


AURORA POLICE DEPARTMENT DIRECTIVES MANUAL

08.23	Title: FRAUD, IDENTITY THEFT AND CHECK CASES	
	Approved By: Nick Metz, Chief of Police	
	Effective: 09/01/1998	Revised: 04/05/2017
	Associated Policy:	
	References: ACC 94-76 CRS 18-5-102 CRS 18-5-104	
Review: Major Investigations Section Lieutenant		Page 1 of 3

8.23 FRAUD AND CHECK CASES

8.23.1 Fraud Cases

The Aurora Police Department Economic Crimes Unit will investigate the following types of crimes:

- a) Forgery - cases where a check(s) is falsely made or completed. Such cases include forged signatures, altered information, counterfeit checks and other circumstances as found in CRS 18-5-102 and CRS 18-5-104.
- b) Account Closed and Insufficient Funds Checks - per policy (March 31, 1994), the Aurora Police Economic Crimes Unit does not investigate insufficient funds (NSF) or closed account checks. The unit may investigate NSF cases where kiting is indicated.
- c) Identity Theft –a crime in which someone possesses another individual’s personal or financial information and uses that information in a fraudulent or deceptive manner for economic/personal gain. Identity theft is defined in CRS 18-5-902.
- d) Prescription Fraud –a crime in which someone obtains a prescribed medication by fraud or deceit. Obtaining a controlled substance is a felony as defined in CRS 18-18-415.
- e) Check Kiting – commonly defined as intentionally writing a check for a value greater than the account balance from an account in one bank, then writing a check from another account in another bank, also with non-sufficient funds, with the second check serving to cover the non-existent funds from the first account. The purpose of check kiting is to falsely inflate the balance of a checking account in order to allow written checks to clear that would otherwise bounce. These cases will be reviewed on an individual basis by the Economic Crimes Unit for determination as to further investigation.

8.23.2 Patrol Officer Responsibility - Fraud Cases

Officers will respond to investigate a call involving fraud. Officers will conduct a full preliminary investigation similar to any other crime. The preliminary investigation should include:

- a) Offense Report
- b) Interviews
- c) Collection of evidence to include original documents and handwriting exemplars. Copies of documents will be submitted to Records to be scanned into the Records Management System under the case report number of the general offense report.
- d) Arrest of suspect(s) on probable cause
- e) Criminal histories and records checks

Suspects in these cases will be jailed if a positive identification of the suspect cannot be determined by the arresting officer. These individuals should be held for bond and the Economic Crimes Unit notified of their incarceration.

In cases that involve identity theft, a report should always be completed when the victim is a resident of the City of Aurora, even if the criminal activity occurred outside the jurisdiction of the city.

Victims of identity theft can be referred to the Aurora Police Department Web page for additional information and resources for assistance at:

http://www.auroragov.org/residents/public_safety/police/make_an_online_report/

8.23.3 Patrol Officer Responsibility - Accounts Closed and Check Kiting Cases

Officers assigned to investigate a call involving account closed or check kiting cases should conduct the following investigation:

- a) Inform the citizen of the city policy regarding NSF/Closed account checks (may be found on the APD online reporting website.)

- b) If there is evidence of check kiting, complete a thorough preliminary investigation, collect all documentation for scanning and deposit into the Property and Evidence section, and forward the report to ECU.
- c) If the elements of Aurora Municipal Code 94-76 Fraud by Check are met and it is appropriate for the situation, the officer may issue a summons.

8.23.4 Fraud Reporting

A citizen who does not have access to the internet may respond to the front desk and complete a kiosk report of a fraud as defined in CRS 18-5-902 (Identity Theft), provided it meets the criteria for online fraud reporting which is found on the Aurora Police Department's online reporting system. This report is also available online to citizens with internet access. A Front Desk Technician will assist the citizen who is experiencing difficulty with the computer data entry required for the report.

The Fraud Unit Administrative Assistant will be responsible for monitoring, approval and transcribing the fraud reporting queue. Within five days of report initiation, the Administrative Assistant will assign a case report number. The Fraud Unit Administrative Assistant will complete direct entry into the RMS. The Fraud Unit Sergeant or designee will oversee case assignment as necessary.

Once the case report number is assigned, the Fraud Unit Administrative Assistant will notify the reporting citizens of the case completion via e-mail.

8.23.5 Fraud Report Intake Officer

Reports of fraud or identity theft that have identified suspect leads, and where the criminal activity occurred in Aurora, can be taken by the Fraud Report Intake Officer.