

DEKALB POLICE DEPARTMENT

Subject: **Crimes Against Property**

Policy #: **402.2**

Effective Since: 8-21-03

Revision Effective: 1-1-19

FTO Training Task: # 23

Reference Material: ILCS

ILEAP Standards Covered: NA

Page 1 of 3

PURPOSE: It is the purpose of this policy to provide general guidelines for officers investigating crimes against property.

POLICY: The department frequently investigates crimes against property. As a primary goal of the department to safeguard property loss and destruction, it is the policy of the department to thoroughly investigate crimes against property and take the necessary enforcement action. Education and prevention programs are also in place in an effort to prevent citizens from becoming victims of property crimes.

DEFINITIONS: Definitions for various crimes against property are found in the Illinois Compiled Statutes (ILCS), generally found in 720 ILCS 5/16, 5/19, 5/21, 5/42. Legal definitions of property, owner, permanent deprivation, deception, stolen property, amongst others, are located in 720 ILCS 5/15.

PROCEDURE:

- A. **Crimes against Property** : the following is a non-inclusive list of common crimes against property, as defined and prohibited by the ILCS: theft, retail theft, theft of services, theft from coin-operated machines, interception of cable television services, interference with public utility services, possession of stolen property, possession of stolen firearms, computer tampering/fraud, burglary, possession of burglary tools, arson, criminal damage to property, criminal defacement of property, criminal trespass to property/vehicle, and looting.
 - Some crimes against property have a separate policy: forgery, deceptive practice, identity theft are located in Policy # 402.6
- B. Officers should have a working knowledge of the ILCS and charge the appropriate section as necessary, being aware of the elements of the offense, any aggravating factors, and whether the charge is a misdemeanor or felony. Felony charges require authorization from a state's attorney. Officers should also be familiar with property crime state statutes that have been adopted into city ordinance: theft, retail theft, criminal damage, and criminal trespass.
- C. **Officers should follow these general guidelines** when investigating crimes against property:
 1. Respond appropriately; crimes against property in progress should receive an immediate and prompt response. Crimes against property not in progress will receive standard priority.
 2. Meet with the victim/complainant and obtain their complete information.
 3. Identify suspects by name and description when possible.
 - a. lawfully detain suspects on scene for investigation
 - b. if suspects are not present, identify their name and/or description, last direction of travel, mode of transportation, likely destination, and advise other officers as needed.
 4. Obtain a complete description of the tampered, stolen, or damaged property. Any such property needs to be listed on a property sheet.
 5. Recovered stolen property can usually be photographed and returned to the owner unless needed for evidentiary purposes or in felony cases where a suspect may be or has been arrested.
 6. Obtain a complete account of the incident from the victim, complainant, and/or witnesses.

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Page 2 of 3

7. Identify, photograph, preserve, and collect any pertinent evidence. If video surveillance is in place, request to view and/or obtain the surveillance tape for evidentiary purposes.
8. Conduct a canvass of the area or neighborhood to identify any other potential witnesses or participants, particularly in burglary cases.
9. Take appropriate enforcement action as applicable, to include arrest and/or obtaining a warrant against the offender.
 - Complaint and warrant procedures are located in Policy 404.1
 - Arrest, booking, and bond procedures are located in Policy 404.2
10. **Burglary scenes :**
 - a. Advise the supervisor of the situation. The supervisor may decide to:
 - Assist at the scene in information gathering and evidence collection.
 - Contact other officers or a detective for crime scene processing or other assistance.
 - b. Make every reasonable attempt to gain suspect information.
 - c. Make every reasonable attempt to identify and collect evidence, to include photographs, fingerprint evidence, footprint evidence, etc.
11. **Searching and/or seizing the property of another requires a warrant unless there is :**
 - a. Clear and voluntary affirmative consent by the owner of the property, whether it be the victim, suspect, or other person;
 - b. Evidence found upon the lawful pat-down search of a person on a "Terry stop";
 - c. Evidence found in plain view, by plain touch, or in open fields;
 - d. Evidence found upon the lawful search of a motor vehicle under a mobile vehicle exception;
 - e. Exigent circumstances, such as immediate safety, imminent escape, or imminent permanent loss of evidence;
 - f. Inventory searches of seized vehicles or other property;
 - g. The property is abandoned;
 - h. A search incident to arrest, or as authorized by other constitutional provisions.

For complete department policy on search & seizure, see Policy 402.14 .
12. For seized evidence that may be returned to its owner at some point, complete an evidence inventory sheet and give a copy to the property owner.
13. Evidential property not listed on an evidence inventory sheet must be documented on an RMS property sheet.
14. Advise the victim of crime prevention strategies that can help prevent future victimization.

D. Illinois Crime Compensation Act , 740 ILCS 45:

1. Officers must advise any victim or the victim's family of the Illinois Crime Compensation Act when the victim was injured or killed as a result of a violent crime, including arson.
2. Victims may be eligible for compensation for medical and hospital expenses, counseling, loss of earnings, tuition reimbursement, prosthetic appliances and accessibility costs, personal property replacement costs, temporary lodging or relocation, funeral expenses, and crime scene clean-up.

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Page 3 of 3

3. In these cases, the officer "shall inform the victim of the offense or his dependents concerning the availability of an award of compensation and advise such persons that any information concerning this Act and the filing of a claim may be obtained from the office of the Attorney General." [740 ILCS 45/5.1(b)]
 4. The victim needs to complete an application available through the Attorney's General Office and can be done on-line at www.ag.state.il.us or requested by phone on the Illinois Victims Assistance Line, 800-228-3368.
- E. **Automated Victim Notification (AVN)** . The Illinois Automated Victim Notification System provides victims and concerned citizens with a toll-free number where they can call and get up-to-date information on the custody status and/or case status of an offender. Officers should advise victims about AVN availability. The AVN phone number is 1-866-566-8439.
- F. **Supervisor's responsibilities** :
1. Ensure officer response to crimes against property.
 2. Assist at significant crime scenes and burglary scenes as necessary to ensure the items listed above are followed.
 3. Request detective assistance in significant cases.
 4. Review report for completeness and accuracy.
- G. **Crime prevention** : Officers are encouraged to advise citizens of property crime prevention strategies. Officers may be assigned to assist in community or educational programs designed to educate citizens in protecting themselves from becoming victims of property crime. See Policy 306.1.

Policy originally issued 8-21-03; this revision becomes effective on 1-1-19 by authority of the Chief of Police .

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of an internal departmental complaint and then only in a non-judicial administrative setting.