

SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

TRAFFICKING IN STOLEN PROPERTY SECOND DEGREE

RCW 9A.82.055

ELEMENTS

The suspect RECKLESSLY (knows of and disregards a substantial risk that the property is stolen, and this disregard is a gross deviation from what a reasonable person would have done in the same situation):

1. initiates, organizes, plans, finances, directs, manages, or supervises the theft of property for sale to others;

OR

2. sells, transfers, distributes, dispenses, or otherwise disposes of stolen property to another person;

OR

3. buys, receives, possesses, or obtains control of stolen property, with intent to sell, transfer, distribute, dispense, or otherwise dispose of the property to another person.

SPECIFIC REQUIREMENTS

[] 1. Provide initial stolen report(s), even if report is from another agency.

[] 2. Victim's statement should describe the last time the stolen property was seen by victim; the fact that no one had permission to take the property; and any potential suspects.

[] 3. Written statement from the person who bought/accepted the stolen property, including details about what suspect told that person about the property.

[] 4. If item was pawned, provide copies of the pawn slip, statement from the person who accepted the item, and other evidence which proves this suspect is the one who pawned the item (i.e. whether pawn employee requested ID from suspect, took fingerprints from suspect, knows suspect from past dealings, etc.).

[] 5. Suspect's statement, if possible, should include where suspect obtained property, whether he knew it was stolen (Trafficking 1st Degree) or suspected it was stolen (Trafficking 2nd Degree), whether the suspect admits participating in the trafficking of the stolen property; and whether suspect knew victim. If suspect still has possession of the property, get details about where the suspect was headed with the property and what he was going to do with it.

[] 6. If suspect provides an innocent explanation for possession of the stolen property, or denies knowledge that the property is stolen, follow up with additional questions to obtain specific information that can be verified as true or proven false. For example, if "Joe" told suspect the property belonged to Joe and Joe sold the property to him, what is Joe's full name and address, where does Joe live, where was suspect when Joe sold him the property – can suspect direct you to that location. If suspect's explanation is internally inconsistent or inconsistent with other evidence, confront suspect with that.

[] 7. If stolen property recovered, provide property recovery report, even if report is from another agency.

[] 8. Photograph stolen property at location where found, if the setting indicates the property was held for transfer/sale rather than personal use. Photograph recovered stolen property before returning it to owner.