Dear Business Owner:

MINIMIZING YOUR RISK OF LOSS

American business suffers hundreds of millions of dollars in loss each year due to credit card and check fraud. In addition, millions of dollars in losses are experienced annually due to failure to return rented merchandise. Given these losses, it is easy to see that fraud problems are causing severe impact not only in the business and financial arenas, but also in the entire community.

The following information is not intended to be a cure for the total problem; rather, it is a guide consisting of steps we, in law enforcement, and you in the private sector can perform together to decrease our losses as a community. Proper use of these steps will increase our success in prosecution of those we arrest for thefts. We hope this information will be helpful in dealing with the problems surrounding these types of crime.

RENTAL EQUIPMENT THEFTS

There are many types of contacts, which may be executed at various businesses connected with rental type transactions. Some of these include long term equipment leases, 24 hour movie rental contracts, and short-term tool rentals. Proper identification of the customer is often the best guarantee against loss.

The criminal statutes which apply to failure of a customer to return rented property upon expiration of the leasing period are:

RCW 9A.56.096 THEFT OF RENTAL, LEASED, OR LEASED-PURCHASED PROPERTY – (Felony if rented property is valued $750.00 or more).

EVERETT MUNICIPAL CODE (EMC) 10.56.170 FAILURE TO DELIVER LEASED OR PERSONAL PROPERTY – (Gross misdemeanor if rented property is valued less than $750.00).

Sincerely,

Kathy Atwood
Chief of Police
Everett Police Department

CITY OF EVERETT 3002 Wetmore Ave. Everett, WA 98201 425-257-8407 Fax 425-257-6504

MINIMIZING YOUR LOSS
WHILE WRITING A CONTRACT

Before executing a rental contract with an individual, perform these key procedures to ensure accountability of the customer civilly to you and criminally to the courts, in the event that the customer fails to return the property which he or she rented.

1. Verify the customer's identity. We highly recommend only valid stated ID, Driver's license or Military ID as the preferred type of identification. Examine the customer against the photo and physicals on the identification presented to verify its accuracy. Make a photocopy of the Driver's License.

2. Ask the customer, "What is your current address?" Many businessmen mistakenly assume that the address on the person's driver's license is valid. If Military ID is presented, ask, "What ship are you assigned to?"

3. Fill out your contract completely making sure that any contract executed has the following warning or equivalent warning affixed. "Failure to return rented or leased equipment upon expiration of the time of the lease constitutes a violation of State and Local Laws and may result in criminal prosecution".

4. Verbally review the contract with the customer. This serves to ensure understanding of the return period; to ensure accuracy of the contract; and to ensure clarity of the contract time limits and terms. Prosecutions are at times lost due to an allegation that the customer was illiterate or did not understand the terms of the contract.

5. Use caution when accepting checks. If you receive a check as a deposit against the equipment while it is rented, use extra care if it is drawn on an account from an out of town bank. We recommend that you do not accept two party, undated or post dated checks, blank checks or illegible checks. Please beware of checks with low check numbers, or checks that are not imprinted with the customer's name.

6. Verify that commercial account customers are employed by the company that will be billed, or that they are acting as an agent of the company. Customers seeking to rent on running established commercial accounts should have their employment verified periodically to assure that the rentals are authorized by the employer. Verification should take place whenever a person wishing to rent on a commercial account is not known to you.

7. Rentals paid by credit card should be authorized by the credit company before extending credit. If the card number is given over the phone to hold equipment, advise the customer to bring the card with him at the time of pick-up, so that an imprint can be taken.

PROCEDURE FOR REFERRAL TO THE EVERETT POLICE DEPARTMENT FOR FILING OF CRIMINAL CHARGES

If the customer fails to return the leased or rented merchandise within the prescribed period, follow the below procedure to ensure the police department can forward a case to the Prosecuting Attorney for filing of criminal charges.

1. A "Demand Letter" must be composed stating the warning that "FAILURE TO RETURN THE DESCRIBED PROPERTY WITHIN 72 HOURS MAY RESULT IN CRIMINAL PROSECUTION UNDER **RCW 9A. 056.096** OR **EMC 10.56.170.**" Statutes require that this letter be used prior to any prosecution for failure to return the equipment. ***Make a copy of the above letter prior to mailing and include said copy with this report.***

2. Mail the "Demand Letter" via **certified** mail and return receipt.

3 Retain a copy of the letter mailed with the certified mail article number affixed.

4. If return receipt is mailed back to you indicating that the customer received the letter, wait 72 hours.

5. If the customer fails to return the property within 72 hours after delivery of the "Demand Letter", then complete the enclosed police report. **NOTE: A STATEMENT (FORM ENCLOSED) FROM THE PERSON, "WHO WROTE THE CONTRACT," MUST BE COMPLETED.**

6. Mail the report to:

   EVERETT POLICE DEPARTMENT
   CUSTOMER SERVICE UNIT
   3002 WETMORE AVE.
   EVERETT, WA 98201

Please include a ***legible*** copy of:

1. The suspect(s) picture identification.
2. The entire original contract – (including the suspect's information, references, etc.)
3. The Activity Log of the suspects account–(suspect(s) contact, payment history, change of address, etc.)
4. Statements from the person who initially wrote the contract.
5. A copy of the "Demand Letter" mailed to the customer.
6. The certified letter return receipt and/or the envelope and original when it was undelivered.
7. The completed report.

If the "Demand Letter" returns to you 'Return to sender' as undelivered or unclaimed, you may immediately mail the packet to the Everett Police Department. You should retain a copy of these documents for your records.

PLEASE COMPLETE THE FORM IN ITS ENTIRETY. INCOMPLETE FORMS WILL BE RETURNED WITHOUT ACTION TAKEN ON THE PART OF THE DEPARTMENT. PLEASE CONTACT THE EVERETT POLICE DEPARTMENT'S PROPERTY CRIMES UNIT IF THERE ARE ANY CHANGES TO THE SUSPECTS ACCOUNTS (account paid in full, balance paid, items returned, etc.)

If you have any questions, please call the Property Crimes Unit at 425-257-8454

EVERETT POLICE INCIDENT REPORT

COMPLETE ALL SHADED AREAS

D	INCIDENT **FAILURE TO RETURN RENTAL PROPERTY**								CASE NUMBER **DD**			
	OCCURRED ON				OCCURRED TO				REPORTED ON			
A	MONTH	DAY	YEAR	TIME	MONTH	DAY	YEAR	**TIME**	MONTH	DAY	YEAR	TIME
T	ADDRESS/LOCATION OF INCIDENT									☐ FORCE ☐ NO FORCE	CODE **47**	POL. BEAT
A	OFFENSE CODES	**RENT** A ☐ C ☒	A ☐ C ☐	☐ OFFICER SAFETY ☐ OFFICER ASSAULT	RESP 2	ASGN 2	☐ JUVENILE ☐ CHILD ABUSE ☐ DOM. VIOLENCE	☐ COMPUTER USED ☐ DRUG RELATED ☐ ALCOHOL RELATED	☐ HATE/BIAS ☐ ARSON-LOSS $ ☐ POSS. GANG REL.			

P	NO. **V**	PERSON'S NAME (LAST, FIRST, MIDDLE)			RACE 3	ETH 3	SEX	D.O.B. / AGE	HGT	WGT	EYES	HAIR
E	STREET ADDRESS AND APT NO.				CITY				STATE		ZIP	
R	RESIDENCE PHONE	BUSINESS PHONE	CELL PHONE		EMPLOYMENT/OCCUP./SCHOOL				HATE/BIAS		VICTIM	INJURY

P	NO. **C**	PERSON'S NAME (LAST, FIRST, MIDDLE)			RACE 3	ETH 3	SEX	D.O.B. / AGE	HGT	WGT	EYES	HAIR
E	STREET ADDRESS AND APT NO.				CITY				STATE		ZIP	
R	RESIDENCE PHONE	BUSINESS PHONE	CELL PHONE		EMPLOYMENT/OCCUP./SCHOOL				HATE/BIAS		VICTIM	INJURY

SU	NO. **S**	CIN/IDENTIFICATION NO.	BOOKED/WHERE		LOCATION OF ARREST				ARRESTEE ARMED WITH			
S	NAME (LAST, FIRST, MIDDLE)				RACE 3	ETH 3	SEX	D.O.B. / AGE	HGT	WGT	EYES	HAIR
P	STREET ADDRESS AND APT NO.				CITY				STATE		ZIP	
E	RESIDENCE PHONE	BUSINESS PHONE	CELL PHONE		EMPLOYMENT/OCCUPATION/SCHOOL							
C	ALIAS NAME(S)		SOC. SEC. NUMBER		DRIVER'S LIC. / I.D. CARD				STATE		EXP	
T	MISC.				IDENTIFIERS							

THE FOLLOWING INFORMATION MUST BE PROVIDED BY INDIVIDUAL COMPLETING REPORT

YES	NO	
☐	☐	CAN VICTIM/WITNESS IDENTIFY SUSPECT?
☐	☐	DID VICTIM/WITNESS COMPARE PHOTO I.D. TO SUSPECT?
☐	☐	HAS 72 HOURS PASSED SINCE RETURN OF DEMAND LETTER BY SUSPECT?

ARE THE FOLLOWING ITEMS INCLUDED IN THE REPORT?

☐	☐	LEGIBLE PHOTOCOPY OF THE SUSPECT'S I.D.?
☐	☐	LEGIBLE PHOTOCOPY OF THE ORGINAL CONTRACT? (INCLUDING SUSPECT INFORMATION AND REFERENCE)
☐	☐	ACTIVITY LOG OF SUSPECT ACCOUNT? (SUSPECT, CONTRACT, PAYMENT HISTORY, ADDRESS AND PHONE CHANGES)
☐	☐	STATEMENTS FROM THE PERSON WHO ORIGINALLY WROTE THE CONTRACT AND ANY EMPLOYEES WHO HAD CONTACT WITH THE SUSPECT?
☐	☐	COPY OF DEMAND LETTER AND RETURN RECEIPT?

REPLACEMENT VALUE OF ITEMS RENTED	AMOUNT DUE ON ACCOUNT	DATE ACCOUNTOVERDUE	DATE OF LAST PAYMENT

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.085)

_____ AT _____, WASHINGTON

SIGNATURE OF PERSON WRITING THIS REPORT — CITY

OFFICER SIGNATURE AT EVERETT WASHINGTON	DATE:	FORCE USED YES ☐ NO ☐	FLEEING VEHICLE YES ☐ NO ☐
OFFICER NAME/NUMBER	UNIT	APPROVED BY: / PERS. NO.	

CLEARANCE: ☐ ARR/A ☐ ARR/J	☐ UNFOUNDED ☐ EXC/A ☐ EXC/J	DISTRIBUTION: ☐ PA ☐ ADMIN	☐ DV ☐ CPS ☐ DSHS	☐ JUV ☐ HD ☐ MH	☐ TRAF ☐ DET ☐ PAT	OTHER:
LOGGED: _____/_____ DATE INITIALS						

☐ ENTERED RMS _____/_____ DATE INITIALS ☐ ENTERED WACIC/ NCIC _____/_____ DATE INITIALS ☐ CLEARED WACIC/ NCIC _____/_____ DATE INITIALS

EVERETT POLICE DEPARTMENT STATEMENT FORM

CASE # DD_____

STATEMENT OF:	LAST NAME	FIRST NAME	MIDDLE NAME

RACE	SEX	DATE OF BIRTH	HEIGHT	WEIGHT	EYE COLOR	HAIR COLOR

RESIDENCE:	STREET ADDRESS	CITY	STATE	ZIP

HOME PHONE #:	WORK/CELL#:	EMPLOYMENT:

ALTERNATE CONTACT (IN CASE OF RELOCATION):

THIS STATEMENT WAS WRITTEN ON MY BEHALF BY: _____

I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING WRITTEN STATEMENT, CONSISTING OF _____ PAGES, IS TRUTHFUL AND ACCURATE TO THE BEST OF MY PERSONAL KNOWLEDGE. EACH PAGE AND ALL CORRECTIONS, IF ANY, BEAR MY INITIALS.
I HAVE READ [ ] / HAVE BEEN READ [ ] THE FOREGOING DECLARATION AND UNDERSTAND THAT THIS DOCUMENT MAY BE USED IN A COURT OF LAW. (_____)

_____
(DECLARANT SIGNATURE)

_____
(OFFICER OR WITNESS SIGNATURE)

_____
(CITY AND STATE WHERE SIGNED)

_____
(DATE OF STATEMENT)

(INIT.) _____