

# SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

## **POSSESSION OF STOLEN FIREARM**

**RCW 9A.56.310**

### ELEMENTS

1. The suspect **KNOWINGLY** possessed, carried, delivered, sold, was in control of, received, retained, concealed, or disposed of a stolen firearm;

AND

2. The suspect **KNEW** that the firearm was stolen;

AND

3. The suspect withheld or appropriated the firearm to the use of someone other than the true owner or person entitled thereto.

### SPECIFIC REQUIREMENTS

- [ ] 1. Provide initial stolen report, even if report is from another agency.
- [ ] 2. Victim's statement should specify what was taken, the last time the firearm was seen by victim, whether the firearm was operable at the time it was stolen, the fact that no one had permission to take the firearm, and any potential suspects. If firearm has been recovered, include how victim identified firearm as his/hers.
- [ ] 3. Suspect's statement, if possible, should include whether suspect admits **KNOWINGLY** possessing the firearm **AND KNOWING** that the firearm was stolen; whether suspect knew victim; and if suspect claims ownership/permission to use the firearm, the basis for that claim.
- [ ] 4. If suspect provides an innocent explanation for possession of the firearm, follow up with additional questions to obtain specific information that can be verified as true or proven false. For example, if "Joe" sold the firearm to suspect, what is Joe's full name and address, where does Joe live, where was suspect when Joe sold him the firearm – can suspect direct you to that location. Confront suspect with inconsistencies within suspect's story and inconsistencies with other evidence.
- [ ] 5. If stolen firearm recovered, provide property recovery report, even if report is from another agency.
- [ ] 6. Photograph firearm at location where found, if possible. Photograph firearm before returning it to owner.
- [ ] 5. Test firearm, before returning to victim, to determine if it is operable.