the officer should take all reasonable steps to identify the subject they are detaining. This includes attempting to contact the original identity theft victim or anyone else who may be able to identify the identity theft victim or the subject being detained
- Officers may not arrest a subject based solely upon the fact that the subject in question cannot provide a password or if he or she provides an incorrect password. Officers must establish probable cause for a crime in order to arrest (i.e. Identity Theft, Obstructing, etc.)



- Officers will not broadcast passwords over the radio and should not allow anyone the opportunity to view the password information displayed on an in-car computer terminal from the back seat or from outside of the police vehicle
- See EPD Policy 9.25 Identity Theft Victim's File/Password for further reference

