Identity Theft

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of identity theft.

For procedures related to Identity Theft, see the St. Mary's County Sheriff's Office LE Procedures Manual 304

329.2 POLICY

It is the policy of the St. Mary's County Sheriff's Office to effectively investigate cases of identity theft.

329.3 ACCEPTANCE OF REPORTS

(a) A report should be taken any time a person residing within the jurisdiction of the St. Mary's County Sheriff's Office reports that he/she has been a victim of identity theft. This includes:

1. Taking a report even if the location of the crime is outside the jurisdiction of this office or has not been determined.
2. Providing the victim with a Victim and Witness Rights Pamphlet and a Victim Assistance Information Checklist for victims of Identity Theft and Fraud. Deputies shall encourage the individual to review the material, and assist with any questions.

(b) A report should also be taken if a person living outside the office jurisdiction reports an identity theft that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in St. Mary's to facilitate the crime).

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329.4 FOLLOW-UP INVESTIGATION

(a) Members of this office presented with the crime of identity theft shall prepare and file a report when (Md. Code CR § 8-304):

1. The person resides in any part of the county.
2. The crime occurred in any part of the county.

(b) A member investigating a case of identity theft should ensure that each case is referred to the appropriate agency if it is determined that this office should not be the investigating agency (e.g., an identity theft ring working from out of state). The victim should be advised that the case is being transferred to the agency of jurisdiction for investigation. The investigating member should also ensure that appropriate entries are made into related databases that have been authorized for office use.

(c) The victim should be referred to records to obtain a copy of the report.

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329.5 IDENTITY THEFT PASSPORT

(a) Upon request by a person who is the victim of identity theft, Records Section staff shall submit an application for an identity theft passport and a copy of the person's identity theft report to the Attorney General (Md. Code CR § 8-305(c)).

(b) An application for an identity theft passport and any supporting documents are not public records and may not be released except to another law enforcement agency.

329.5.1 ACCEPTANCE OF IDENTITY THEFT PASSPORT

Deputies have discretion whether to accept or reject an identity theft passport that an individual presents to help prevent his/her arrest or detention when another person has committed an offense and used the individual's personal identifying information. In determining whether to accept or reject an identity theft passport presented to this office, the deputy may consider the surrounding circumstances and available information regarding the offense of identity fraud against the person (Md. Code CR § 8-305(f)).

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