

Embezzlement

If you believe an employee may be embezzling company funds for personal use here are some items that will be needed to successfully prosecute the case:

- Evidence that may show who the employee is and how they were able to embezzle the funds.
- Once you have determined who the employee is you may want to confront them with the theft to determine there reason.
- If possible and you have copies of checks forged and cashed by the employee show them to the employee and ask them if they wrote and cashed this check. If they admit to forging the check have them initial and date the face of the check.
- If the employee is talking ask them to explain the procedure they used to commit the theft. Have them also write it out and sign it.
- Ask the employee if any of the property taken or anything of value can be returned to the corporation. If they say it can and it is at their home have a security representative accompany them to their residence and obtain the property. Give the employee a receipt acknowledging you received the property and have them sign the receipt releasing the property to you.
- Decide whether you want to proceed with the theft as a criminal/civil matter or both. You may want to consult an attorney to assist you with this decision.

If you decide to proceed with the case criminally an initial crime report will be completed and forwarded to a detective for further investigation and filing of a criminal complaint. The complaint will be filed once the detective has collected all evidence and completed their investigation. The detective must understand the case and be able to present and explain the case to the District Attorney assigned to the case. A fraud or embezzlement type crime takes a long time to put together so be patient. It is not unusual for a case of this complexity to take 1-3 years to complete.

The following embezzlement questionnaire will help assist you with your investigation and give you an idea of the type of evidence that is needed for this case.

Embezzlement Questionnaire

Victim:

Employee/Suspect:

1. Exact description from the victim of employee/suspects job duties.
2. What was taken from the victim and how does the victim think it was done.
3. What is the proper corporation paper flow and how did the employee/suspect action differ.
4. What audit/other controls does the victim corporation use and have in place.
 - a. How was it bypassed if known?
5. When was the corporation/victim first alerted of employee/suspect and activities?
 - a. How were you alerted?
6. If check case (typical) get all checks and copies of book entries (For the checks copy the front of the check and the rear of the checks legibly).
7. If the checks are signed by an authorized signer ask the person whose signature is used if he/she signed the checks or if the signature was forged or obtained by fraud.

8. If not their signature is it a forgery?

9. Do you or the person's signature that was used recognize the writing?
 - a. Whose signature is it?

10. If the employee/suspects signature, do you recognize it?
 - a. How do you recognize the signature?

11. Is the employee/suspect authorized to sign checks or documents for the corporation?

12. Did the employee/suspect make a statement to the victim?
 - a. If so was it hand written or recorded?

 - b. Can we get a copy if recorded or hand written?

13. Did employee/suspect make any restitution agreement?

14. Before the victim brought the case to the police did they do an internal investigation?
 - a. If yes, can we be given a copy of the investigation and audit.

Employee/Suspect Name:

California Driver's License Number:

Social Security Number:

Current Address:

Employer (Now):

Phone number for Res:

New Employment Phone #:

When employed for the victims list the name of the supervisors for employee/suspect.

Known credit cards:

A copy of employment application:

Known writings by defendant while employed during embezzlement/theft.(Want original copies)

Name of Secretary, if any, for employee/suspect while employed.

Work hours:

Address:

Phone Number:

When can she/he be interviewed?

Please add any additional information you think might be beneficial to the investigator during his investigation.

Name_____

Title_____

Signature_____Date_____