

1. SFPD
 - a. Sgt. Mark Milligan
 - i. Liaison between merchants experiencing retail theft and PD
 - ii. mark.milligan@sfgov.org
 - iii. (415) 837-7281
 - b. Reporting
 - i. In progress - call 911
 - ii. Reporting after the fact - (41) 575-5800
 - iii. Online reporting for retail thefts will launch in December
 - c. Deterrences
 - i. Monitoring the entrance with a greeter or security guard
 - ii. Limit ingress and egress with closed doors
 - iii. A bottleneck at exits can slow shoplifters down (i.e. Costco)
 - iv. Using shelves and displays as guides for a path of travel for people entering and exiting
 - v. Video surveillance with trained employees
 - d. Detaining suspects
 - i. If a security agent or any employee detains a subject, they need
 1. Witness the subject select and conceal merchandise
 2. Witness the subject exit the store premise and not make any attempt to pay
 3. Retain the stolen items if police are being called
 4. Have a receipt, written statement and video footage ready for the officer
 - e. Arrest
 - i. After a subject is detained, the store may wish to pursue criminal charges
 1. Let the officer know whether you want to press charges OR NO
 - ii. An agent of the store needs to sign a Private Person's Arrest of they want to file criminal charges
 - iii. If its a misdemeanor theft, they will get a citation and will be released
 - iv. If its a felony arrest, the personal will be transported to county jail
 - f. Call 911
 - i. When
 1. The crime is in progress
 2. Violence used
 3. Threat of violence
 4. Weapon is used
 5. Weapon is seen or brandished
 6. When the suspect is still in the area and apprehension is possible
 - g. Call Non-Emergency
 - i. When
 1. The suspect has already fled the scene
 2. There is a suspicious person but no crime has been committed
 3. When there is no imminent danger
 - h. Call Priority ** Revisit

- i. Call taker will prioritize between A-C priority runs
 - ii. A is prioritized
- i. Call taker
 - i. Do your best to answer their questions
 - ii. Less storytelling
 - iii. Suspect
 - 1. Age
 - 2. Race
 - 3. Gender
 - 4. Head to toe clothing description
 - a. Hat, jacket, pants, shoes
 - b. Shoes are best because they are unlikely to shed
 - 5. Distinguishing features
 - a. Vehicle, bike, skateboard, guitar, dog, shopping cart, etc.
- j. Violent crime
 - i. Safety and injuries first
 - ii. Witnesses and begin interviews
 - iii. Checking for video available or other evidence
 - iv. Radio to broadcast updated info
 - v. Seize any items with evidentiary value
 - vi. Notify CSI when necessary
- k. Non-violent crime
 - i. Will arrive on scene and meet caller
 - ii. Obtain statements from victims and witnesses
 - iii. Obtain video footage
 - iv. Seize any other evidence from the scene and notify CSI as necessary
- l. Evidence
 - i. Officers will seize all pertinent evidence
 - ii. Officers will book the evidence according to protocols and keep with chain of custody
 - iii. May ask for written statement from the involved parties
- m. Assignment of case
 - i. When the officer writes the report
 - 1. Incident is reviewed and determined if it will be assigned to an inspector or not
 - a. Not all cases are assigned
 - i. Considerations
 - 1. Solvability, merits of case, resources available, violence or weapons involved
 - b. If assigned, inspector reviews report with evidence and follows up on investigative leads
 - c. If an inspector identifies a possible suspect, they may, in certain cases, conduct a “6 Pack”

- i. For victims and witnesses to identify a suspect among 6 people
 - d. Cases unassigned will sometimes be used in the event of a “series” and the suspect is identified in the future
 - n. Followup
 - i. When office has written report it is out of the officers hands and now belongs to the assigned inspector
 - ii. You can call the station which took the report and give them the case number who will advise who the case was assigned to
 - iii. It may take several days before a case is assigned
 - iv. Inspectors are assigned dozens of cases on an ongoing basis
- 2. District Attorney’s Office
 - a. Cecily Brewster
 - i. cecily.brewster@sfgov.org
 - ii. (628) 652-4220
 - b. Types of retail crime
 - c. Shoplifting - Petty Theft
 - i. Shoplifting (CPC 459.5/484/488)
 - 1. Individual enters an open business with the intent to commit larceny
 - 2. Larceny
 - a. Individual takes property without owners consent
 - b. Took property and intended to keep it
 - c. Individual moved property even a small distance and kept it for any amount of time
 - d. Property was \$950 or less
 - e. Officer won’t respond as fast to these
 - 3. Call 911 if you want to prosecute only
 - ii. Petty theft
 - 1. If the property is less than the \$950 the rime is a misdemeanor and police will cite (not arrest) the perpetrator
 - 2. To prosecute, the reporting party must file a police report
 - iii. Grand Theft
 - 1. Sam elements as petty theft except the value of the item(s) exceeds \$950
 - 2. A felony
 - 3. If perpetrator is caught, they will be taken to county jail
 - 4. Same requirements for witnesses and evidence
 - a. Beyond a reasonable doubt
 - iv. Robbery (CPC 211)
 - 1. An individual took property that was not their own
 - 2. The property was in the possession of another person
 - 3. The property was taken from the other person or their immediate presence
 - 4. The property was taken against the person's will
 - 5. The individual used force or fear to take the property

- v. Burglary (CPC 459 2nd)
 - 1. Individual entered a building
 - 2. With intent to commit theft (or other felony)
 - 3. The building was a commercial establishment
 - 4. And it was closed for business
 - a. Burglary is a wobbler
 - i. They are charged as felonies no matter what the property cost was
 - 5. What to do when you get to the scene
 - a. Preserve the crime scene
 - b. Ensure that surveillance video is collected
 - c. Give clear and concise statements to police and include what time the business closed
 - d. Cooperate with CSI
 - e. Accurately document the items stolen
 - d. **When does theft become a robbery?**
 - i. Security guard or employee tries to stop the theft and the suspect uses fear or force to get the property away from the owner
 - ii. Robbery is a felony
 - iii. Police will respond to a **violent** crime as quickly as possible
 - e. What to say when you call:
 - i. If the crime is in progress, IMMEDIATELY tell the dispatcher
 - ii. If a simple petty theft has turned into a ROBBERY state: Robbery in progress
 - iii. Be prepared to DESCRIBE the perpetrator with as much detail as possible and to provide information about WHERE the perpetrator is or the direction they have gone
 - f. A special note about videos
 - g. The criminal process
 - i. Incident
 - ii. Police investigate
 - iii. Arrest made (reasonable suspicion)
 - iv. Present case to DA's Office
 - v. If sufficient evidence (beyond a reasonable doubt), Charges filed
 - vi. Arraignment -- Pre-hearing Conferences -- (If felony, Preliminary Hearing) -- Trial
3. District Attorney's Office Victims' Services Division
- a. Contact
 - i. (628) 652-4100
 - ii. victimservices@sfgov.org
 - b. Goal
 - i. Navigate criminal justice system
 - c. Services
 - i. Advocacy
 - ii. Victim Compensation Board

- iii. Restitution
- iv. Community outreach & engagement
- d. Contact for
 - i. Help in steps to prosecute
 - ii. Help finding your investigator
 - iii. Finding out where in the process your case is
 - iv. Fiscal support to compensate losses in a crime
 - v. Escorts and transportation
 - vi. Translations

Language capacity: American Sign Language, Cantonese, Spanish, Tagalog, Vietnamese, French, Khmu, Punjabi, Hindi, Urdu Language Line (if needed)

- 1.
- vii. Victim's rights: Marcy's Law

Marcy's Law: Victim's Rights

On November 4, 2008, the People of the State of California approved Proposition 9, the Victims' Bill of Rights Act of 2008: Marcy's Law. This measure amended the California Constitution to provide additional rights to victims.

1. **Fairness and Respect** – To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. **Protection from the Defendant** – To be reasonably protected from the defendant and persons acting on behalf of the defendant.
3. **Victim Safety Considerations in Setting Bail and Release Conditions** – To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. **The Prevention of the Disclosure of Confidential Information** – To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
5. **Refusal to be Interviewed by the Defense** – To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. **Conference with the Prosecution and Notice of Pretrial Disposition** – To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.
7. **Notice of and Presence at Public Proceedings** – To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. **Appearance at Court Proceedings and Expression of Views** – To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. **Speedy Trial and Prompt Conclusion of the Case** – To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
10. **Provision of Information to the Probation Department** – To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. **Receipt of Pre-Sentence Report** – To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. **Information About Conviction, Sentence, Incarceration, Release, and Escape** – To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant; the scheduled release date of the defendant; and the release of or the escape by the defendant from custody.
13. **Restitution**
 - A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
 - B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
 - C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
14. **The Prompt Return of Property** – To the prompt return of property when no longer needed as evidence.
15. **Notice of Parole Procedures and Release on Parole** – To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.
16. **Safety of Victim and Public are Factors in Parole Release** – To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. **Information About These 16 Rights** – To be informed of the rights enumerated in paragraphs (1) through (16).

- 1.
- e. All victims who are residents in California are eligible
- f. Property crimes and business related crimes
 - i. Robbery 211 is the only crime eligible for payout
- g. Storefront Vandalism Relief Grant
 - i. Launched on 9/10/21 from the Mayor's Office
 - ii. Get a grant of up to \$2,000
- 4. Sfsafe
 - a. Ferlishious Wyatt
 - i. Security services Manager
 - ii. sfsafe@sfgov.org
 - b. Boarded up storefronts
 - i. Write down the address number on your boards after you board up
 - c. Business Security Consultations
 - i. Oral recommendations
 - ii. Safety and security assessments
 - iii. Strengths and weaknesses of business security
 - d. Merchant communication about crimes
 - i. Business watch program

- ii. Common perpetrators
- e. Trainings can be requested
 - i. What to do and not to do in crime
 - ii. Strategies in a crime event
- f. Chest-high cameras and door annunciators recommended
- g. Shoplifting prevention trainings