



Policy 812

Subject	
MISDEMEANOR SHOPLIFTING ARREST PROCEDURES	
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By Order of the Police Commissioner

POLICY

The Baltimore Police Department (BPD) will investigate allegations of shoplifting consistent with Maryland law. The purpose of this policy is to outline the proper procedures for efficiently investigating, documenting, and charging suspects alleged to have committed a misdemeanor shoplifting offense.

GENERAL

1. Members are limited by law in arresting adults for misdemeanor crimes not committed in their presence.
2. Members may arrest adults for felony crimes not committed in their presence.
3. Members may arrest juveniles for any crime not committed in their presence.

DEFINITIONS

Acceptable Identification — An identification presented by the suspect which the officer believes to be satisfactory evidence of his/her identity (e.g., driver's license; state issued identification card; passport; military I.D. card, etc.); or an identification of the suspect that is confirmed through other reliable means (e.g., FAST ID, or an MVA/NCIC/CJIS query). An officer's prior knowledge of the suspect's identity alone, without supporting documentation, is **not** considered to be acceptable ID.

Misdemeanor Shoplifting — Theft of goods having a total value less than \$1,000.00.

Felony Shoplifting — Theft of goods having a total value of \$1,000.00 or more.

REQUIRED ACTION

Member

1. Investigate misdemeanor shoplifting calls for service, with adult suspects, in the following manner.
 - 1.1. Obtain an acceptable form of identification from the suspect.

- 1.2. Conduct a warrant check on the suspect.
- 1.3. Ensure no crime other than theft has been committed.
- 1.4. Obtain a Central Complaint number from the Communications Unit for theft.
- 1.5. Supply the business owner/victim with the following:
 - 1.5.1. Name, address and date of birth of the suspect.
 - 1.5.2. The Central Complaint number.
 - 1.5.3. A Victim Assistance / Incident Information, Form 309, and explain the procedure for obtaining a criminal summons from the office of the Court Commissioner.

NOTE: The preferred policy of the BPD is to not issue Criminal Citations for misdemeanor shoplifting offenses. The owner/victim shall obtain a criminal summons for misdemeanor shoplifting offenses from the office of the Court Commissioner. (See Policy 808, *Criminal and Civil Citation Procedures*)

- 1.6. Complete and submit an Incident Report, Form 04/008 containing a property listing on the first line of the narrative.
- 1.7. Arrest the suspect when:
 - 1.7.1. The member is unable to obtain acceptable identification of the suspect.
 - 1.7.2. The suspect committed an arrestable offense while shoplifting. (e.g., destruction of property, assault, etc.)
 - 1.7.3. The suspect was found to be wanted for another offense.
2. Investigate felony shoplifting calls for service according to existing policy. (See Policy 1106, *Warrantless Arrest Procedures*)
3. Investigate shoplifting calls for service with juvenile suspects in accordance with existing policy. (See Policy 1202, *Juveniles: Non-Custodial Contact and Custody Procedures*)

ASSOCIATED POLICIES

Policy 808, *Criminal and Civil Citation Procedures*

Policy 1106, *Statement of Charges: Warrantless Arrest Procedures*

Policy 1202, *Juveniles: Consensual, Non-Custodial Contacts and Custody Procedures*

RESCISSION

Remove from files and destroy/recycle Policy 812, *Misdemeanor Shoplifting Arrest Procedures*, dated 12 May 2015.

COMMUNICATION OF POLICY

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.