

SCAMS

One of the stains on the reputation of local law enforcement is telephone solicitations by promoters selling advertisement or "support" for local police associations and retaining 80% to 90% of funds solicited. Quite often the a fictitious police organization was created by the soliciting organizations and "hard sell" solicitors leaned on the victims to "support the boys down at the station," inferring that local police officers would know just who had contributed. In addition legitimate police associations would contract with these solicitors to raise funds for them. Victims would be left with a bad taste that they associated with the police. Another unprofessional activity was the infamous courtesy card practice wherein an officer would pass out his business card and inscribe on the back of the card "The bearer of this card is a friend of law enforcement and any courtesy shown him (or her) would be appreciated."

In 1963 the Peace Officers Research Association of California (PORAC) supported legislation that would outlaw these practices.

A. B 1812 This bill amended 146c and 146d PC to make it a misdemeanor to designate any nongovernmental organization by any name where it could be reasonably understood to imply that organization is composed of peace officers, when less than 90% of voting members are active or retired peace officers or firemen, and makes it a crime

to solicit another to become a member of such organization, or subscribe to, or advertise in the publication of such organization.

Section Two of the bill made it misdemeanor to sell or give to another a membership card, badge, or other device where it can be reasonably inferred by the recipient that by the display of such device the law will be less rigorously enforced.

This legislation passed and was signed into law:

146c. Every person who designates any nongovernmental organization by any name, including, but not limited to any name that incorporates the term "peace officer," "police," or "law enforcement," that would reasonably be understood to imply that the organization is composed of law enforcement personnel, when, in fact, less than 80 percent of the voting members of the organization are law enforcement personnel or firefighters, active or retired, is guilty of a misdemeanor.

Every person who solicits another to become a member of any organization so named, of which less than 80 percent of the voting

In Pursuit of Professionalization...another small step

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Twenty years later PORAC introduced another bill to reinforce these laws. . The California Peace Officers Association (CPOA) were giving away affiliate cards and stickers, and the California State Sheriffs Association (CSSA) were selling associate membership to civilians which included membership cards. So PORAC introduced SB 292 which mandated disclosure statements of local police membership information when soliciting for a police association. Needless to say CPOA and CSSA successfully opposed these bills. Neither organization has significant numbers.

However they do sell non-sworn and affiliate membership: individual or corporate, from \$35 to \$2500 a year.

It is interesting to note that at the PORAC 1984 conference the membership were asked if they wanted to sell membership to non peace officers.

The answer was a resounding NO!

In 2009 California Atty. Gen. Jerry Brown filed lawsuits against a dozen charities and their fundraisers,

alleging they had used false claims to raise millions of dollars and then squandered the donations intended to help police, firefighters and veterans organizations.

"These individuals shamelessly exploited the goodwill of decent citizens," Brown said in a statement. "A

shockingly small portion of donations went to those in need, while millions went to pay for aggressive

telemarketing and bloated overhead."

Fifty-three individuals and 17 telemarketers, among them officers and fundraisers, also are being sued.

The targeted charities include the Law Enforcement Apprenticeship Program, the American Assn. of

Police Officers, the Police Protective Fund Inc. and the Junior Police Academy, all based in Los Angeles.

The Sacramento-based California Police Youth Charities, along with five charities based in Orange

County, one in San Mateo County and one in San Bernardino County, are also being sued.

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the organization, or who sells or gives to another any badge, pin, membership card, or other article indicating membership in the organization, knowing that less than 80 percent of the voting members are law enforcement personnel or firefighters, active or retired, is guilty of a misdemeanor.

As used in this section, "law enforcement personnel" includes those mentioned in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, plus any other officers in any segment of law enforcement who are employed by the state or any of its political Subdivisions.

146d. Every person who sells or gives to another a membership card, badge, or other device, where it can be reasonably inferred by the recipient that display of the device will have the result that the law will be enforced less rigorously as to such person than would otherwise be the case is guilty of a misdemeanor.

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Telemarketing Fraud

While there are many legitimate companies that use the telephone for marketing, consumers and business lose millions of dollars to telemarketing fraud each year. It's sometimes hard to tell the difference between reputable telemarketers and criminals who use the phone to rob people. You can protect yourself by learning how to recognize the danger signs of fraud. If you are a victim or attempted victim of telemarketing fraud, it's important to report the scam quickly so that law enforcement agencies can shut the fraudulent operation down.

- **Fraudulent telemarketers understand human nature.** We all want to believe that it's our lucky day, that we can get a great deal, or that we can solve our problems.

- **It's important to know who you're dealing with.** If a company or charity is unfamiliar, check it out with your state or local

consumer agency and the Better Business Bureau. Fraudulent operators open and close quickly, so the fact that no one has made a complaint yet doesn't guarantee the company or charity is legitimate. Ask for advice about the type of pitch you received and the danger signs of fraud.

· **Some telemarketing pitches are blatantly fraudulent, and you should know the signs.** It's illegal for telemarketers to ask for a fee upfront if they promise or claim it's likely they'll get you a credit card or loan, or to "repair" your credit. It's also illegal for any company to ask you to pay or buy something to win a prize, or to claim that paying will increase your chances of winning. And it's illegal to buy and sell tickets to foreign lotteries by phone or mail.

· **Other danger signs of fraud may be harder to recognize.** They include: pressure to act immediately; refusal to send you written information; use of scare tactics; demands to send payment by wire or courier; demands for payment of taxes or customs fees to claim a prize; requests for your financial account numbers even though you're not paying for something with them; promises to recover money you've lost in other scams, for a fee; claims that you can make lots of money working from home; and refusal to stop calling when you say you're not interested.

· **Beware of identity thieves.** Crooks pretending to be from companies you do business with may call or send an email, asking to verify personal information they should already have. Contact the company directly to confirm before providing information.

· **How you pay matters.** If you pay for a transaction with cash, checks, or money orders, your money is gone before you realize there is a problem. Paying by credit card is safest because you can dispute the charges if you don't get

what you were promised. You don't have the same dispute rights when you pay with debit cards or give your bank account number. Bank debits have become fraudulent telemarketers' preferred form of payment.

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· Where telemarketers are located

matters, too. Some fraudulent telemarketers are deliberately located in other countries because it's more difficult for U.S. law enforcement agencies to pursue them. It may be hard to tell where they are; they may have mail forwarded from the U.S. and use telephone numbers that look like domestic long-distance. Be very cautious when dealing with unknown companies from other countries.

· Be prepared when you answer the phone. Think about the advice you'd give someone else about how to detect fraud, then follow that advice yourself. Use Caller ID or an answering machine to screen calls. Don't hesitate to hang up on suspicious calls.

· Know your "do-not-call" rights. Put your number on the national "do-not-call" registry to stop most telemarketing calls. Call 888-382-1222, TTY 866-290-4326 or go to www.donotcall.gov.

You can also tell companies not to call you again on a case-by-case basis. Report violations of your "do-not-call" rights through the "do-not-call" number or Web site. Report telemarketing fraud via Fraud.org's Online Complaint Form.

Law Enforcement

The National Consumers League maintains a Fraud Alert System (FAS) for the benefit of accredited law enforcement agencies. The FAS is designed to automatically forward complaints received by Fraud.org that meet certain criteria to the proper investigative

agency. Currently, the FAS is used by more than 90 federal, state, local and international law enforcement agencies. For more information on becoming a FAS member, please contact the National Consumers League by phone at (202) 835-3323 or by email at info@nclnet.org

Organizations that keep Track of Fraudulent solicitations

Federal Trade Commission

Identity Theft and Data Security (<http://tinyurl.com/pmwsvxg>)

Financial Fraud Enforcement Task Force

(<http://www.StopFraud.Gov>)

The National Consumers League maintains a Fraud Alert System (FAS)

(<http://www.nclnet.org/>)

Charity Navigator has detailed information on many organizations, and rates them.

<http://www.charitynavigator.org/>

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To report Cyber Crime:

The Internet Crime Complaint Center (www.IC3.gov) is the primary government agency to receive, develop, and refer complaints regarding the rapidly expanding area of cyber crime. The IC3 complaint process provides victims of cyber crimes a convenient, easily accessible, online reporting mechanism to alert law enforcement of suspected criminal and civil violations. For law enforcement and regulatory agencies at the federal, state, local and international levels, IC3 is the central clearinghouse for complaints on internet related crimes.

See the "File a Complaint" section of the IC3 Web Site for information and direction on how to submit a complaint to IC3. IC3 handles complaints on the following types of frauds and scams:

Auction Fraud/Auction Fraud – Romania

Auction fraud involves fraud attributable to the misrepresentation of a product advertised for sale through an Internet auction site or the non-delivery of products purchased through an Internet auction site

Counterfeit Cashier's Check

The counterfeit cashier's check scheme targets individuals that use Internet classified advertisements to sell merchandise. Typically, an

interested party located outside the United States contacts a seller, and the seller is told that the buyer has an associate in the United States that owes him money. As such, the buyer will have the associate send the seller a cashier's check for the amount owed to the buyer, but the check is actually counterfeit.

Credit Card Fraud

Credit card fraud is the unauthorized use of a credit/debit card, or card number, to fraudulently obtain money or property.

Debt Elimination

Debt elimination schemes generally involve websites advertising a legal way to dispose of mortgage loans and credit card debts. After obtaining information from the participant, the fraudster will issue bonds and promissory notes to the lenders that purport to legally satisfy the debts of the participant. In exchange, the participant is then required to pay a certain percentage of the value of the satisfied debts to the subject.

Parcel Courier Email Scheme

The Parcel Courier Email Scheme involves the supposed use of various National and International level parcel providers such as DHL, UPS, FedEx and the USPS.

Employment/Business Opportunities

Employment/business opportunity schemes involve bogus foreign-based companies that recruit citizens in the United States on several employment-search websites for work-at-home employment opportunities. These positions often involve reselling or reshipping merchandise to destinations outside the United States.

Escrow Services Fraud

In an effort to persuade a wary Internet auction participant, the perpetrator will propose the use of a third-party escrow service to facilitate the exchange of money and merchandise. The victim is unaware the perpetrator has compromised a true escrow site and, in actuality, created one that closely resembles a legitimate escrow service. The victim sends

payment to the phony escrow and receives nothing in return. Or, the victim sends merchandise to the subject and waits for his/her payment through the escrow site which is never received because it is not a legitimate service.

Identity Theft

Identity theft occurs when someone appropriates another's personal information in order to commit theft or fraud.

Internet Extortion

Internet extortion involves hacking into and controlling various industry databases, promising to release control back to the company if funds are received, or the subjects are given web administrator jobs. Similarly, the subject will threaten to compromise information about
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consumers in the industry database unless funds are received.

Investment Fraud

Investment fraud is an offer using false or fraudulent claims to solicit investments or loans, or providing for the purchase, use, or trade of forged or counterfeit securities.

Lotteries

The lottery scheme deals with persons randomly contacting email addresses advising them they have been selected as the winner of an International lottery.

Nigerian Letter or "419"

Named for the violation of Section 419 of the Nigerian Criminal Code, the 419 scam involves communication from individuals representing themselves as Nigerian or foreign government officials, offering the recipient the "opportunity" to share in a percentage of millions of dollars, and soliciting for help in placing large sums of money in overseas bank accounts. Payment of taxes, bribes to government officials, and legal fees are often described in great detail with the promise that all expenses will be reimbursed as soon as

the funds are out of the country. The recipient is encouraged to send information to the author, such as blank letterhead stationery, bank name and account numbers, and other identifying information using a facsimile number provided in the letter. The scheme relies on convincing a willing victim to send money to the author of the letter in several installments of increasing amounts for a variety of reasons.

Phishing/Spoofing

Phishing and spoofing refer to forged or faked electronic documents. Spoofing generally refers to the dissemination of email which is forged to appear as though it was sent by someone other than the actual source. Phishing, often utilized in conjunction with a spoofed email, is the act of sending an email falsely claiming to be an established legitimate business in an attempt to dupe the unsuspecting recipient into divulging personal, sensitive information such as passwords, credit card numbers, and bank account information after directing the user to visit a specified website. The website, however, is not genuine and was set up only as an attempt to steal the user's information.

Ponzi/Pyramid

Ponzi or pyramid schemes are investment scams in which investors are promised abnormally high profits on their investments. No investment is actually made. Early investors are paid returns with the investment money received from the later investors. The system usually collapses. The later investors do not receive dividends and lose their initial investment.

Reshipping

The "reshipping" scheme requires individuals in the United States to receive packages at their residence and subsequently repackage the merchandise for shipment, usually abroad. The reshipping scheme helps facilitate the transfer of goods purchased online by fraudulent means.

Spam

With improved technology and world-wide Internet access, spam, or unsolicited bulk email, is now a widely used medium for committing traditional white collar crimes including financial institution fraud, credit card fraud, and identity theft, among others.

Third Party Receiver of Funds

The subjects, usually foreign, post work-at-home job offers on popular Internet employment sites, soliciting assistance from United States citizens. The subjects allegedly are posting Internet auctions, but cannot receive the proceeds from these auctions directly because their locations outside the United States makes receiving these funds difficult. The seller asks the United States citizen to act as a third party receiver of funds from victims who have purchased products from the subject via the Internet. The United States citizen, receiving the funds from the victims, then wires the money to the subject.

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**Rank Charity name Total raised
by solicitors Paid to solicitors % spent on
direct
cash aid**

7 International Union of Police Associations, AFL-CIO	\$57.2 million	\$41.4 million	0.5%
9 American Association of State Troopers	\$45.0 million	\$36.0 million	8.6%
18 United States Deputy Sheriffs' Association	\$23.1 million	\$15.9 million	0.6%
20 Police Protective Fund	\$34.9 million	\$14.8 million	0.8%
30 Disabled Police Officers of America Inc.	\$10.3 million	\$8.1 million	2.5%
31 National Police Defense Foundation	\$9.9 million	\$7.8 million	5.8%
33 Reserve Police Officers Association	\$8.7 million	\$7.7 million	1.1%
35 Disabled Police and Sheriffs Foundation	\$9.0 million	\$7.6 million	1.0%
36 Disabled Police Officers Counseling Center	\$8.2 million	\$6.9 million	0.1%

45 National Narcotic Officers

Associations Coalition **\$4.8 million** **\$4.0 million** 0.0%

A Report of the 50 worst charity scams with Law Enforcement selected.

This data is from a collaboration between The Tampa Bay Times and The Center for Investigating Reporting

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Organization Status Prosecuted Fined

AMERICAN DEPUTY SHERIFF'S

ASSOCIATION (ADSA) CHARITY OH, IA, PA, GA, MS 5 \$12,000

COALITION OF POLICE & SHERIFFS (COPS) CHARITY MO, CO, CA 3 \$12,710,620

POLICE PROTECTIVE FUND CHARITY FL, MO, CA 3 \$463,000

AMERICAN POLICE OFFICERS ASSOCIATION CHARITY OH, NH, FL 3 \$11,000

ASSOCIATION FOR POLICE AND SHERIFFS INC CHARITY NH, PA, CO 3 \$0

INTERNATIONAL NARCOTICS ENFORCEMENT

OFFICERS ASSOCIATION INC CHARITY CO, MS 2 \$356

AMERICAN ASSOCIATION OF POLICE

OFFICERS (AAPO) CHARITY CA, IL 2 \$22,000

LAW ENFORCEMENT OFFICERS INC CHARITY MS 1 \$25,500

Some states that prosecuted

Unwanted Telephone Marketing Calls

Federal "Do NOT CALL" Lists

Has your evening quiet time or dinner been interrupted by a call from a telemarketer? If so, you're not alone.

Congress first passed the Telephone Consumer Protection Act (TCPA) in 1991 in response to consumer concerns

about the growing number of unsolicited telephone marketing calls to their homes and the increasing use of

automated and prerecorded messages. In response, the Federal Communications Commission (FCC) adopted rules

that require anyone making a telephone solicitation call to your home to provide his or her name, the name of the

person or entity on whose behalf the call is being made, and a telephone number or address at which that person or

entity can be contacted. The original rules also prohibit telephone solicitation calls to your home before 8 am or

after 9 pm, and require telemarketers to comply with any do-not-call request you make directly to the caller during

a solicitation call. Telemarketers covered by the National Do-Not-Call Registry have up to 31 days from the date

that you register your telephone number to remove it from their call lists and stop calling you. In June 2003, the

FCC supplemented its original rules implementing the TCPA and established, together with the Federal Trade

Commission (FTC), the national Do-Not-Call list.

Background You can register your home phone number or numbers on the national Do-Not-Call list by phone or by

Internet at no cost. To add a phone number to the national Do-Not-Call list via the Internet. To register by phone,

call 1-888-382-1222 (voice) or 1-866-290-4236 (TTY). You must call from the phone number you wish to

register. For more information on the national Do-Not-Call list, visit our Do-Not-Call website.

Unfortunately there are many exemptions including charities, like those above.

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High-capacity magazine

From Wikipedia, the free encyclopedia

40 SIG Sauer P226, magazine, and centerfire cartridges

High-capacity magazine (or large-capacity magazine) is a legal term that, in the United States, generally refers to magazines capable of holding more than 10 rounds, although this number is completely arbitrary, and definitions vary.[1][2]

In January 2013, President Barack

Obama included a ban on gun magazines with

capacities of more than 10 rounds in a list of

gun-control laws he asked Congress to pass.[7]

Section 32310

Except as provided in Article 2 (commencing with Section 32400) of this chapter and in Chapter 1

(commencing with Section 17700) of Division 2 of Title 2, commencing January 1, 2000, any person in this state who manufactures or causes to be manufactured, imports into the state, keeps

for sale, or offers or exposes for sale, or who gives, or lends, any large-capacity magazine is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant

to subdivision (h) of Section 1170.

You will notice that this section does NOT mention just possession.

Section 32310 does not apply to the importation of a large-capacity magazine by a person who lawfully possessed the large-capacity magazine in the state prior to January 1, 2000, lawfully took it

out of the state, and is returning to the state with the same large-capacity magazine.

18010. (a) The Attorney General, district attorney, or city attorney may bring an action to enjoin the manufacture of, importation of, keeping for sale of, offering or

exposing for sale, giving, lending, or possession of, any item that constitutes a nuisance under any of the following provisions:

(13) Section 24390, relating to a camouflaging firearm container.

(14) Section 24490, relating to a cane gun.

(15) Section 24590, relating to a firearm not immediately recognizable as a firearm.

(16) Section 24690, relating to an undetectable firearm.

(17) Section 24790, relating to a wallet gun.

(18) Section 30290, relating to flechette dart ammunition and to a bullet with an explosive agent.

(19) Section 31590, relating to an unconventional pistol.

(20) Section 32390, relating to a large-capacity magazine.

(21) Section 32990, relating to a multiburst trigger activator.

(22) Section 33290, relating to a short-barreled rifle or a short-barreled shotg

32390. Except as provided in Article 2 (commencing with Section 32400) of this chapter and in Chapter 1 (commencing with Section 17700) of Division 2 of Title 2, any large-capacity magazine is a nuisance and is subject to Section 18010.