

316 **FORGERY**

- I. **PURPOSE:** To establish a uniform procedure in the reporting of forged documents including, but not limited to: personal checks, commercial checks, travelers checks, money orders, U.S. Treasury checks, State of Florida checks, wills, titles to property, stock certificates, and credit card invoices.
- II. **DEFINITION:** F.S. § 831.01 defines forgery: Whoever falsely makes, alters, forges or counterfeits a public record, or a certificate, return or attestation of any clerk or register of a court, public register, notary public, town clerk or any public officer, in relation to a matter wherein such certificate, return or attestation may be received as a legal proof; or a charter, deed, will testament, bond, or writing obligatory, letter of attorney, policy of insurance, bill of lading, bill of exchange or promissory note, or an order, acquittance, or discharge for money or other property, or an acceptance of a bill of exchange or promissory note for the payment of money, or any receipt for money, goods or other property, or any passage ticket, pass or other evidence of transportation issued by a common carrier, with intent to injure or defraud any person, shall be guilty of a felony of the third degree, punishable as provided in F.S. § 772.082, § 775.083, or § 775.084.
- III. **PROCEDURE:**
 - A. In offenses concerning forged documents, the arriving officer will detain the suspect and determine the kind of document involved in the forgery. The officer shall at all times protect the document from contamination and will handle such documents with gloved hands.
 - B. If an U.S. Treasury check or State of Florida check has been forged, the officer will contact the duty detective or his/her immediate supervisor for review. The duty detective or the officer's supervisor will notify the Postal Inspector's Office immediately at (813) 281-5200, twenty-four hours a day. In many cases the Postal Inspectors will respond to the scene to assist in conducting a joint investigation.

This department and the Postal Inspectors will render appropriate mutual assistance as required. Since there is concurrent jurisdiction in most of these cases, the decision to proceed with State or Federal charges will be made by those members of both agencies conducting the joint investigation.
 - C. In all cases of forgery, the officer will take whatever investigative action is necessary to determine that the document has been forged or altered. The officer will attempt to contact the owner or payee of the check/credit card to determine if it has been lost or stolen, and whether a police report has been made. The officer will check Tampa Police Department records to verify that an offense report has been originated.
 - D. If the officer is unable to determine that the check/credit card has been lost or stolen, a copy of the document and identification will be made whenever

practical, and an information report will be prepared to document the circumstances. Copies of the front and back of the document and identification will be attached to the information report. This report will then be referred to the Criminal Intelligence Bureau, Economic Crimes Squad for investigation.

- E. In the event that a forgery/credit card fraud has occurred, whether the suspect is at the scene or not, the officer will originate a General Offense Report and refer the document to the Criminal Intelligence Bureau. The officer will confiscate the original documents and credit cards for evidence and submit copies of the front and back of the documents and credit cards for scanning to the General Offense Report. The report number will be written on all documents submitted for scanning. The officer will make every effort to contact the account holder/credit cardholder and have him or her sign an affidavit of forgery, witnessed by the officer. The original forgery affidavit will be placed into the Evidence Control Section as evidence with the original documents. These documents should be protected from contamination so that the documents may be submitted at a later date for possible fingerprint comparison or handwriting analysis. The officer should not submit the document for comparisons.

The officer should further ensure that: the business making the complaint is listed as the victim; the person making the complaint as the complainant; and the account holder listed as an additional witness in the context of the report. The officer must recognize that whether a transaction is completed or not, the presentation of the forged document constitutes the offense of uttering and should be investigated as such.

- F. When complainants proceed to the police department to file a forgery complaint, and no General Offense Report has been originated, the investigating officer or community service officer (CSO) will originate that report and collect all evidence involved in the offense, as provided in Section E, above. The victim can also file a forgery complaint through the online reporting system.
- G. This department does not handle complaints of "Worthless Checks." Both misdemeanor and felony worthless check cases will be processed through the State Attorney's Intake Office located at 700 E. Twiggs Street. All such complaints coming to the attention of any member of this department will be directed to this location.

This paragraph applies only to "Worthless Checks." All check cases involving "Stop Payment" or "Forgery" shall continue to be investigated by this department.

All complaints of "stop payment" checks will be referred to the Criminal Intelligence Bureau, Economic Crimes Squad during normal business hours.

Supersedes SOP 316, dated 12/20.