

City of Johns Creek Police Department

<i>Subject:</i> Retail Theft Affidavit	<i>Number:</i> 04-12	
<i>Reference:</i>	<i>Amends:</i>	
<i>Effective:</i> 04/08	<i>Review Date:</i> Annually	<i># of Pages:</i> 1

PURPOSE:

Provide for the implementation and use of the Retail Theft Affidavit.

POLICY: (04-12)

The Retail Theft Affidavit is a written statement completed by an employee of the victim (store or business) describing the circumstances of the complaint, and shall be completed when the employee apprehends someone for the offense of shoplifting. The affidavit shall meet the elements of the charge and shall contain sufficient detail to identify the person, the method by which the offense occurred, the items taken, the amount or value, etc. A charge of shoplifting shall not be made against any person without the completed affidavit.

PROCEDURES:

Conditions for Use (04-12-01)

The Department will supply each store or business with an original Retail Theft Affidavit form, which they will make copies of as needed. The store or business will complete the retail theft affidavit when an apprehension has occurred. The employee will list the items which have been taken, their value, and a detailed account of what happened.

The form must be witnessed by someone other than the investigating officer.

Probable Cause (04-12-02)

Probable Cause must exist before an arrest of any person is made. Completing a Retail Theft Affidavit does not necessarily mean probable cause exists, or that an arrest will take place. Once arriving on scene, the officer shall decide whether there is probable cause a crime has been committed. See also probable cause and arrest procedures in previous section.

If there is probable cause for an arrest, proper arrest procedures will be followed.

