

## **Theft: Procedures for Seneschals and Exchequers**

These procedures should be used as soon as a theft is suspected.

If a local seneschal or exchequer suspects a theft from a local account (or any other fiscal wrongdoing), they should immediately report it to both the Kingdom Seneschal and the Kingdom Exchequer. (Kingdoms can determine whether they want Principality/regional officers in the reporting chain or not in these matters.) Immediate reporting to the kingdom officers applies whether the suspected thief is an officer, an autocrat, or a beloved peer – all suspected thefts must be reported immediately. The Kingdom officers will confirm whether a theft has occurred. Do not have local officers try to confirm whether a theft has occurred or try to negotiate with a suspected thief, because this can muddy the waters if a criminal or civil suit becomes necessary. In fact, please warn local officers not to contact a person suspected of theft. The following procedures should be followed.

If a Kingdom Seneschal or Kingdom Exchequer suspects a theft, the following procedures also apply. Please keep in mind that both of these offices will be involved throughout this process, so both should be involved from the beginning.

### **For amounts under \$250:**

- 1) The suspected theft should be reported to the Kingdom Exchequer and Kingdom Seneschal immediately. The local officers should **not** contact the person suspected of the theft. (It is not unusual for the group to think at first that there has been a simple error – as long as that is the case, speaking with the suspected thief is permissible. However, if it is clear from the start that the problem is theft rather than error, do not voice those suspicions to the person involved. If the suspect has been spoken to, be sure to let the Kingdom Officers know.)
- 2) The Kingdom Exchequer will verify whether the suspected theft has occurred, either by reviewing the documentation provided by the group or by performing an independent investigation. If the Kingdom Exchequer is satisfied that there has been a theft (rather than an error in bookkeeping), they will work with the Kingdom Seneschal to resolve the matter.
- 3) The Kingdom Officers will direct the local seneschal (as legal representative) and exchequer (as financial officer) to file a police report with the appropriate jurisdiction. State that the SCA does not wish to press charges at this time, but wishes to make a report in case further investigation turns up additional problems. Obtain a copy of the report when it is available and keep it with the documentation of the case.
- 4) The Kingdom Officers will contact the suspected thief regarding their investigation, and give the person the opportunity to either replace any stolen money/property or explain why the suspicions are unfounded or incorrect. (Note that a simple denial of guilt is not a sufficient explanation.)
- 5) Once the Kingdom Officers are satisfied that a theft has taken place, they should include a full accounting of what occurred in their next report to their Society superior officers and confer with the Crown about appropriate sanctions. Depending on the circumstances, this may include banishment at some level and/or a request for revocation/denial of membership.

### **For amounts between \$250 and \$1000:**

- 1) The suspected theft should be reported to the Kingdom Exchequer and Kingdom Seneschal immediately. As above, the local officers should **not** contact the person suspected of the theft.
- 2) The Kingdom Exchequer will verify whether the suspected theft has occurred, also as above. If the Kingdom Exchequer is satisfied that there has been a theft, they will work with the Kingdom Seneschal to resolve the matter.
- 3) Once the Kingdom Officers are satisfied that a theft has taken place, they should inform their Society superior officers immediately by phone or email, giving a complete report of what has occurred. Do not contact the suspected thief until and unless the Society Seneschal and the Society Exchequer direct you to do so. Follow the procedures given above in any discussion with a suspected thief.

- 4) The Kingdom Officers will direct the local seneschal and exchequer to file a police report with the appropriate jurisdiction, again as above. Obtain a copy of the report when it is available and keep it with the documentation of the case.
- 5) The Society Officers will direct the Kingdom Officers to confer with the Crown about appropriate sanctions. Depending on the circumstances, this will at a minimum include a request for banishment from the realm, and may include a request for absolute banishment and revocation/denial of membership. Copies of all documentation should be sent to both Society Officers.

**For amounts above \$1000:**

- 1) The suspected theft should be reported to the Kingdom Exchequer and Kingdom Seneschal immediately. As above, the local officers should **not** contact the person suspected of the theft.
- 2) The Kingdom Exchequer will verify whether the suspected theft has occurred, also as above. If the Kingdom Exchequer is satisfied that there has been a theft, they will work with the Kingdom Seneschal to resolve the matter.
- 3) Once the Kingdom Officers are satisfied that a theft has taken place, they should inform their Society superior officers immediately by phone or email, giving a complete report of what has occurred.
- 4) The Kingdom Officers should direct the local officers to contact the local police in the appropriate jurisdiction, file a police report, and investigate what is necessary to press charges. This contact should be made by the local seneschal (as legal representative) and exchequer (as financial officer). If, for any reason, the local group should not be involved in filing the police report, the Kingdom Officers will report the theft to the police. Remember to obtain a copy of the police report for the file, and stress that the SCA will work with the police in any necessary investigation.
- 5) Do not wait indefinitely for the police to decide on whether or not they will prosecute a particular case. Call them regularly if it is necessary, and make it clear to the officer in charge that the SCA would like rapid prosecution if possible.
- 6) If the police decline to prosecute, consult with a local attorney to get their opinion on the best course of action. (Many SCA attorneys will take a case like this on a *pro bono* basis, or can refer you to another attorney who may donate all or part of his time.) Most likely, this will be a Small Claims Court action, but that will vary by state. Remember that SCA policy is to pursue redress in all cases of theft – see G&PD #16. If a *pro bono* attorney cannot be obtained, the Kingdom may have to pay for legal services.
- 7) Once either a criminal or civil procedure is underway, ask the police liaison or the attorney if the SCA can implement banishment and revocation/denial procedures – in other words, ask them if the SCA can remove the suspected thief from our club without imperiling any investigation. Follow their advice in terms of what steps to follow.
- 8) If prosecution or court action is decided against (because of expense, or because the evidence is compromised, or for any other reason), the Kingdom Officers should contact the suspected thief regarding their investigation (as above).
- 9) The Society Officers will direct the Kingdom Officers to confer with the Crown about appropriate sanctions. This will include a request for absolute banishment and revocation/denial of membership. Copies of all documentation should be sent to both Society Officers.

Adjust all these procedures as necessary if the theft is on the Principality/Regional or Kingdom levels. If the Kingdom Seneschal or Kingdom Exchequer suspect that a Crown is misappropriating funds, call both Corporate Officers IMMEDIATELY. If a Kingdom Seneschal suspects a Kingdom Exchequer, or *vice versa*, call both Corporate Officers IMMEDIATELY.