



## PATROL GUIDE

Section: Complaints

Procedure No: 207-34

### COMPLAINTS INVOLVING IDENTITY THEFT

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#### PURPOSE

To outline the duties and responsibilities of a member of the service when made aware of a complaint involving Identity Theft.

#### DEFINITION

A person is guilty of Identity Theft when he or she knowingly and with intent to defraud assumes the identity of another person by presenting himself or herself as that other person, or by acting as that other person or by using personal identifying information of that other person and thereby: obtains goods, money, property or services or uses credit in the name of such other person or causes financial loss to such person or to another person (NYS Penal Law 190.77-190.80).

#### SCOPE

Complaints involving Identity Theft can be complex in nature stemming from a myriad of variables and permutations. The member of the service encountering such a complaint must realize the possibility that such a complaint can potentially encompass numerous crimes. As a result, the **Crime Complaint Reporting System Reference Guide (Rev. 6/11)** will be used to classify Identity Theft related crimes. Significant clarifications and changes have been made to the **Crime Complaint Reporting System Reference Guide** to instruct the member of the service in the proper classification of Identity Theft related crimes. It must be noted that the "Seven Major Felony Rule" *P.G. 207-01, "Complaint Reporting System"* will still be applicable.

#### PROCEDURE

When a member of the service is made aware of a complaint involving Identity Theft:

#### MEMBER OF THE SERVICE

1. Determine whether the complainant is a victim of Identity Theft.
2. Ascertain where the complainant/victim resides (i.e., inside or outside NYC).
3. Instruct and assist the complainant/victim in preparing pages 1 and 2 of the **COMPLAINANT'S REPORT OF LOST OR STOLEN PROPERTY/IDENTITY THEFT (PD313-1516)** if the complaint meets the criteria outlined in the **Crime Complaint Reporting System Reference Guide**.
  - a. Ensure complainant signs **BOTH** waivers on pages 1 and 2.
  - b. If necessary, assist complainant in contacting credit card issuer for required information (e.g. address where card was sent etc.)

#### NOTE

*A refusal by the complainant/victim to prepare or sign the **COMPLAINANT'S REPORT OF LOST OR STOLEN PROPERTY/IDENTITY THEFT** form does not preclude the requirement to prepare a **COMPLAINT REPORT**. Any refusal by the complainant to prepare or sign a **COMPLAINANT'S REPORT OF LOST OR STOLEN PROPERTY/IDENTITY THEFT** form will be noted in the details section of the **COMPLAINT REPORT**.*

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