

HAS SOMEONE USED YOUR NAME IN A CRIMINAL CASE?

If so, the following should be helpful in getting that other person's crime off of your record.

Usually when a suspect uses someone else's name, they do so when they are being **arrested** or when they are being issued a **citation**, which is a promise to appear in court. This is often done to avoid being arrested on an outstanding warrant in their true name where more serious charges have been filed. It is a felony for a person to impersonate another where that impersonation causes some type of liability to the victim. If this has happened to you, the situation can be resolved by following the instructions listed below. The protocol varies slightly depending on whether a citation was issued or an arrest made. Be sure to follow the procedure which is correct for your situation.

A) AN ARREST WAS MADE IN MY NAME

STEP 1 – Determine which law enforcement agency made the arrest and accepted your name from the suspect.

STEP 2 – File a **PC 529** report with the arresting agency indicating you as the victim of the crime of False Personation.

STEP 3 – In order for the law enforcement agency to investigate your claim as a victim of PC529, you will need to be fingerprinted. These fingerprints must be compared to the fingerprints of the person who was arrested using your name. The result of this should prove that you were not the person arrested. The law enforcement agency will have to query the system to see if the now unknown suspect can be identified by prints. You may also need to be photographed.

STEP 4 – You mostly likely know the person who used your name and can identify them by looking at their booking photo. This photograph may or may not be available at the time you file your report. It is imperative that you assist the law enforcement agency in determining the true identity of the suspect.

STEP 5 – After the law enforcement agency has determined the true identity of the suspect, a supplemental report will need to be submitted to the District Attorney's Office on the original case, indicating the name change. Then the outstanding warrant which may have been issued in your name can be recalled by the court and re-issued in the suspect's true name.