Seven Required Elements to Apprehend a Shoplifter

These steps are absolutely necessary to legally and safely apprehend a shoplifter. They are necessary to produce sufficient evidence to ensure a conviction:

1. The shoplifter must be observed approaching the merchandise, looking at it, touching it, etc.
2. The shoplifter must be observed selecting the merchandise. The Associate must be certain the merchandise came off the shelf and that the suspect did not bring his or her own item(s) into the store for a legitimate reason (e.g. to compare prices, looks, etc.)
3. The shoplifter must be observed concealing the merchandise that was just removed from the shelf. It is important to know exactly what was taken and exactly where it was concealed on the suspect's person. A shoplifter cannot be apprehended based on another person's word; the Associate **MUST** observe it him or herself. As soon as the shoplifter is observed concealing the item, Hospital Security/Hospital Police must be called at this time without the Associate losing sight of the shoplifter.
4. The Associate must never lose sight of the shoplifter after he or she has concealed the merchandise to be certain the merchandise has not been disposed of or removed.
5. The shoplifter must pass the last point of sale (POS Register) and fail to pay for the merchandise. If visual sight of the suspect has been lost at any time, the Associate no longer has personal knowledge that a crime has been committed and the suspect cannot be detained as a shoplifter.
6. The shoplifter must be allowed to exit the store. This proves criminal intent of theft in a court of law. Do not ask the shoplifter to return inside the store until the concealed merchandise has been recovered.
7. Hospital Security/Hospital Police or a Police Officer must be present at the time of apprehension. **Never** apprehend a shoplifter alone. This is for your safety.

Calling Security

As soon as a shoplifter has been observed concealing an item or items Hospital Security/Hospital Police must be contacted for assistance and as a witness in the event it is needed. It is very important not to lose sight of the suspected shoplifter at any time. If this happens the requirements have not been met and an apprehension cannot be made.

Hospital Security/Hospital Police may be called as soon as a customer is seen acting suspiciously; however, an apprehension cannot be made if all the elements above have not been met.

Apprehending a Shoplifter

Once the seven elements above have been met and Hospital Security/Hospital Police are standing outside the door, the shoplifter may only be apprehended outside the shop **NEVER** inside the shop. This is done as follows:

Approach the subject but do not get closer than three feet. Never touch a shoplifter to stop or detain him or her. This could result in an assault charge being placed on you by the shoplifter.

Address the subject in a calm but firm voice: **"Excuse me, I work for the gift shop and I saw you conceal item(s) in your [exact place item(s) is/are concealed]. Please return it/them to me."**

If the suspect denies the theft, specify again the exact item(s) taken and the exact location of concealment. If the suspect continues to deny the theft, ask Hospital Security/Hospital Police to assist in recovery of the merchandise.
If the suspect runs away, do not attempt to follow. Hospital Security/Hospital Police may do this because they are trained in these types of apprehensions.

Apprehension of a shoplifter must always take place outside the store and the suspect should never be brought back into the store. It is preferable to remain outside the store throughout the apprehension process; however Hospital Security/Hospital Police may want to return inside the store. This is permissible but not desired.

**Trespass Form**
Once the shoplifter has been apprehended, ask Hospital Security/Hospital Police to issue a Trespass Form to him or her (this is the form that tells the suspect he or she may not return to the gift shop again). Trespasses are issued only by the Hospital Security/Hospital Police or the Police Officer.

Hospital Security/Hospital Police or a Police Officer may ask the Lori’s Associate to complete a verbal and/or written complaint or statement about the incident. Before signing a written statement, read it carefully to make sure it accurately describes the incident.

**Prosecution**
Contact the Loss Prevention Department at 972-759-500 ext. 1020 if Hospital Security is asking if we will press charges. Our general policy is if the merchandise has been recovered; we **WILL NOT BE PRESSING ANY CHARGES** against the individual. Lori’s will only prosecute a shoplifting case if the merchandise taken initially is damaged or the amount is over **$20.00.** In these cases it is especially important that any written reports of the incident (the Incident Report Form and any Hospital Security/Hospital Police or Police Department forms) agree and clearly and accurately describe the incident, including an exact inventory and value of the item(s) taken or damaged.