



KANSAS CITY, MO. POLICE DEPARTMENT

PROCEDURAL INSTRUCTION

DATE OF ISSUE

12-02-2003

EFFECTIVE DATE

12-02-2003

NO.

03-21

SUBJECT

FORGERY OFFENSES

AMENDS

REFERENCE

Section 570.120 RSMo
K.C. Ordinance Pocket Reference Book, Form 321 P.D.

RESCINDS

PROCEDURAL INSTRUCTION 96-3

I. PURPOSE

To provide procedures to be followed when members receive information regarding forgery offenses.

***II. DEFINITIONS**

- A. **Forgery** - The presenting of any stolen, fraudulently altered or counterfeit documents, such as checks, money orders, traveler's checks, or written documents (e.g., property titles, negotiable securities, wills, etc.) that transfer money or ownership of property.
- B. **Forgery Information Document, Form 283 P.D.** - An information report provided to businesses, which allows them to document forged checks prior to responding to a police facility.
- C. **Passing Bad Checks** - With the purpose to defraud, a person issues or presents a check drawn on a legitimate account in their name knowing it will not be paid by the bank or other financial institution.
 - 1. **Account Closed Check** - A check issued against a bank or other financial institution account that has been closed by the account holder or the financial institution.
 - 2. **Insufficient Funds Check** - A check issued against a bank or other financial institution account that does not have adequate funds to cover the amount of the check.
- D. **Stopped Payment Check** - When the account holder has stopped payment on a check after goods or services have been received.

***III. POLICY**

- A. When a member is dispatched on a reported forgery where the suspect is at the scene, (or just left the scene) and upon arrival, information indicates a forgery has occurred, a Field Incident Report, Form 189 P.D., entitled, "Forgery," will be completed.

IV. PROCEDURE

*A. Communications Unit Personnel – Receiving Forgery Calls

1. Communications Unit personnel will attempt to determine if any reported offense involving checks or altered documents is in-progress, i.e., suspect is at the scene.
2. If an offense is in-progress, officers will be dispatched to the scene.
3. If the offense is not in-progress, i.e., suspect is no longer at the scene, the Communications Unit personnel will advise victims that all forgery reports will be completed on a walk-in basis only.

*B. Business Walk-In Reports – Forgery

1. Business victims will be provided the Forgery Information Document, Form 283 P.D., for the purpose of documenting forged check(s) received by their business. The Form 283 P.D. will be made available at the patrol division stations for distribution, as needed.
2. Business victims will be instructed to bring the completed Form 283 P.D., along with the original check(s) or a legible copy, to the appropriate division station or Police Headquarters.

Note: A separate Form 283 P.D., with an original CRN number, will be completed for each forged check/document.

3. Members accepting the completed report Form 283 P.D. from the business victim/reporting party will not complete a Field Incident Report, Form 189 P.D., and will:
 - a. Check the report form for accuracy/completeness.
 - b. Ensure the supporting documentation or evidence, i.e., the original (or copies of) check(s), is submitted with the report.
 - c. Issue an original case report number to the report.
 - d. Note on the Form 283 P. D. if the suspect's right index fingerprint was obtained on the check.
 - e. Issue a Report Referral, Form 19 P.D., to the victim.

- f. Recover all supporting documentation or evidence in accordance with procedures outlined in this directive and the Procedural Instruction regarding recovered property.
- g. Forward a copy of the Forgery Information Document, Form(s) 283 P.D., along with copies of attached documentation, photos etc., to the Forgery Section.

Note: Businesses will not be limited to the number of Form 283 P.D.'s that can be submitted at any one time at a division station or Police Headquarters.

C. Completion of Reports – Forgery

- *1. If an officer is dispatched to a business location and determines that any previously unreported forgery offenses have occurred and no suspect is at the scene for these offenses, the officer will have the discretion of either completing a Field Incident Report, Form 189 P.D., or instructing the victim(s) to complete a walk-in report (Forgery Information Document, Form 283 P.D.), for these offenses.
- *2. If an officer is dispatched to a location on any call and determines that a forgery has occurred and the suspect is still at the scene **or has left the scene just prior to the officer's arrival**, the officer will prepare a Field Incident Report, Form 189 P.D., entitled, "Forgery," and take the appropriate action.
- *3. If an arrest is made, the suspect will be transferred to the Headquarters Detention Unit. An Investigation Arrest Approval, Form 176 P.D., will be completed and signed by the Forgery Section supervisor. When a Forgery Section supervisor is not available, a completed and signed Form 176 P.D., will be obtained from a Violent Crimes Division supervisor.

Note: If any question arises concerning the arrest of a suspect, or the completion of a report, the officer will contact Forgery Section personnel.

- *4. A separate Field Incident Report, Form 189 P.D., or Form 283 P.D., will be completed for each forged document and will have an original case report number assigned. (All non-business walk-ins will require the completion of Form 189 P.D.)

Exception: Forgeries involving multiple checks on the same account, with the same victim, can be included on one Field Incident Report, Form 189 P.D., or Form 283 P.D. The reporting member should contact Forgery Section personnel for instructions.

5. A copy of both sides of the forged document/check(s); etc., or photos, will be included with the Field Incident Report Form 189 P.D., or Form 283 P.D., as additional pages, numbered accordingly, and will have the case report number on each page.
6. All original forged documents will be protected for fingerprints and recovered in accordance with the current written directives regarding recovered property. Forged documents will **not** be forwarded to the Crime Lab for fingerprints.
- *7. Note on the Form 189 P.D. or Form 283 P.D., whenever a suspect's fingerprint was obtained on the check

D. Completion of Reports - Passing Bad Checks

1. The Jackson, Platte, Clay, and Cass County Prosecutors' Offices investigate insufficient funds and account closed offenses without the need for a police report **unless** the check is verified as stolen, e.g., the legal owner of the check has been contacted and reports it to be stolen. If the check is verified as **stolen** and has been used in an attempt to gain money or ownership of property, a Field Incident Report, Form 189 P.D., entitled "Forgery," will be taken.
2. If an officer is dispatched to a location and a subject is being held for passing a bad check(s), the officer will contact Forgery Section personnel for instructions as to any enforcement activity. If Forgery Section personnel cannot be contacted, the subject **will not** be arrested. A Form 100 P.D., entitled, "Miscellaneous Investigation - Passing Bad Checks," will be completed ensuring all pertinent details are included in the narrative. The subject will be released at the scene. The reporting party will be advised to present the check to their appropriate County Prosecutor's Office for filing of any criminal charges.

E. Completion of Reports - Stopped Payment Checks

If a person, with the purpose to defraud, has stopped payment on a check when goods or services have been received:

1. The victim must send a certified/registered letter to the party that originally wrote the check ascertaining why payment was not made.
2. If no response is received or if no arrangement for payment is made, the victim must produce a certified/registered mail return receipt, or original envelope with attempt to deliver notice stamped on it by the Post Office, indicating that at least ten (10) days have elapsed since the letter was delivered, or since the last attempt to deliver was made.
3. Upon meeting the above listed requirements a Field Incident Report, Form 189 P.D., entitled "Stealing," will be taken.

Richard D. Easley
Chief of Police

Adopted by the Board of Police Commissioners this _____ day of _____
2003.

Karl Zobrist
President

DISTRIBUTION: All Law Enforcement Personnel
Civilian Supervisory Positions
Department Element Manuals
Post on all bulletin boards for two weeks.