

SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

SECOND DEGREE THEFT

RCW 9A.56.040

ELEMENTS

1. The suspect obtained control over
 - a) property (but not a firearm or a motor vehicle) or services, valued at over \$750 but less than \$5,000, that belonged to another;
OR
 - b) a public record, writing, or instrument kept, filed or deposited according to law with or in the keeping of a public office or public servant;
OR
 - c) an access device that belonged to another;

AND

2.
 - a) did so by wrongfully obtaining or exerting unauthorized control over the property or services;
OR
 - b) did so by color or aid of deception;
OR
 - c) did so by appropriating lost or misdelivered property or services of another;

AND

3. intended to deprive the rightful owner of the property or services.

SPECIFIC REQUIREMENTS

- [] 1. 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.
- [] 2. If alleging 1(a) above, obtain written fair market value estimate for stolen object(s) at the time the object(s) were stolen. Identify expert or valuation service that provided estimate.
- [] 3. If stolen object(s) recovered, provide property recovery report, even if report is from another agency. If object(s) recovered from a pawn broker, have pawn broker estimate fair market value in writing.
- [] 4. Suspect's statement, if possible, should include whether suspect admits committing the theft or only possessing the stolen object(s), whether suspect knew victim, and if suspect claims the object(s) belonged to him/her, the basis for that claim.
- [] 5. Photograph stolen objects at location where found, if possible. Photograph recovered property before returning property to owner.