

SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

SECOND DEGREE POSSESSION OF STOLEN PROPERTY

RCW 9A.56.160

ELEMENTS

1. The suspect KNOWINGLY received, retained, possessed, concealed, or disposed of
 - a) stolen property (but not a firearm or motor vehicle) with a value exceeding \$750; OR
 - b) a stolen public record, writing or instrument kept, filed, or deposited according to law; OR
 - c) a stolen access device;

AND

2. The suspect KNEW that the property was stolen;

AND

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

SPECIFIC REQUIREMENTS

- 1. Obtain report on the theft of the property, even if from another agency.
- 2. Victim's statement should specify what was taken; the last time stolen object(s) seen by victim; if alleging 1(a) above, the age/condition of the stolen object(s) when taken; the fact that no one had permission to take object(s); and any potential suspects. If property has been recovered, include how victim identified property as his/hers.
- 3. If alleging 1(a) above, report on the recovery of the stolen property should include a description of the condition of the stolen property.
- 4. If alleging 1(a) above, obtain written fair market value estimate for stolen object(s) at the time the object(s) were possessed by suspect. Identify expert or valuation service that provided estimate. If stolen property was recovered from a pawn broker, have pawn broker do the fair market value estimate in writing prior to returning items to the victim.
- 5. Suspect's statement, if possible, should include whether suspect admits KNOWINGLY possessing the property AND KNOWING that the property was stolen; whether suspect knew victim; and pin down how/when/where suspect obtained the stolen property.
- 6. Photograph stolen property at location where found, if possible. Photograph recovered property before returning property to owner.