



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



ORIGINAL EFFECTIVE DATE: November 19, 2004	REVISED DATE: December 28, 2016	NO. PAGES: 1 of 3	NUMBER: 3.4.15
SUBJECT: MISDEMEANOR THEFT OFFENSES			
ASSOCIATED MANUAL:		RELATED ORDERS:	
CHIEF OF POLICE: <i>Calvin D. Williams, Chief</i>			

This General Police Order has been revised in its entirety

PURPOSE: To establish guidelines for the investigation and reporting of misdemeanor theft offenses as defined in the Ohio Revised Code (ORC) and Cleveland Codified Ordinances (CCO).

POLICY: The Cleveland Division of Police may arrest or create a “Named Suspect” Incident Report for misdemeanor theft offenses.

PROCEDURES:

- I. Officers shall determine if the theft offense is a felony or misdemeanor based on the reported total value of the stolen property. If a felony theft:
 - A. The suspect shall be booked for theft, grand theft, or aggravated theft depending on the total value of the stolen property.
 - B. The victim or reporting person shall be advised to await contact from the district detective unit. A notation shall be made on the last line of the Incident Report to reflect the advisement.

- II. If the suspect is arrested for misdemeanor theft, officers shall ensure that a misdemeanor complaint statement is completed by the victim or reporting person.

- III. Officers shall complete an Incident Report (e.g., Petty Theft/Recovery/Arrest, Petty Theft/Recovery/Named Suspect) according to current reporting procedures.
 - A. A misdemeanor theft suspect may be made a Named Suspect in the Incident Report only when all of the following factors exist:
 1. The suspect is able to produce satisfactory identification (e.g., current Ohio Driver License, Ohio I.D. card).

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2. The suspect resides in Cuyahoga County or an adjoining county (i.e., Summit, Lorain, Medina, Geauga, Portage, Lake).
3. The suspect is not wanted on an outstanding verified warrant.
4. The preliminary investigation reveals that the suspect has not committed additional crimes that are not minor misdemeanors (e.g., Assault, Resisting Arrest).

B. The Incident Report shall include, as applicable:

1. Name, contact information, and/or description of the:
 - a. Victim (e.g., person, store).
 - b. Reporting person.
 - c. Named Suspect or arrested person
2. Disposition of the stolen property.
 - a. Recovered, partial recovery, or not recovered.
 - b. Recovery location and condition.
 - c. Property returned to owner or entered into evidence.
3. Notation on the last line of the narrative that:
 - a. If a suspect was arrested, a misdemeanor complaint statement was completed.
 - b. The victim was advised to the Cleveland Municipal Prosecutor's Office.

IV. The victim or reporting person shall be advised to consult the Cleveland Municipal Prosecutor's Office. Officers shall provide the victim or reporting person with the:

- A. Officer's name and badge number.
- B. Incident Report number.

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- V. Disposition of stolen/recovered property:
 - A. If not needed as evidence, property may be returned to the victim.
 - B. Recovered, stolen property may be confiscated and held as evidence. If confiscated, it shall be marked, tagged, and entered into the appropriate property book according to established procedures.
- VI. Supervisors shall review all misdemeanor theft Incident Reports ensuring that the report accurately describes the misdemeanor theft offense and all the required information for charging the suspect is included.
- VII. Misdemeanor theft Incident Reports completed by off-duty officers working secondary employment shall be reviewed by the OIC or sector supervisor assigned to the district in which the theft occurred.