



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Retail Theft

Eff. Date 11/05/2018

Purpose

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

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

Store Officer Requirements for Self-Reported Retail Thefts

1. Complete a store report with stills to have on hand in case requested by officer
2. Save video 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 over \$50.00
 - b. Store has suspect info that readily ID's 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 ready to turn over to 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. Stills of the suspect provided to officer (printed, emailed, or burned to disc)
4. Video surveillance (two copies) completed when requested by officer
5. Copy of the ban form attached to report, or ban information noted in narrative

Officer Report Requirements

1. Good faith follow-up attempts to ID the suspect
2. Report completed in timely manner per correct basket and priority levels
3. Store Report and Stills Attached to report
4. Video Surveillance obtained for Misdemeanors/Felonies, even if no suspect ID'd
 - 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 will be dispatched as soon as possible per CFS guidelines if:
 - a. Theft is over \$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 want to break
 - b. LPOs will proceed with completing the store report (ala Cold Scene Retail Thefts)
 - 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. priorities only) 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.

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 ID 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 ID
 - b. If **no positive ID** 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

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 Stills Attached for all cases
3. Video 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: hospitalization of suspect, on-going major incident, or overwhelming calls for service, etc.

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