

**STOCKTON POLICE DEPARTMENT**

**GENERAL ORDER**

**SHOPLIFTING ARRESTS**  
**SUBJECT**

**DATE:** March 28, 2019

**NO:** P-2a

**FROM:** CHIEF ERIC JONES

**TO:** ALL PERSONNEL

**INDEX:** Shoplifting Arrests

**I. POLICY**

- A. In cooperation with store personnel, this Department will accept, and process persons apprehended for shoplifting.
- B. As with all community interactions, Stockton Police Officers will consider the four guiding principles of Procedural Justice as they relate to shoplifting arrests. Those principles are:
  - 1. Respect – treating all with dignity and respect
  - 2. Voice – listening and allowing residents to be heard
  - 3. Neutrality – making decisions in a fair and impartial manner
  - 4. Trustworthiness – acting in ways that foster trust, are perceived as legitimate, and exemplify fairness of process

**II. LAW**

Officers must become familiar with Penal Code Sections 484(a), 459.5(a), 211, 470, 594(b)(2)(A), and PC602(l).

**III. PROCEDURE**

- A. Shoplifting calls will be processed as follows
  - 1. Upon arrival, the investigating Officer will determine whether or not the business with the suspect in custody participates in the On-line Shoplifting Program. If the business does, refer to General Order P-2b.
  - 2. The investigating Officer may handcuff the suspect if they have not been handcuffed by store security.
  - 3. The investigating Officer will initiate a Criminal History and warrants check of the suspect.
  - 4. The investigating Officer shall either obtain a statement from the store security or review the store incident report.
  - 5. The investigating Officer should attempt to view any surveillance footage of the incident and review any other evidence.
  - 6. Read the Miranda statement to each suspect and include any statement or refusal in the report.
  - 7. The investigating Officer shall determine what crime has occurred and whether or not there is probable cause to arrest the suspect.
    - a. If it is determined that no crime occurred, or no probable cause exists to sustain the private person's arrest refer to General Order P-7.
  - 8. The Officer will search the suspect and his/her property (i.e. bags, backpacks they may have). Any stolen property located on the suspect that is identified as belonging to the

business should be photographed and returned to a representative of the business. All other evidence shall be booked in accordance with General Order G-2.

9. Complete a citation in accordance with Department policy if the arrested subject is eligible to be cited.
10. Advise store security of the Departmental Report number for their records.
11. An original crime report will be generated, and any store incident report provided to the investigating Officer will be attached.