



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Retail Theft**

Eff. Date 01/31/2023

**Purpose**

To outline the procedure for responding to and investigating Retail Thefts and their attempts.

**Definitions**

Loss Prevention Officer (LPO): Any person designated or authorized by the business in question to investigate the theft or damage of merchandise, wares, etc., and to pursue a complaint.

**Procedure**

**MUNICIPAL VIOLATIONS**

1. Municipal citations for any theft under **\$200**, unless it involves any of the following:
  - a. Any other crime (e.g. DC, Battery, Resisting)
  - b. Advanced Techniques (e.g. professional thieves, multiple stores, lookouts, diversionary tactics, removing anti-theft devices)
  - c. Repeat offenses

**MISDEMEANOR VIOLATIONS**

1. Misdemeanor charges should be issued if the theft is over **\$200**, or involves any of the municipal exceptions above

**FELONY VIOLATIONS**

1. Felony charges shall be issued if the theft is over **\$500**

**SELF-REPORT REFERRALS**

Dispatch Guidelines

1. LPOs should self-report any incident where:
  - a. Loss is less than \$50.00, regardless if suspect is on scene  
OR
  - b. Cold Scene Retail Theft of any amount with no readily identifiable information
  - c. Anytime the store is unsure about pursuit/prosecution policies
2. Exceptions:
  - a. Involves theft of firearm
  - b. LPO is injured
3. Dollar amount requirement may be negated if theft involved another citable offense
  - a. Trespass, Disorderly Conduct, Battery, Minor in Possession of Alcohol, etc
  - b. Still self-reported if no readily identifiable information
4. If an identification becomes available after the incident is already self-reported, the loss prevention officers may reach out to have officers follow-up and issue charges where appropriate

Store Officer Requirements for Self-Reported Retail Thefts

1. Complete a store report with still photos of suspect(s) to have on hand in case requested by officer
2. Save video surveillance footage if the incident is over \$100.00, in case requested by officer

**COLD-SCENE RETAIL THEFT (SUSPECT NOT ON SCENE)**Dispatch Guidelines

1. Officer will be dispatched as soon as possible per Calls For Service (CFS) guidelines if all of the following exist:
  - a. Theft is more than \$50.00
  - b. Store has suspect info that readily identifies the suspect
    - i. Name/Rewards Member Info/Employee recognition of suspect
    - ii. License plate
  - c. Store must articulate a willingness to pursue charges prior to officer dispatch
  - d. LPO has completed the store documentation and has two copies of video surveillance footage ready to turn over to the officer
    - i. If not ready upon initial call, LPO should obtain the case number from Dispatch and call back when documentation is available
  - e. Exceptions:
    - i. The Retail Theft involves theft of a firearm
    - ii. LPO is injured
2. Dollar amount requirement may be negated if theft involved another citable offense
  - a. Trespass, Disorderly Conduct, Battery, Minor in Possession of Alcohol, etc.

Store Officer Requirements for Cold Scene Retail Thefts

1. Store report completed prior to officer dispatch
2. List of items taken (receipt or in store report) provided to officer
3. Still photos of the suspect provided to officer (printed, emailed, or burned to disc/digital file storage device)
4. Video surveillance footage (two copies) completed when requested by officer
5. Copy of the ban form attached to report, or ban information noted in narrative of store report

Officer Report Requirements

1. Good faith follow-up attempts to identify the suspect
2. Report completed in timely manner per correct basket and priority levels
3. Store report and still photos attached to report
4. Video surveillance footage obtained for Misdemeanors/Felonies, even if no suspect identified
  - a. Following Video Retrieval SOP
  - b. Originals tagged into property
  - c. Working copies submitted
5. Ban information documented
6. Any suspect vehicles documented

**ACTIVE RETAIL THEFT**Dispatch Guidelines

1. Officer(s) will be dispatched as soon as possible per CFS guidelines if:
  - a. Theft is more than \$50.00 AND suspect is on-scene
    - i. In custody
    - ii. Still in the store
  - b. Store articulates a willingness to pursue charges
  - c. LPO is injured, regardless of dollar amount
2. Dollar amount requirement may be negated if theft involved another citable offense
  - a. Trespass, Disorderly Conduct, Battery, Minor in Possession of Alcohol, etc.
3. If suspect is actively fleeing:
  - a. Dispatch will announce the information over the air in case any officers are nearby and are able to respond
  - b. LPOs will proceed with completing the store report (see Cold Scene Retail Thefts above)
  - c. LPOs will call back with the case number when documentation is ready

4. LPOs may pre-call if:
  - a. Suspect is utilizing an edged weapon to remove anti-theft devices
  - b. Suspect has fled in the past
  - c. Individual(s) concealing felony amount
  
5. In rare cases (i.e., priority calls for service response) when an LPO has a cooperative, identifiable shoplifter in custody for a municipal violation, an officer may request via phone that the LPO release the subject, with the understanding that the officer will follow-up with that suspect for citations. Subject to LPO agreement. This course of action should be documented in the Officer's report.

#### Disposition Guidelines

1. \* Felony Retail Theft violators should be taken to jail
2. Misdemeanor/Municipal violators may be cited-and-released or taken to jail at the officer's discretion and per MPD policy
  - a. If released, suspect must be positively identified
    - i. Verbal identification compared to DOT photo is generally not enough, as many suspects can provide their sibling's/friend's information to avoid jail
    - ii. In cases where suspect has no physical ID on them, officer must take good faith steps to attempt to positively identify that person and document that process, which can include but is not limited to:
      - Check Spillman for tattoos
      - Check online school profiles for juveniles' pictures
      - Have family member verify their identity
  - b. If **no positive identification** can be met through these good faith steps:
    - i. Any adult suspect should be taken to jail to post
    - ii. Any juvenile suspect should be released to guardian, regardless of age
3. Consider MAARI referral, as appropriate

#### Store Officer Requirements

1. Store report completed in timely manner and provided to officer
  - a. If suspect arrested, report should be done prior to LPO shift ending
  - b. If suspect cited and released, report should be done within three business days
2. List of items taken (receipt or in store report) provided to officer
3. Stills of the suspect provided to officer (printed out or emailed)
4. Video surveillance (two copies) completed when requested by officer
5. Copy of the ban form attached to report, or ban info noted in LPO narrative

#### Officer Report Requirements

1. Report completed in timely manner per correct basket and priority levels
2. Store report and still photos attached for all cases
3. Video surveillance footage required for any Felony or Misdemeanor incident
  - a. Following Video Retrieval SOP
  - b. Originals tagged into property
  - c. Working copies submitted
4. Ban information documented
5. Any suspect vehicles documented

\* Jail disposition shall only be waived by supervisory approval in extraordinary circumstances. Examples may include, but are not limited to the following: hospitalization of suspect, on-going major incident, overwhelming calls for service, etc.

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