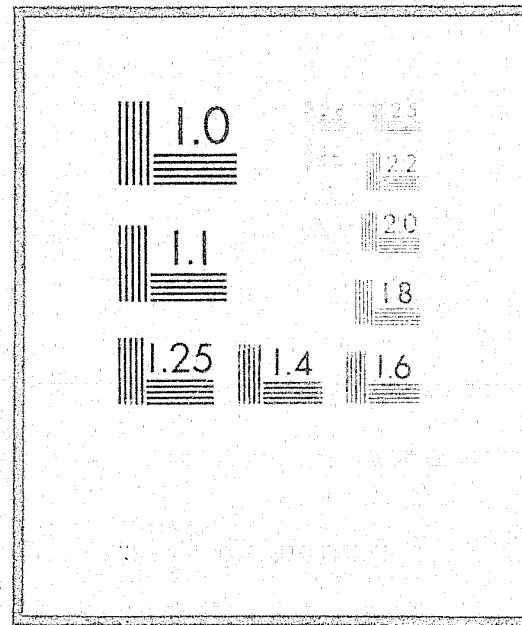


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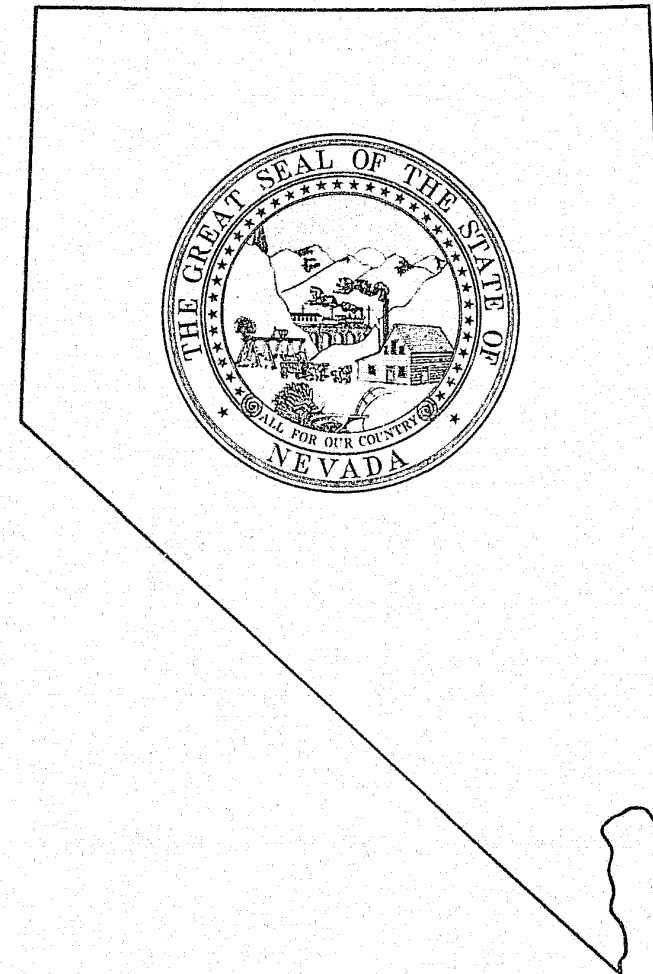


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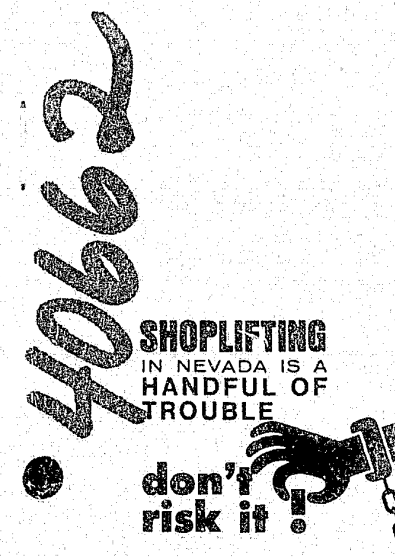
U.S. DEPARTMENT OF JUSTICE  
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NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE  
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9/2/77  
D. J. R. I m e d



## WHAT TO DO ABOUT SHOPLIFTERS

A Training Guide for Nevada Store  
Managers, Store Personnel and Secu-  
rity Staff



The material in this publication has been prepared by the Nevada Anti-Shoplifting Committee in cooperation with the Nevada Retail Association, the Attorney General's Office, the Nevada Department of Education, and the Nevada Commission on Crime, Delinquency and Corrections

Nevada Anti-Shoplifting Committee  
ROBERT LIST, Attorney General, State Chairman

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(You will be advised as to whom to call and what court has jurisdiction  
at your local training sessions)

NCJRS

APR 21 1977

ACQUISITION 5

**SHOPLIFTING  
IN NEVADA IS A  
HANDFUL OF  
TROUBLE**



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Attorney General Robert List, State Chairman  
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This manual represents several months of combined effort by the Nevada Retail Association, the Nevada Commission on Crime, Delinquency and Corrections, the Department of Education, and the Attorney General's Office --- effort aimed squarely at the curtailment of shoplifting in Nevada.

We are all aware of the monumental problem shoplifting has become in our state. It amounts to more than \$13 million a year, to \$44,000 a business day, and to \$5,000 a business hour --- costs which must be passed on to the consumer.

Until now, most government officials and private persons have failed to appreciate the dilemma of the retailer. We sincerely hope the awareness brought about by the Nevada Anti-Shoplifting Campaign can be forged into a strong tool to combat this crime.

We want to caution those reading this manual that the effectiveness of the material hinges on its use in conjunction with training seminars. The manual should be viewed in that light.

Finally, we look forward to working with you in reducing the incidence of shoplifting. We sincerely hope that this unique program will result in a savings of time, energy and money for all concerned.

ROBERT LIST  
Attorney General, Chairman  
Nevada Anti-Shoplifting Campaign



## STORE POLICY v. THE SHOPLIFTER

It is vital that each store develop a "policy" as to the best method of coping with the shoplifting problem, and that each employee follow the same uniform procedure in handling shoplifters.

Here are some suggestions:

1. Become thoroughly familiar with Nevada law on shoplifting and in particular the amendments adopted by the 1973 Legislature.
2. If you have any doubt whatsoever as to what to do, consult your immediate superior. Use good sense; good judgment.
3. When you act in a shoplifting situation, be polite, but firm. Let the shoplifter know that it is part of your responsibility as an employee of the store to protect merchandise offered.
4. Exert reasonable force to delay the shoplifter until police arrive, but use common sense in doing so. Do not take action which jeopardizes yourself physically, injures the shoplifter or threatens the welfare of other customers.
5. Avoid subjecting suspects to unnecessary public embarrassment and public exposure, but do not allow shoplifters to avoid arrest simply because they themselves create an unnecessary disturbance.

## A CONCISE INTERPRETATION OF NEVADA'S SHOPLIFTING LAW

### SHOPLIFTING

1. Every person, adult or minor, who takes property without intending to pay for it has committed a serious crime under Nevada law. The punishment that an adult shoplifter may receive depends upon the value of the item taken and may be summarized as follows:

Grand Larceny—If the value of the property taken is \$100 or more then the crime is grand larceny, which carries a maximum penalty of 10 years in prison and a possible fine of up to \$5,000.

Petit Larceny—If the value of the property taken is under \$100, then the crime is petit larceny, which carries a maximum penalty of 6 months in jail and a possible fine of up to \$500.

Juveniles under 18 years of age who shoplift have committed the same crime as an adult with the only differences being in the punishment, there existing the possibility of release to parents' custody or confinement in a juvenile detention home instead of prison, and the fact that they are not treated as criminals in regard to the judicial procedure followed and record keeping process.

2. In addition to the criminal penalties imposed upon convicted shoplifters, there exists, in favor of the merchant whose property was taken, a civil cause of action, which may be summarized as follows:

**A person who steals merchandise from a store is liable to the merchant in a civil action.** The merchant may bring a civil action, as provided for by the 1973 Nevada State Legislature, against an adult or parent or legal guardian of a minor child for the retail value

of the merchandise (if damaged or lost) plus damages of not less than \$100 nor more than \$250, costs of suit and reasonable attorney's fees. If the amount in question is less than \$300, action is brought in justice court or municipal court; if more than \$300, action is brought in the district court.

3. An owner of a store or employee has a right to detain on the store premises an individual he has reason to believe has taken an item. This detention is for the purpose of attempting to recover property taken and informing a peace officer of the circumstances of such detention. This detention must be done in a reasonable manner and for a reasonable length of time; thus only reasonable force can be used and there should be immediate notification to the local law enforcement agency. If the merchant does detain a suspected individual in this manner, he will be free from any type of liability, both criminal and civil **provided he has on prominent display a notice as printed below.** This notice is available through the State Printing Office in Carson City:

*Nevada*

## SHOPLIFTING LAW

Any merchant or his agent who has reason to believe that merchandise has been wrongfully taken by a person may detain such person on the premises of the merchant for the purpose of recovering the property or notifying a peace officer. An adult or the parents or legal guardian of a minor, who steals merchandise is civilly liable for its value and additional damages. NRS 598.030 and sections 2 and 3 of this act.

### CHAPTER 305

An Act relating to thefts from merchants; making persons who wrongfully remove merchandise civilly liable to merchants; making parents or guardians of minors liable under similar circumstances; clarifying certain provisions of the law affecting the safekeeping of merchandise; and providing other matters properly relating thereto.

[Approved April 13, 1973]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Chapter 598 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

SEC. 2. *An adult who steals merchandise from a merchant's premises is civilly liable for the retail value of the merchandise, plus damages of not less than \$100 nor more than \$250, costs of suit and reasonable attorneys' fees.*

SEC. 3. *The parents or legal guardian, as the case may be, of a minor who steals merchandise from a merchant's premises is civilly liable for the retail value of the merchandise, plus damages of not less than \$100 nor more than \$250, costs of suit and reasonable attorneys' fees. Recovery under this section may be had in addition to, and is not limited by, any other provision of law which limits the liability of a parent or legal guardian for the tortious conduct of a minor.*

SEC. 4. NRS 598.030 is hereby amended to read as follows:

598.030 1. As used in this [section:] section and in sections 2 and 3 of this act:

(a) "Merchandise" means any personal property, capable of manual delivery, displayed, held or offered for sale by a merchant.

(b) "Merchant" means an owner or operator, and the agent, consignee, employee, lessee, or officer of an owner or operator, of any merchant's premises.

(c) "Premises" means any establishment or part [thereto] thereof wherein merchandise is displayed, held or offered for sale.

2. Any merchant [shall have the right to] may request any individual on his premises to place or keep in full view any merchandise such individual may have removed, or which the merchant has reason to believe he may have removed, from its place of display or elsewhere, whether for examination, purchase or for any other purpose. No merchant shall be criminally or civilly liable on account of having made such a request.

3. Any merchant who has [probable cause for believing] reason to believe that merchandise has been wrongfully taken by an individual and that he can recover such merchandise by taking such individual into custody and detaining him may, for the purpose of attempting to effect such recovery or for the purpose of informing a peace officer of the circumstances of such detention, take the individual into custody and detain him, on the premises, in a reasonable manner and for a reasonable length of time. Such taking into custody and detention by a merchant shall not render such merchant criminally or civilly liable for false arrest, false imprisonment, slander or unlawful detention unless such taking into custody and detention are unreasonable under all the circumstances.

4. No merchant shall be entitled to the immunity from liability provided for in this section unless there is displayed in a conspicuous place on his premises a notice in boldface type clearly legible and in substantially the following form:

Any merchant or his agent who has [probable cause for believing] reason to believe that merchandise has been wrongfully taken by a person may detain such person on the premises

of the merchant for the purpose of *recovering the property* or notifying a peace officer. [Nevada Revised Statutes, section 598.030.] *An adult or the parents or legal guardian of a minor, who steals merchandise is civilly liable for its value and additional damages. NRS 598.030 and sections 2 and 3 of this act.*

Such notice shall be prepared and copies thereof supplied on demand by the superintendent of the department of state printing. The superintendent of the department of state printing shall be entitled to charge a fee based on cost for each copy of such notice supplied to any person.

SEC. 5. The superintendent of the department of state printing may utilize notices which were printed and available for distribution immediately prior to the effective date of this act, for distribution as required by subsection 4 of NRS 598.030. After this supply is exhausted, notices thereafter printed and distributed shall comply with subsection 4 of NRS 598.030 as amended.

#### NEVADA STATUTE FOR PARTIES TO CRIMES

**195.010 Classification of parties to crimes.** Parties to crimes are classified as:

1. Principals; and
2. Accessories

**195.020 Who are principals.** Every person concerned in the commission of a felony, gross misdemeanor or misdemeanor, whether he directly commits the act constituting the offense, or aids or abets in its commission, and whether present or absent; and every person who, directly or indirectly, counsels, encourages, hires, commands, induces or otherwise procures another to commit a felony, gross misdemeanor or misdemeanor is a principal, and shall be proceeded against and punished as such. The fact that the person aided, abetted, counseled, encouraged, hired, commanded, induced or procured, could not or did not entertain a criminal intent shall not be a defense to any person aiding, abetting, counseling, encouraging, hiring, commanding, inducing or procuring him.

**195.030 Who are accessories.** Every person not standing in the relation of husband or wife, brother or sister, parent or grandparent, child or grandchild, to the offender, who:

1. After the commission of a felony harbors, conceals or aids such offender with intent that he may avoid or escape from arrest, trial, conviction or punishment, having knowledge that such offender has committed a felony or is liable to arrest, is an accessory to the felony.

2. After the commission of a gross misdemeanor harbors, conceals or aids such offender with intent that he may avoid or escape from arrest, trial, conviction or punishment, having knowledge that such offender has committed a gross misdemeanor or is liable to arrest, is an accessory to the gross misdemeanor.

**195.040 Trial and punishment of accessories.**

1. Every accessory to a felony may be indicted, tried and convicted either in the county where he became an accessory, or where the principal felony was committed, and whether the principal offender has or has not been convicted, or is or is not amenable to justice, or has been pardoned or otherwise discharged after conviction; and, such accessory shall be punished by imprisonment in the state prison for not less than 1 year nor more than 5 years, or by a fine of not more than \$1,000, or by both fine and imprisonment.

2. Every accessory to a gross misdemeanor may be indicted, tried and convicted in the manner provided for an accessory to a felony; and, except where a different punishment is specially provided by law, shall be punished by imprisonment in the county jail for not less than

30 days nor more than 6 months, or by a fine of not less than \$100 nor more than \$500, or by both fine and imprisonment.

#### LEGAL GUIDE TO APPREHENSION

##### YOU MUST HAVE REASON TO BELIEVE THAT MERCHANDISE HAS BEEN WRONGFULLY TAKEN

This means that either through your own personal observation or from information conveyed to you by another (store employee, customer, etc.) you become aware of facts which would reasonably lead you to believe that an individual has merchandise in his possession which he does not intend to pay for. The following will serve to illustrate the circumstances which will increase the chances of a successful prosecution.

1. You observe an individual concealing an item of merchandise on his person, in a shopping bag, etc.

It is important that you observe the act of concealment since it indicates the intention not to pay for the merchandise. Of equal importance is the realization that the person or persons who observe the shoplifter be prepared to testify to the same in court.

2. Once the initial observation is made you should discreetly continue your observation of the individual to insure that he does not replace the item or "ditch" it in some other part of the store.

3. An indispensable element in the successful prosecution of a shoplifting case is proof of an individual's failure to pay for merchandise.

This may be established by personal observation and/or testimony of the person operating the cash register, along with the omission of an item on the cash register receipt.

4. The individual should be permitted to leave the store prior to apprehension.

The obvious reason for this is to firmly establish the intent not to pay for the merchandise.

However, circumstances may arise under which it would be imprudent to allow an individual to exit the store prior to apprehension. For instance, if a suspected shoplifter is hastening toward an exit in such a way as to indicate an attempt to escape apprehension, then he should be stopped although still on the store premises. Under these facts, a successful prosecution could still result while assuring the recovery of the merchandise.

5. This follows generally accepted steps. However, store policy should be considered. Refer to your store policy.

##### DECISION OF ARREST

Any private citizen can arrest a person whom they have witnessed taking property, or if one has reason to believe an individual or individuals have concealed merchandise on their person or have the merchandise in their possession, they may detain the person for the purpose of a citizen's arrest. **However, probable cause must be established in order to prosecute the matter criminally.**

##### PROBABLE CAUSE DEFINED

If probable cause or reasonable cause, as it is sometimes called, is necessary to make a lawful arrest, then it is important for you to know exactly what constitutes probable cause.

Probable cause exists where the facts and circumstances within the officer's knowledge, of

which he had reasonable, trust-worthy information, are sufficient in themselves to warrant a man of reasonable caution to believe that an offense has been or is being committed.

Detaining a suspected shoplifter constitutes a citizen's arrest! (In other words, when you stop a person from leaving your store you have as good as arrested him.)

It is very important to understand that the police are not responsible for the arrest, only for transporting the shoplifter to jail.

**The person who detains the suspected shoplifter is the responsible party for:**

1. properly filling out the form on pages 11 and 12;
2. reading the complaint and making sure the police officer has properly filled out the complaint;
3. signing the complaint;
4. properly securing the merchandise (evidence) until time of trial if need be (see following section on Evidence and the Shoplifter);
5. appearing as a witness in court.

## EVIDENCE . . . AND THE SHOPLIFTER

When you are summoned to testify at the hearing of a shoplifter be well prepared by having all necessary evidence you need to substantiate your charge. Here is a checklist:

1. As far as possible, reclaim from the shoplifter everything stolen including such incidentals as price tags, wrappers, cartons, boxes, paper, blister packs, etc. If the goods are perishable, remove the labels and/or save the container as evidence.
2. Initial and date each item of evidence and if the shoplifter paid for some merchandise, but not all of that ultimately taken, save the cash register receipt tape as further proof of items taken but not paid for.
3. If possible, take a photograph of evidence.
4. If you turn this evidence over to a police officer, inventory everything given and have the officer sign a receipt.
5. Ask the officer to accept the evidence and book it.
6. Written statements should be taken from all parties concerned whenever possible. These statements will be used as part of the police report.

In the event the police officer declines to accept this evidence, the evidence should be secured in a location where only the security personnel or store manager have access.

Place all the evidence in a box or other container with a complete inventory of everything contained therein along with the name of the shoplifter, the date of apprehension, and all other pertinent details necessary to substantiate your charge—date, time, circumstances, etc. After the evidence has been placed in a box or container, seal and have the police officer sign the seal and date it.

Within a reasonable time, if there has been no police or court action on your case against the shoplifter, call the prosecuting agency and find out why.

PAGE 1 OF

### LAS VEGAS METROPOLITAN POLICE DEPARTMENT LAS VEGAS, NEVADA

| LARCENY REPORT   |  | DR   |  |
|--|--|--|--|
| VICTIM'S NAME (LAST, FIRST, MIDDLE) - (FIRM NAME IF BUS.)  |  | RES. PHONES: RES. BUS.   |  |
| VICTIM'S ADDRESS (NUMBER, STREET, CITY, STATE, ZIP CODE)   |  | S.S.#  |  |
| I.D. NO.   |  | D.O.B. DEC. SEX HEIGHT WEIGHT HAIR EYES PLACE OF BIRTH   |  |
| OCCURRED: ON OR BTWN.  |  | MO. DAY YR. DAY WK. TIME REPORTED MO. DAY YR. TIME   |  |
| AND  |  | ZONE RPT. DIST. GRID   |  |
| LOCATION OF OCCURRENCE:  |  | PREMISES CODE  |  |
| (4) LARCENY, CLASSIFICATION  |  | PURSE SNATCHING FROM AUTOS (EXCEPT E) BICYCLE FROM BLDG. (EXCEPT C & H) ALL OTHER  |  |
| POCKET-PICKING SHOPLIFTING AUTO PARTS & ACCESSORIES  |  | TOTAL LOSS \$  |  |
| VICTIM'S LOCAL ADDRESS (IF DIFFERENT THAN ABOVE)   |  | PHONE PROJECTED LENGTH OF STAY   |  |
| CODE: V-VICTIM P/R-PERSON S-PERSON SECURING D-PERSON DISCOVERING W-WIT. W/I-WITNESS WHO CAN I.D. SUSP. |  | DAY PHONE - X  |  |
| OBTAIN A WRITTEN STATEMENT FROM ALL WITNESSES  |  | ADDRESS, NUMBER, STREET, CITY, STATE, ZIP CODE   |  |
| NAME (LAST, FIRST, MIDDLE)   |  | RES.   |  |
| ID   |  | D.O.B. DEC. SEX S.S.   |  |
| NAME (LAST, FIRST, MIDDLE)   |  | RES.   |  |
| ID   |  | D.O.B. DEC. SEX S.S.   |  |
| NAME (LAST, FIRST, MIDDLE)   |  | RES.   |  |
| ID   |  | D.O.B. DEC. SEX S.S.   |  |
| LIC. NO & STATE (IF UNK., COLOR COMB.)   |  | MAKE MODEL YEAR TYPE COLOR(S) TOP & BOTTOM ID CHARACTERISTICS  |  |
| SEX DESCENT HAIR EYES HT. WT. AGE CLOTHING   |  | NAME & ADD. IF KNOWN: NAME, I.D. NO. & CHARGE IF ARRESTED  |  |
| IF A BURGLARY OF OR LARCENY FROM A VEH. VICT'S DESCRIPTION (YEAR, MAKE, COLORS, LIC. NO.)              |  | POINT OF ENTRY METHOD USED (PRIED, BROKE, ETC.)  |  |
| NEIGHBORHOOD   |  | MISC.  |  |
| COMMERCIAL   |  | ALLEY  |  |
| COM'L & RESID.   |  | CARPORT  |  |
| APARTMENTS   |  | GARAGE   |  |
| TRAILER PARK   |  | CONSTRUCTION SITE  |  |
| SINGLE FAMILY  |  | DRIVEWAY   |  |
| NO. OF STORIES   |  | PARK   |  |
| MULTIPLE   |  | PARKING LOT  |  |
| SINGLE   |  | SCHOOL   |  |
| RESIDENCE  |  | CHURCH   |  |
| APT./CONDOMINIUM   |  | STREET   |  |
| SINGLE FAMILY  |  | YARD   |  |
| DUPLEX/TRIPLEX   |  | OTHER  |  |
| HOTEL  |  | OTHER  |  |
| MOTEL  |  | BAR  |  |
| MOBILE HOME  |  | CAR SALES  |  |
| OTHER  |  | EQUIP. RENTAL  |  |
| COIN-OP. MACH.   |  | HOSPITAL   |  |
| OBJECT OF ATTACK   |  | OTHER  |  |
| BUSINESS   |  | VEHICLE  |  |
| GAS STATION  |  | BUS  |  |
| WAREHOUSE  |  | DELIVERY   |  |
| LAUNDROMAT   |  | PASSENGER  |  |
| PUBLIC DEPOT   |  | TAXI   |  |
| THEATER  |  | TRUCK  |  |
| CASINO   |  | MOTORCYCLE   |  |
| OFFICE BLDG.   |  | VENDING  |  |
| RESTAURANT   |  | RECREATION   |  |
| MEDICAL OFF.   |  | OFF ROAD   |  |
| BANK/SAV. & LOAN   |  | OTHER  |  |
| VICTIM WAS   |  | EVIDENCE   |  |
| ABSENT   |  | AVOIDED OR REMOVED PRINTS  |  |
| ON VACATION  |  | LEFT NOTE  |  |
| IN CASINO  |  | GREASE FROM PRINTS   |  |
| ON PLANNED TOUR  |  | FOOTPRINTS   |  |
| IN SHOWROOM  |  | TIRE IMPRESSIONS   |  |
| OTHER  |  | TOOLMARKS  |  |
| PRESENT  |  | LATENTS  |  |
| MOVING   |  | BLOODSTAINS  |  |
| INDICATIONS THAT   |  | FABRIC SMEARS  |  |
| TECH. SKILLS USED  |  | UNKNOWN  |  |
| TRUCK OR TRAILER USED  |  | OTHERS   |  |
| MORE THAN ONE SUSPECT  |  |  |  |
| USE REVERSE SIDE FOR FURTHER TRADEMARKS, PERSONAL ODDITIES, AND:                                       |  | (1) IDENTIFYING ADDITIONAL SUSPECTS, OR PERSONS CONTACTED (2) ITEMIZE STOLEN ITEMS (3) RECONSTRUCT THE CRIME (4) DESCRIBE PHYSICAL EVIDENCE-STATE LOCATION FOUND AND BY WHOM-GIVE DISPOSITION (5) SUMMARIZE OTHER DETAILS RELATING TO CRIME (6) INDICATE WHERE VICTIM & WITNESS MAY BE LOCATED BY DAY TIME |  |
| SUPERVISOR APPROVING   |  | PERSONNEL NO. INTERVIEWING OFFICER (S) PERS. NO., DIV. DETAIL  |  |
| INVESTIGATIVE UNITS NOTIFIED & PERSON  |  | PERSON REPORTING (SIGNATURE)   |  |
|  |  | X  |  |
|  |  | CONNECTING RPTS. - TYPE OR NO.   |  |

LARCENY REPORT



LARCENY REPORT

DR

|             |  |  |  |  |  |  |
|-------------|--|--|--|--|--|--|
| TRADE MARKS | SUSPECTS ACTION<br><input type="checkbox"/> SMOKED IN AREA<br><input type="checkbox"/> HOT PROWL   | MALICIOUS ACT<br><input type="checkbox"/> SELECTIVE IN LOOT  | PRETENDED TO BE:<br><input type="checkbox"/> POLICE OR SECURITY  | INVOLVED IN T/C<br><input type="checkbox"/> AIDING VICT.<br><input type="checkbox"/> REPAIRMAN/DELIVERYMAN   | BLIND, CRIPPLED INFIRM, ETC.<br><input type="checkbox"/> SALESMAN<br><input type="checkbox"/> CUSTOMER<br><input type="checkbox"/> SEEKING AID   | SEEKING SOMEONE<br><input type="checkbox"/> DRUNK  |
|             | TATOOS<br><input type="checkbox"/> ARM<br><input type="checkbox"/> HAND<br><input type="checkbox"/> FINGERS<br><input type="checkbox"/> NAMES<br><input type="checkbox"/> WORDS<br><input type="checkbox"/> INITIALS<br><input type="checkbox"/> PACHUCO<br><br>FACIAL SCARS<br><input type="checkbox"/> CHEEK<br><input type="checkbox"/> CHIN<br><input type="checkbox"/> FOREHEAD<br><input type="checkbox"/> LIP | <input type="checkbox"/> NOSE<br><input type="checkbox"/> EAR<br><input type="checkbox"/> EYEBROW<br><br>FACIAL ODDITY<br><input type="checkbox"/> BIRTHMARKS<br><input type="checkbox"/> POCKMARKS<br><input type="checkbox"/> MOLES<br><input type="checkbox"/> FRECKLES<br><input type="checkbox"/> PIMPLES<br><input type="checkbox"/> LIPS - THICK<br><input type="checkbox"/> LIPS - THIN<br><input type="checkbox"/> CHIN - PROTRUDES | <input type="checkbox"/> CHIN - RECEDES<br><input type="checkbox"/> HOLLOW CHEEK<br><input type="checkbox"/> PARALYSIS<br><br>TEETH<br><input type="checkbox"/> MISSING<br><input type="checkbox"/> GOLD<br><input type="checkbox"/> BROKEN<br><input type="checkbox"/> FALSE<br><input type="checkbox"/> STAIN/DECAY<br><input type="checkbox"/> PROTRUDING<br><input type="checkbox"/> IRREGULAR | SPEECH<br><input type="checkbox"/> IMPEDIMENT<br><input type="checkbox"/> ACCENT<br><input type="checkbox"/> MUMBLES<br><input type="checkbox"/> RAPID<br><input type="checkbox"/> SOFT LOW<br><input type="checkbox"/> REFINED<br><br>EYES<br><input type="checkbox"/> MISSING<br><input type="checkbox"/> CROSSED<br><input type="checkbox"/> SUNGLASSES<br><input type="checkbox"/> GLASSES (PLAIN) | <input type="checkbox"/> BULGING<br><input type="checkbox"/> SLANTED<br><br>HAIR TYPE<br><input type="checkbox"/> DYED<br><input type="checkbox"/> PROCESSED<br><input type="checkbox"/> WIG/TOUPEE<br><input type="checkbox"/> CREW CUT<br><input type="checkbox"/> BALD<br><input type="checkbox"/> AFRO<br><input type="checkbox"/> LONG<br><input type="checkbox"/> RECEDING<br><input type="checkbox"/> STRAIGHT<br><input type="checkbox"/> WAVY<br><input type="checkbox"/> BUSHY<br><input type="checkbox"/> CURLY | FACIAL HAIR<br><input type="checkbox"/> GOATEE<br><input type="checkbox"/> BEARD - FULL<br><input type="checkbox"/> MUST. - HEAVY<br><input type="checkbox"/> MUST. - THIN<br><input type="checkbox"/> BROWS - HEAVY<br><input type="checkbox"/> UNSHAVEN<br><br>EARS<br><input type="checkbox"/> CAULIFLOWER<br><input type="checkbox"/> PIERCED<br><input type="checkbox"/> PROTRUDING<br><input type="checkbox"/> CLOSE TO HEAD<br><input type="checkbox"/> LARGE<br><input type="checkbox"/> SMALL<br><input type="checkbox"/> MISSING |

IF MORE SPACE IS REQUIRED USE CONTINUATION SHEET

LARCENY REPORT

TIPS ON APPEARING IN COURT AS A WITNESS

1. It is necessary for the person who made the observation to appear in court.
2. Review the incident report or police report prior to the court date and bring the incident report to court with you.
3. Be sure that your dress is conservative and neat for the court appearance.
4. Potential witnesses should refrain from distractions such as chewing gum, talking with others while court is in session, and any other distractions which may be viewed by the jury.

Do not discuss the case with people in the hallways or corridors of the courtroom, or in the courtroom during court session or in recesses, particularly if you have been excluded from the courtroom.

Under no circumstances discuss the case with any jury members or the judge outside the courtroom.

5. A witness should always speak clearly and loud enough so that the members of the jury will be able to hear all your answers. The best way to accomplish this is to look at and speak to the jury in answering all questions because although the attorney may be asking the questions, he is doing so for the benefit of the jury.

6. In answering questions, your response should be direct and to the point. Do not provide more information than was requested in the question. If additional information is required by the attorney, he will ask you to explain further. It is also important that you refrain from anticipating questions that may be asked by the attorney. Do not volunteer information. If you did not hear or understand a question ask that it be repeated or explained prior to attempting to answer. At all times you should be polite to the attorney asking the questions even though a question may be argumentative. If at any time one of the attorneys objects to a question or answer, stop immediately and wait for the court to give you further instructions.

7. Keep in mind that a witness can only testify as to personal knowledge of an incident. You cannot repeat hearsay nor can you, under normal circumstances, express your conclusions or assumptions. Your testimony will be restricted to the facts of the incident as you have personal knowledge of them.

ESTABLISHING AND MAINTAINING THE NEEDED WORKING RELATIONSHIP WITH YOUR LOCAL LAW ENFORCEMENT AGENCY

Although law enforcement agencies are available to serve you in your requests for assistance in the prosecution of shoplifters, their attitude toward your problems depends upon your willingness to do the following:

1. You should make an effort to become acquainted with your local law enforcement agency so that lines of communication will be established.

Designate one or two persons with whom the police will deal. Someone in authority should be designated as having final responsibility for determining when the police will be called.

2. The store manager or other individuals responsible for developing policy concerning shoplifters should establish written procedure for the handling of shoplifters in their particular



establishment. Many suggestions on the type of policy have been provided for you in this manual.

3. After a written policy has been established, all involved personnel should be made aware of it and if needed, an in-service training program should be conducted on the handling of shoplifters. This information should also be communicated to your local law enforcement agency for their review and comment.

4. If you have an occasion to ask for the assistance of your local law enforcement agency, be sure that your intentions are positive, in other words, the law enforcement agency should only be called in after you have made the decision to prosecute. Your law enforcement agency, as you can well imagine, has many other demands on its time and a call to simply scare a shoplifter by their presence could take them from more pressing problems.

The secret to a good relationship with your local law enforcement agency will be communication which (1) advises a law enforcement agency of your policies and (2) your understanding of the problems faced by your local law enforcement agency in answering your requests.

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