REASONABLE SUSPICION: A particularized and objective basis, supported by specific and articulable facts for suspecting a person of criminal activity. (Black’s Law Dictionary)

DEPRIVE: (ARS 13-1801(A)(4))

1. To withhold the property interest of another permanently or for so long a time period that a substantial portion of its economic value or usefulness or enjoyment is lost.
2. Withhold with intent to restore only on payment of any reward or other compensation.

THEFT: (ARS 13-1802(A), (B))

- A person
- Without lawful authority, knowingly:
  1. Controls property of another with intent to deprive
  2. Converts for an authorized term or use
     a) Services or property of another
     b) Entrusted or placed in possession
     c) For a limited, authorized term or use
  3. Obtains services or property of another by
     a) Material misrepresentation
     b) With intent to deprive
  4. Comes into control of
     a) Lost, mislaid, or misdelivered property of another
     b) Under circumstances providing means of inquiry as to the true owner, and
     c) Appropriates such property to the person’s own or another’s use without reasonable efforts to notify the true owner and

A. A person…knowingly takes control, title, use or management of a vulnerable adult’s property while

- Acting in a position of trust and confidence and with intent to deprive the vulnerable adult of the property.
- Proof that a person took control, title, use or management…without adequate consideration to the vulnerable adult may give rise to
- an inference that the person intended to deprive the vulnerable adult of the property.
CRIMINAL DAMAGE: (ARS 13-1602(A)(1), (2))
A person recklessly:
- Defaces or damages property of another person; or
- Tampers with property of another so as to substantially impair its function or value

THEFT OF A CREDIT CARD: (ARS 13-2102(A))
A person commits theft of a credit card or obtaining a credit card by fraudulent means if the person:
- Controls a credit card without the cardholder’s or issuer’s consent through theft; or
- Sells, transfers or conveys a credit card with intent to defraud; or
- With intent to defraud, obtains possession, care, custody or control over a credit card as security for debt.

FORGERY: (ARS 13-2002(A))
A person commits forgery if:
- With intent to defraud
- Falsely makes, completes, or alters a written instrument; or
- Knowingly possesses a forged instrument; or
- Offers or presents, whether accepted or not, a forged instrument or one that contains false information.

TAKING IDENTITY OF ANOTHER PERSON: (ARS 13-2008(A))
a) Knowingly takes, purchases, manufactures, records, possesses or uses any personal identifying information of another person, including a real or fictitious person,
b) Without the consent of that other person, with the intent to obtain or use the other person’s identity for any unlawful purpose or to cause loss to a person
   c) whether or not the person actually suffers any economic loss as a result of the offense.

UNLAWFUL USE OF POWER OF ATTORNEY: (ARS 13-1815(A))
An agent who:
a) Holds a principal’s power of attorney…and who uses or manages the principal’s assets or property with intent to unlawfully deprive that person of the asset or property is
b) guilty of theft.

THIS GUIDELINE WAS PREPARED ON BEHALF OF THE TASK FORCE AGAINST SENIOR ABUSE IN THE OFFICE OF THE ATTORNEY GENERAL. THE INFORMATION CONTAINED IN THIS GUIDELINE IS FOR EDUCATIONAL PURPOSES ONLY AND DOES NOT SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY LICENSED TO PRACTICE LAW IN ARIZONA. ADDITIONALLY, THE OFFICE OF THE ARIZONA ATTORNEY GENERAL CANNOT REPRESENT INDIVIDUAL CONSUMERS.

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