

Legal Services
THEFT CLAIMS

SUPPLEMENTATION. Local supplementation of this regulation is prohibited except upon approval of AFZF-JA.

SUGGESTED IMPROVEMENTS. The proponent of this regulation is the Office of the Staff Judge Advocate. Users are invited to send comments or suggested improvements to the Commander, III Corps and Fort Hood, ATTN: AFZF-JA.

OVERVIEW

1

Purpose

This regulation establishes

- preventive measures and guidelines
 - to reduce losses from thefts and
 - to protect the Government against fraudulent claims.
- procedures used in investigating and reporting losses of personal property in unit areas which may give rise to potential claims against the Government.

1a

General

In processing claims against the Government, suspicion has arisen that some apparent victims may arrange thefts to provide a basis for a fraudulent claim.

The fraudulent claims are for personal property allegedly stolen from

- cars
- barracks, and
- government quarters.

Everyone involved in the investigation of theft claims should be alert to situations which may indicate a fraudulent claim is being submitted against the Government.

1b

PREVENTIVE MEASURES

2

Unit SOP

The following measures

- protect property from being stolen, and
- aid in the prompt payment of claims when property is stolen.
 - Review unit Standing Operating Procedures (SOP) concerning the protection of both Government and personal property.
 - Unit commanders ensure that all personnel are personally familiar with unit SOP.

2a

Unit Safe

Storing money or small articles of high value, such as rings, watches, or other jewelry in billet areas is discouraged.

In exceptional cases, the use of a unit safe is authorized for storing money and small articles of high value.

Continued on next page

Unit Safe
(Continued)

Individuals are encouraged to use alternative methods for safeguarding money

- establishment of checking and savings accounts, or
- have their payroll checks sent to a bank.

If money is authorized to be stored in a unit safe, it is only for the minimum time required until the owner can make other arrangements for its security.

For example, an individual may want to secure money in the unit safe overnight before departing on leave or permanent change of station (PCS).

The unit safe is not used as a substitute for a bank.

Units ensure

- accurate records are maintained and
- only the minimum number of personnel have access to the unit safe.

2b

Unit Crime
Prevention

Unit crime prevention educational programs as required by FH Supplement 1 to AR 190-31, (Department of the Army Crime Prevention Program) are oriented toward the individual's understanding of his or her role in the prevention of criminal activity.

2c

Other Storage
Areas

If possible, make secure areas available for storage of high value items that cannot be stored in the unit safe.

2d

Recovery
Aids

To aid in the recovery of stolen property and the prevention of fraudulent claims units may maintain a log or card file where a soldier's high value purchases, such as stereos and televisions, can be recorded.

The log or card file includes, at a minimum,

- brand name
- serial number, and
- purchase price.

Soldiers are strongly encouraged to

- retain receipts and other documents that substantiate their high value purchases.
- mark high value and non-serially numbered items.

2e

Additional
Measures

Additional preventive measures may be found in AR 190-31, as supplemented by FORSCOM and III Corps.

2f

INVESTIGATING AND REPORTING PROCEDURES

3

Unit
Commanders

Encourage unit commanders to investigate each reported theft to

- determine if the theft actually occurred
- ensure the property allegedly stolen was, in fact, in possession of the victim before the theft, and
- report any circumstances which may have a bearing on the determination of whether the claim is valid.

3a

Reporting

Report each theft reported within the unit to the Military Police as soon as possible.

3b

Continued on next page

INVESTIGATING AND REPORTING PROCEDURES, Continued

FH Form 1950 The Claims Office issues the FH Form 1950 (Statement of Commander Concerning Personal Property) to the victim.

The unit commander personally signs FH Form 1950 after ensuring its accuracy.

Submit this document with the claim.

3c

Fraudulent Claims If suspicious circumstances come to the commander's attention which indicate that a fraudulent claim is being submitted, it is appropriate for the unit commander to report these circumstances to the Military Police for investigation.

If this is done, this fact is recorded in Item 9, FH Form 1950 sent to the Claims Officer.

If this type of information comes to the attention of the unit commander after the report is submitted, provide all pertinent information to the Claims Office by telephone (287-7722/7301).

3d

Claims Office Refer all questions concerning claims directly to the Claims Office at Building 211, by calling one of the telephone numbers listed above.

3e

FOR THE COMMANDER:



JOHN C. BAHNSEN
Brigadier General, USA
Chief of Staff

R. A. KOLIN
COL, AG
Adjutant General

DISTRIBUTION:
IAW FH Form 1853, B
Plus: AG-Pubs (100)
AG-AO (2)