Guideline 432 - Attempted Theft of Library Materials - Initial Handling

PROCEDURE FOR INITIAL HANDLING OF INCIDENT, RECOVERY OF MATERIALS, AND REPORTING

This guideline assumes the procedures outlined in guideline 431 have been followed. Having given an exiting person the benefit of the doubt after they have set off the exit alarm, they have been found to possess:

1. Damaged UMBC library materials which they attempted to remove from the Library (e.g., barcode scraped off, book jacket torn from pages, pages cut from magazines, etc) or
2. UMBC library materials not properly loaned (and perhaps concealed) which they repeatedly or with excessive insistence attempted to remove from the Library despite the alarm sounding.
3. UMBC library materials not properly loaned and which were carried/concealed in such a manner as to obviously betraying an attempted theft.

Such circumstances will lead you, as a reasonable person, to believe there is probable cause that the person intended to steal the State property in question. This is an apparent criminal violation of Maryland Code, Article 23 §308 "Theft or mutilation of books or other property." Follow the steps below.

1. **Take from the person all UMBC library materials** in their possession.
2. **Ask the person for identification.** UMBC students are required under University policy to produce identification upon demand by any staff member. You may have to remind them of this requirement.
3. **Call campus police** (x55555) immediately to respond to the Library and assist. The responding police officer(s) will ordinarily arrest the individual. Note: Library staff are not sworn police officers and cannot make a criminal arrest. Verbally persuade the person to await police; do not physically detain the person.
4. **Complete an incident report form.** Carefully list all UMBC library materials in question. If the police arrest the person then and there, they may need to take the library materials with them. This is acceptable. Otherwise retain the materials at the Security desk/closet to be given to the Library Administrative Offices with the incident report the next day.

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FYI re subsequent disposition of cases involving UMBC students [section supercedes former guideline 433]:

* **UMBC student judicial referral**
UMBC Police officers responding to such incidents of apparent attempted theft may refer enrolled UMBC students to the UMBC student judicial system for internal adjudication and appropriate restitution. In such cases, the student may be assigned to perform community service at UMBC. To avoid “interested” prosecution and potential conflict of interest this community service is not to be done in the Library. This guideline also prevents the student from gaining further possible acquaintance with the Tattletape system.

* **criminal prosecution**
Depending on the specific circumstances (including but not limited to value of materials in question, degree of cooperation, assessment of intent, etc.) the UMBC Police may also initiate criminal proceedings consistent with campus standards. It is library practice to rely on the judgment of the responding campus police officer(s) and their superiors in this decision.

References: MD. Code, Article 23, §308
previously implemented guideline revised 10/7/94
revised 10/04/02, 3/5/03 to reflect current Police procedures; edited 7/30/09