

# LUASC THEFT POLICY

Most of NA's money gets where it is supposed to go. NA members serving in positions of financial responsibility for the fellowship volunteer countless hours to make sure everything adds up. All of these things happen because NA communities and members utilize responsible accounting practices, and carefully selected trusted servants who believe in honesty, and have experience in handling money.

## **Theft: Safeguarding funds**

Theft can be most easily be avoided by consistently and diligently following responsible financial principles. Most theft of fellowship funds occur when precautionary measures are not in place, or are in place, but are not used. The very best safeguard against theft is to remove the opportunity to steal.

## **Selecting trusted servants**

Our Fourth Concept tells us "Leadership qualities should be carefully considered when selecting trusted servants." These qualities include honesty, integrity, maturity, and stability, both in recovery and in personal finances.

Substantial clean time and financial stability should be required for positions where money is handled. Clean time requirements should not be waived for these positions, and questions regarding financial stability should be asked when candidates are nominated.

## **When safeguards fail**

If we develop and follow sensible financial procedures, we will make it almost impossible for anyone to misappropriate or steal NA funds. If someone does steal from us, the first question we should ask is one of ourselves: Did we adhere to all of our accounting procedures and safeguards? If the answer is no, we as a service committee also bear a substantial responsibility for the theft. We will want to review our procedures to ensure that they are complete and resolve to adhere to them in the future.

## **When Theft Does Occur**

When theft does occur, regardless of procedures and policies, our initial reactions may range from denial to anger or outrage. However, we don't want our initial emotional reaction to dictate the outcome of the situation.

**Step 1:** An ad-hoc committee will be appointed by the Chairperson within 5 days consisting only of executive committee members to thoroughly review all books and financial records, to make sure the funds were actually misappropriated. Can it be definitely be determined how much, by whom and what failing in the accounting procedures and safeguards allowed this to happen?

**Step 2:** Once they have verified that funds were indeed misused, and have determined who is responsible, the ad-hoc chair will go to them and ask their side of the situation. An ad-hoc committee meeting will be called with the involved person(s) being invited to attend. Their story may reveal that the loss of funds is the result of a misunderstanding, accident or ignorance, rather than an actual intent to steal.

**Step 3:** The agenda of the committee meeting must include a break period after all sides have been heard to allow all in attendance to get in touch with their Higher Power and focus on spiritual principles, before coming back to determine the best course of action.

**Step 4:** Courteously encourage the member to make amends, which can then provide healing for all, involved. If the individual admits to the theft and agrees to pay back the missing funds, a restitution agreement will be developed. Such an agreement must include regular payments at any interval acceptable to all involved,

though it is best to not drag out the process unnecessarily. The agreement must specify regular weekly or monthly payments until the full amount is repaid.

The agreement will be in the form of a legally binding contract, signed and witnessed (utilizing legal advice if necessary) it will also contain remedies if payments are defaulted on. Utah law requires a minimum 30-day grace period, before further action can be taken. The ad-hoc committee may also choose to supply “friendly and courteous” reminder letters on a regular basis.

**Step 5:** A report about the situation shall be given by the ad-hoc chairperson at all regular LUASC meetings until the agreement is satisfied. The reports will not contain any names in order to maintain personal anonymity. (All information about the individual(s) involved will be kept in strict confidence of the ad-hoc committee.)

**Step 6:** Again, balancing spirituality with responsibility, the individual involved will be removed from their service position and not considered for another position involving money until they have dealt with the issue through the process of the steps. (The only way to determine this is through the principle of trust. We may however require a letter of reference from the individuals sponsor.)

**Options:** If the individual is unwilling to meet with the committee, use registered mail to send a letter explaining that an audit of financial records has been preformed; facts show the individual is responsible for the missing money; repayment is expected, along with a suggested repayment schedule. Schedule will include realistic payment intervals and consequences stated if the individual does not respond to the letter. A copy of the letter will be kept for further legal action, if necessary. If the individual agrees to a repayment schedule all collections will be kept within the ad-hoc committee and included in the reports to the LUASC committee. Prior to involving an outside collection source the LUASC must give their approval.

If the individual refuses to repay the money, agrees to a plan but does not follow through with the agreement or if the person has disappeared, it is appropriate to take further legal action. The decision to take legal action is an option that does not compromise traditions or spiritual principles, but it **should be our last resort**, opted for only when everything else has been tried. The decision to prosecute must be made by the LUASC it is strongly recommend that this decision be thoroughly explored before going ahead.

**Bad Checks:** In order to collect on bad checks, we must first notify people of a bad check policy. A simple sign near merchandise and registration stations will state: **“There is a \$20.00 service fee on all returned checks”**

Usually bad checks are not large amounts by themselves, but collectively, they can cause financial problems to the ANY Committee. Fairly simple procedures will be followed to collect on bad checks.

**Step 1:** There will be an ad-hoc committee appointed by the chairperson consisting only of executive committee members. The purpose of this committee will be to collect on all returned checks. The information collected by this committee will be kept confidential to the executive committee only.

**Note about phone calls:** When contacting the individual by phone, remember to be courteous and non-threatening. Most bad checks are simply mistakes or oversights, and most individuals are highly embarrassed when discovering that a check has bounced. In fact, this has probably happened to all of us.

**Step 2:** The ad-hoc chairperson will notify the individual, by phone or mail of the bad check, including bank charges, if applicable. (All phone calls will be logged so there is a paper record) Ask for the amount of the check, the return check fee, plus any bank fee charged to our account as a result of the default. The wording in written communications will be polite and non-judgmental.

- Step 3:** If there is no response within one (1) week, a follow up letter will be sent. The wording of the letter should remain polite but should be a bit stronger than the previous communication.
- Step 4:** After one (1) more week, a second or third letter will be sent. Letter wording will be more forceful, requesting compliance, and informing the individual of the specific legal consequences of their failure to comply.

If the matter does get resolved using these steps, further collection actions may take place. The decision to collect using outside or legal sources will only be made by the LUASC

**Afterwards; resolution and recovery**

Even if a successful resolution is reached, many of us will be angry and hurt, and may want to shun the person involved. Although this is understandable, we have to remind ourselves that NA's primary purpose is to carry the message to the addict who still suffers. We also need to remember that our disease will surface if we are not diligently working a program of recovery.

As NA members practicing spiritual principles, we should all support the individual in continuing his or her recovery; utilizing meetings, a sponsor, and the Twelve Steps. We should offer the same love and support we would to someone who has relapsed by using drugs. At the same time, in the future, positions should not be offered to individuals who have not made appropriate amends.