



DEPARTMENTAL REGULATIONS
CONCORD POLICE DEPARTMENT

PROCEDURE 92
EFFECTIVE DATE: 02/2015

REVISION DATE: 05/2017
REVIEW DATE: 05/2017
I.D. NUMBER: 0395

Chief of Police

DIFFERENTIAL POLICE RESPONSE – ONLINE AND MERCHANT REPORTING

A. POLICY STATEMENT

In order to provide additional support to the Patrol Division, the Differential Police Response (DPR) strategy was created for innovative new ways to provide police services to the citizens of Concord.

B. GENERAL

This Departmental Procedure establishes a uniform policy and procedure for the eReport Online Reporting System and the Merchant Report Program, which was previously listed within Communications Procedure (Procedure 25). It is the responsibility of the Community Service Desk Corporal to oversee both services.

C. “eREPORT” ONLINE REPORTING SYSTEM

1. Under the police department’s DPR strategy, certain police reports may be made via the Internet through the City of Concord web page. Members of the public will be directed to the “eReport” Online Reporting System through the web page, as well as the Community Service Desk message and information line. Additionally, members of the Community Service Desk, as well as the Communications Center, may alert qualifying reporting persons of the existence of the “eReport” Online Reporting System, for their convenience. There are two kiosks located in the Records Lobby, available for public use on a 24-hour basis.
2. The following are the requirements for use of the “eReport” Online Reporting System:
 - .01 The crime in not an emergency or in progress
 - .02 The crime must have occurred in the City of Concord jurisdiction
 - .03 There are no known suspects or leads to the suspect (i.e. full license plate)
 - .04 There is no known evidence, such as a video or documents
 - .05 If it is a theft, the item(s) stolen is not a license plate or a vehicle
 - .06 If it is a theft, there are no available serial numbers to be entered into APS
3. The following types of reports are eligible for on-line reporting, after considering the information listed in the previous subsection:
 - .01 Garbage Dumping

- .02 Harassing Phone Calls
- .03 Hit and Run Traffic Collisions (Non-Injury)
- .04 Identity Theft
- .05 Lost Property
- .06 Traffic Collisions (Non-Injury)
- .07 Theft
- .08 Theft From a Storage Unit
- .10 Theft From an Unlocked Garage
- .11 Theft of Recyclables
- .12 Vandalism
- .13 Vehicle Tampering (Example: “Keying” or attempt to remove vehicle parts)

4. After a report is successfully submitted to the “eReport” Online Reporting System, it will be reviewed by the Community Service Desk Corporal for eligibility and then approved when appropriate. Approved reports are available for download by the reporting party at no cost to them. Reports are also available through the records bureau for a fee.

D. MERCHANT REPORT PROGRAM

1. Under DPR, certain shoplifting cases can be investigated and documented by the merchant, eliminating the need to dispatch an officer to the location. This can only be done if the merchant has been trained under the Merchant Report Program. These merchant reports are mailed or dropped off directly to the Community Service Desk Corporal for processing and review. The Community Service Desk Corporal then forwards the merchant reports to the Records Bureau.
 - .01 All training for the Merchant Report Program is the responsibility of the Community Service Desk Corporal.
2. Only incidents involving a detained suspect will qualify for the Merchant Report Program.
3. The following involved crimes **are eligible** for a merchant report and all applicable crime codes should be included in the merchant report documents:
 - .01 The theft is a straight shoplifting theft, (484-488 PC). The cash value of the merchandise is less than \$950.00.
 - .02 The theft involves premeditation, consistent with the elements of a shoplifting burglary (459.5 PC). This includes possession of booster bags, burglary tools (466 PC), and/or statements made about intent.
 - .03 During the commission of the theft, merchandise was damaged (594 PC).

4. If any of the following exists, the incident is **not qualified** for a merchant report and should be handled by the Patrol Division for routing to the Investigations Division:
 - .01 The suspect was combative, confrontational, and/or aggressively tried to evade arrest (assaulted LPO, etc.) This is discretionary and a merchant can elect to do a merchant report if they do not wish to pursue criminal charges for that portion of the incident.
 - .02 The suspect appears to be under the influence of drugs or alcohol.
 - .03 The suspect was in possession of contraband, drugs, weapons, false identification, or credit cards/checks in the name(s) of other individuals.
 - .04 Multiple suspects conspired to commit the theft. This would be two or more individuals obviously working together to commit theft (i.e. acting as a lookout, assisting in the theft, etc.)
 - .05 An adult and minor are involved in the theft, possibly contributing to the delinquency of a minor.
 - .06 The adult suspect has no legitimate photo identification or they do not match the description of the identification presented. The identification must be any one of the following:
 - .001 California Driver's License
 - .002 California ID Card
 - .003 Military ID Card
 - .004 All Passports
 - .005 Any photograph identification which contains the subject's name (as long as CPD Dispatch can obtain an identification match that includes a date of birth).
 - .006 A patrol officer responds to the scene and can confirm the suspect's identity through available resources. The officer must ensure that the loss prevention personnel is reminded to document in their narrative the officer's name and how the subject's identity was verified (i.e. booking photo, CALPhoto, etc.)
 - .07 A *juvenile* suspect can be released at the scene, provided the juvenile has a legitimate photo ID or if positive identification is made by a responsible adult. (If the responsible adult is unable to, or declines to pick up the juvenile suspect, the juvenile may be released at the scene. The juvenile's *parents* or *guardian* must be aware of the detention, must have made positive identification of the juvenile and must have given their permission for the juvenile to be released at the scene).
 - .08 The suspect is "**CLEAR**" in a computer check with the Concord Police Department, which will be screened by the Communications Center.
 - .001 The check will include CMS, CDL, CRIMINAL HISTORY, SRF, WARRANTS and LJIS.
 - .002 The suspect has no warrants.
 - .003 The suspect is not on any active probation in Contra Costa County.
 - .004 The suspect is not on active parole or PRCS.
 - .09 The suspect meets the criteria for felony 666 PC, according to the guidelines set forth by California Proposition 47 (2014), and two of the following must be met:

.001 The suspect has one prior theft-related conviction with time served

AND

.002 The suspect has one prior “Super Strike” conviction with time served:

.0001 Felony “sexually violent offenses” in the following sections of the California Penal Code: 261, 262, 264.1, 269, 286, 288, 288a, 288.5, or 289; or 220 with the intent to commit

.0002 Any homicide offense – 187 through 191.5 PC

.0003 Solicitation to commit murder – 653f PC

.0004 Assault with a machine gun on officer or firefighter – 245(d)(3) PC

.0005 Possession of a weapon of mass destruction – 11418(a)(1) PC

.0006 Any serious and/or violent felony punishable in California by life or death

OR

.003 The suspect has one prior conviction with time served for elder abuse, under 368(d) PC or 368(e) PC

OR

.004 The suspect is required to register as a sex offender per 290(c) PC