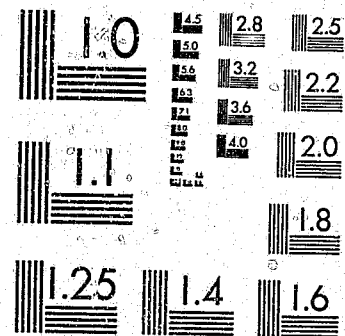


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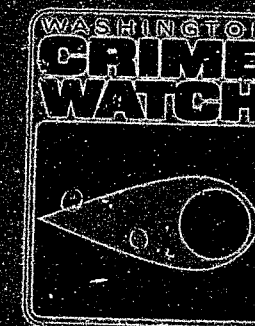
# SHOPLIFTING

"There's More To It Than You Think!"



A Washington Crime Watch  
Curriculum Packet  
For Grades 7-9

Developed in Cooperation with the Office of the  
Superintendent of Public Instruction



83616



Crime Watch wishes to thank Harry D. Leavitt for drafting this curriculum. Additionally, the following agencies assisted with factual details: Mount Baker Youth Service Bureau, The King County Public Defenders Office, King County Youth Service Bureau, and the Mercer Island Youth Service Bureau.

U.S. Department of Justice  
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# SHOPLIFTING -- THERE'S MORE TO IT THAN YOU THINK!

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TO THE TEACHER

INTRODUCTION

The Washington Crime Watch program was instituted in 1976 by the Washington State Attorney General's Office. The program has three goals:

- \* Training of law enforcement officials and civilians in crime prevention techniques.
- \* Public awareness and education -- production of public service announcements, posters, printed brochures and slide presentations on crime prevention.
- \* Technical assistance to local jurisdictions.

As Crime Watch focused its attention on specific crimes, shoplifting stood out as an especially complex and very costly problem. The offender is usually:

An amateur (90% of losses to amateurs).

Under 30 years old (most frequently apprehended group is 15 year olds).

A female (60% apprehended).

The immediate victims include a wide variety of retailers, ranging from large, national store chains to "mom and pop" corner stores. The entire public is the indirect victim and pays higher prices because of it.

In an attempt to provide relief for the retailers (the victims), the Washington State Legislature passed the Civil Anti-Shoplifting Law (RCW 4.24.230) in 1975.

The Crime Watch Program

Background on shoplifting

The Civil Anti-Shoplifting law

Under this law, the parents of apprehended juvenile shoplifters face a civil penalty, a fine amounting to the value of the merchandise taken (even if it is returned) up to \$500 plus a \$100-\$200 fine regardless of the value of the item taken. The purpose of this penalty is to ensure that there is a consistent deterrent, and also to help compensate the store owner for the cost of surveillance and the time lost in the apprehension of shoplifters.

Juvenile shoplifters face criminal charges as well

Thus, in Washington, the apprehended shoplifter faces criminal theft charges as well as the civil penalty. For most juveniles (under 18) the criminal charge is handled by a diversion unit of the juvenile court system (conference committee or youth accountability board).

The Crime Watch Anti-Shoplifting Program

After researching the shoplifting problem and noting that actual use of the civil law was minimal, Washington Crime Watch began a statewide anti-shoplifting campaign. The campaign, beginning in 1978, has provided:

- \* Shoplifting prevention training sessions to crime prevention officers and retailers.
- \* Shoplifting prevention information and civil penalty guidelines to judges, prosecutors and retailers.
- \* PSA's, store and school posters to promote public awareness.
- \* Elementary grade curriculum guide for schools.

Contents of this packet

Washington Crime Watch is now providing this curriculum packet for older students. There are two portions to the packet:

TO THE TEACHER includes this Introduction, a suggested teaching schedule, pre/post tests, and a teaching summary of each chapter with teaching objectives and answers to learning activities, and check-ups.

TO THE STUDENT is the second portion presented as a case study of a "typical shoplifting incident" in five chapters. This portion is designed to be reproduced and given to the students. Each chapter is composed of four parts:

1. The story line.
2. Background Notes: Research, legal data and definition of terms pertaining to the story line.
3. Learning Activity: Student involvement activities to reinforce the learning objectives of the chapter. The first activity is generally more involving than the second or third. All activities require students to deal honestly with their own feelings about what has happened in the story line. Several activities involve interviews and discussions with adults (parents) outside the classrooms.
4. Check-up: Short quiz to measure mastery of the chapter learning objectives.

This important topic is especially relevant to social studies classes. It is hoped that this packet will stimulate student, teacher, and parent interest and possibly even involvement with a community shop-lifting prevention program. Your local police, youth service bureau and retail representatives will be most interested in providing additional resources for you.

TO THE TEACHER -- SUGGESTED TEACHING SCHEDULE  
(50 minutes a day minimum period)

Day 1

Give pre-tests.  
Discuss Introduction in "To the Teacher" with class  
Students read "Prologue"; do learning activity at home.

Day 2

Check up and discuss "Prologue."  
Read "The Incident."  
Learning Activity - finish at home.

Day 3

Check up and discuss "The Incident."  
Read "The Arrest."  
Learning Activity - finish at home.

Day 4

Check up and discuss "The Arrest."  
Read "The Aftermath."  
Learning Activity - finish at home.

Day 5

Check up and discuss "The Aftermath."  
Read "Epilogue."  
Learning Activity - finish at home.

Day 6

Review, Post-tests; decide on follow-up program.

TO THE TEACHER -- PRE/POST TESTS TEACHING SUMMARYPRE-TESTS

Be sure to administer both the Pre-Test and the Attitude Survey before you introduce the unit. Do the Attitude Survey, then the Pre-Test. Remind the students to be honest in marking the attitude survey--that there are no right or wrong answers.

Pre-Test Answers

- |      |      |      |       |
|------|------|------|-------|
| 1) c | 4) d | 7) c | 10) c |
| 2) d | 5) a | 8) a |       |
| 3) c | 6) b | 9) d |       |

POST-TESTS

Administer the Post-Test and the same Attitude Survey used before beginning the unit. Have students compare and discuss any significant changes in their attitudes.

Post-Test Answers

- |                    |                          |
|--------------------|--------------------------|
| 1) False           | 8) True                  |
| 2) True            | 9) False--psychological  |
| 3) True            | 10) True                 |
| 4) False--conceal  | 11) True                 |
| 5) True            | 12) False--demand        |
| 6) False--criminal | 13) False--actively help |
| 7) True            |                          |

PRE/POST ATTITUDE SURVEY ON SHOPLIFTING

Put an "X" under your opinion of the statement.

STATEMENT	Strongly agree	Mildly agree	No opinion one way or another	Mildly disagree	Strongly disagree
1. Shoplifting is wrong.					
2. Shoplifting is okay because stores overcharge anyway.					
3. Taking little things like gum or candy is okay.					
4. Taking from a corner store is worse than taking from a large chain store.					
5. Many of my friends shoplift.					
6. Shoplifting doesn't really hurt anyone.					
7. Most store owners are out to get kids.					
8. My folks don't care if I shoplift.					
9. It's okay to shoplift as long as you don't get caught.					
10. Shoplifting can be exciting.					
11. If I don't have enough money for something I <u>really</u> need, like food, it's okay to shoplift it.					
12. Shoplifting is <u>not</u> a big problem.					
13. It is not fair for all of us to pay extra for things because a few people shoplift.					
14. If you get caught shoplifting, nothing really happens to you.					
15. Shoplifting is stealing something that doesn't belong to you.					



## SHOPLIFTING PRE-TEST

NAME \_\_\_\_\_ DATE \_\_\_\_\_

Multiple choice. Place the letter of the best answer on the line in front of the statement.

- \_\_\_\_\_ 1) The most likely shoplifter to be caught and arrested is:
- (a) Female, 35 years old, professional
  - (b) Male, 35 years old, professional
  - (c) Female, 15 years old, amateur
  - (d) Male, 15 years old, amateur
- \_\_\_\_\_ 2) Shoplifters risk:
- (a) Criminal consequences
  - (b) Civil consequences
  - (c) Personal consequences
  - (d) All of the above
- \_\_\_\_\_ 3) A good shoplifting prevention program:
- (a) Is very expensive
  - (b) Punishes first time shoplifters severely
  - (c) Secures merchandise and provides personal attention to customers.
  - (d) Conceals expensive items
- \_\_\_\_\_ 4) To be arrested for shoplifting you must:
- (a) Be outside the store with stolen merchandise
  - (b) Be apprehended by the police
  - (c) Be guilty of shoplifting
  - (d) Have concealed merchandise without paying for it
- \_\_\_\_\_ 5) The Washington State Civil Anti-Shoplifting Law:
- (a) Allows retailers to demand penalties from parents of juvenile shoplifters
  - (b) Makes it a criminal offense to shoplift
  - (c) Pays shoppers to watch for shoplifters
  - (d) Requires community service of convicted shoplifters
- \_\_\_\_\_ 6) A juvenile who is arrested for shoplifting:
- (a) Will have a conviction on his or her record
  - (b) Will have a criminal history
  - (c) Will face a mandatory prison sentence
  - (d) Will face no criminal or civil consequences
- \_\_\_\_\_ 7) A diversion unit is:
- (a) A tactical squad designed to patrol stores
  - (b) A disguised security specialist
  - (c) A group of community people who meet with juvenile criminals and their families
  - (d) A way to measure the success of an anti-shoplifting program

- \_\_\_\_\_ 8) A civil demand letter:
- (a) Requests that payment of a penalty be made to the store
  - (b) Is handled by a diversion unit
  - (c) Must be paid without a court hearing
  - (d) Is sent only to juveniles
- \_\_\_\_\_ 9) The difference between a civil penalty and criminal penalty is:
- (a) There is no difference
  - (b) A crime must be committed
  - (c) The civil penalty requires a payment, and the criminal penalty requires a jail sentence
  - (d) The civil penalty tries "to make things fair" for the victim, and the criminal penalty tries to deter and/or punish the offender
- \_\_\_\_\_ 10) For juvenile shoplifters the most severe consequences are usually:
- (a) Criminal
  - (b) Civil
  - (c) Personal or psychological
  - (d) None of the above

## SHOPLIFTING POST-TEST

Name \_\_\_\_\_ Date \_\_\_\_\_

Mark True (T) or False (F) before the statement. Then change a word or two to make the false statements true.

- \_\_\_\_\_ 1) According to research data, at any one time about 20% of the shoppers in a store are shoplifters.
- \_\_\_\_\_ 2) Shoplifting costs Washington State residents over \$60,000,000 each year.
- \_\_\_\_\_ 3) The most frequently apprehended shoplifters are females, under 30 and amateurs.
- \_\_\_\_\_ 4) A shoplifter must leave the store with merchandise before he or she can legally be arrested for shoplifting.
- \_\_\_\_\_ 5) A good shoplifting prevention program by stores secures merchandise and provides personal attention to customers.
- \_\_\_\_\_ 6) The civil penalty for a juvenile shoplifter is handled by a diversion unit.
- \_\_\_\_\_ 7) A shoplifter in Washington State risks criminal, civil, and personal (psychological) consequences.
- \_\_\_\_\_ 8) Juveniles who are arrested for shoplifting, but complete their assigned community service work and never shoplift again, can truthfully say they have no convictions in their criminal history.
- \_\_\_\_\_ 9) Usually, the most severe consequences for juvenile shoplifters are the criminal consequences.
- \_\_\_\_\_ 10) A civil penalty tries to "make things fair" for the victim. A criminal penalty tries to deter and/or punish the offender.
- \_\_\_\_\_ 11) The Washington State Anti-Shoplifting Law requires parents of juvenile shoplifters to pay store owners a \$100-\$200 fine plus the value of the merchandise stolen (up to \$500) as a civil penalty.
- \_\_\_\_\_ 12) A diversion letter is sent by store owners to parents requesting payment of the civil penalty.
- \_\_\_\_\_ 13) If you watch someone shoplift, you will be considered an accomplice.

## TEACHING SUMMARY

## CHAPTER 1 -- PROLOGUE

Learning Objective:

After completing this chapter, the student will be able to identify the characteristics of a "typical" shoplifter.

Storyline:

Biographical background on Karen, the main character. Introduces her brother, Roger, the rest of the family, and her best friend, Shirley.

Background Notes:

Summarize shoplifting facts in State of Washington.

Learning Activities: Have students do A or B.

- A. Interview -- Reinforce the idea that students will be doing original research to verify the facts presented in the background notes. You may have students compile their results in a chart on the blackboard. Make certain students interview at least one adult. The experiences shared by adults now will reinforce the learning objectives of later units. Emphasize that shoplifting is stealing -- taking something which does not belong to you.

- B. Questions -- Use this as the less involving activity, but still encourage students to use their imaginations and get "involved in the story."

Check-up Answers: Correct one is underlined.

- |                                      |   |
|--------------------------------------|---|
| 1) Male/Female                       | 4) Amateur/Professional                   |
| 2) Over 30/Under 30                  | 5) <u>2% of shoppers</u> /20% of shoppers |
| 3) <u>15 years old</u> /25 years old |   |

Reference Materials

Shoplifting in the State of Washington: The Crime and its Prevention, by Philip L. Shave, for Washington Crime Watch, March, 1978. A research report of 38 pages, containing an extensive bibliography, available through Crime Watch.



CHAPTER 2 -- THE INCIDENTLearning Objectives:

After completing this chapter, a student will be able to:

Correctly distinguish between the criminal and civil penalties for shoplifting.

Identify several anti-shoplifting measures used by stores.

Explain the reasons why there are criminal and civil penalties for one crime.

Identify one of the most common reasons given for shoplifting.

Storyline:

Karen and her friend Shirley go shopping. Shirley shoplifts; does not get caught. Karen shoplifts; does get caught. Shirley leaves the store and is not an accomplice to Karen's crime. Karen is arrested.

Background:

Summarizes anti-shoplifting prevention measures and associated costs; distinguishes between civil and criminal penalties; defines shoplifting and accomplice.

Learning Activities:

A) Temptations. Again, emphasize honesty. Give several examples yourself as a method of creating a climate for open discussion. Emphasize that temptations never totally go away with age. Point out the personal and psychological consequences of people's actions, as well as legal penalties and punishments. Discuss the "consequences" of not getting caught --guilt, cover-ups, loss of self-esteem, strain on friendships, etc.

B) Questions (Answers):

1) Shirley shoplifted for "the thrill of it"; "it looked so easy"; "to see if she could get away with it" --any of these could be a reason. Emphasize: She did not need the object and had money to pay for it.

2) The janitor would have had to have seen Shirley conceal the object in her hand and put it on her bracelet. Note: This could get technical and touchy. Emphasize that concealment shows intent to commit a crime. However, the burden of proof is on the store, so if there is any doubt, security specialists are trained not to apprehend until they are certain there is intent.

3) a) No -- no "active help."  
b) Good discussion topic of peer pressure. Shirley did it and got away with it, so why shouldn't Karen?

4) Some answers contained in text.

5) Security specialists tell kids to "leave the scene" if one of their friends is going to shoplift. This brings up the issue of "loyalty," "friendship," etc.

6) The girls were checking for observers. Stores have cameras, mirrors, security specialists, etc., to make customers feel watched.

Check-up Answers:

1) D	5) E
2) C	6) B
3) A	7) G
4) B	

Reference Material:

Retailer's Shoplifting Prevention Guide, prepared by Washington Crime Watch, Office of the Attorney General, August, 1978.

CHAPTER 3 -- THE ARRESTLearning Objectives:

After completing this chapter, the student will be able to:

Correctly identify the full criminal consequences of a shoplifting arrest.

Explain the constitutional rights of an arrested person.

Explain the purpose of a "demand letter."

Storyline:

Karen's constitutional rights to silence and a lawyer are explained. She waives her rights, producing the stolen merchandise. She is arrested and then released to her parents.

Background:

The criminal consequences of an arrest for shoplifting are explained in full. More details on the Civil Anti-Shoplifting penalty and demand letter are given.

Learning Activities: Have students do A or B.

Both these activities are presented to expose students to other scenarios not explored in our story.

A) Asks the student to propose an anti-shoplifting program for small stores owners, those not able to afford security specialists, television cameras, etc. Student-generated ideas should emphasize the concepts of "security for merchandise" and "being watched" for customers. Encourage students to talk with the owner or manager of a "mom & pop" store.

B) Asks students to propose specific scenarios which differ from the storyline presented. Encourage creativity and reality!

Check-up Answers:

- |                         |                      |
|-------------------------|----------------------|
| 1) False - arrested for | 4) False - diversion |
| 2) True                 | 5) True              |
| 3) True                 | 6) True              |

Reference Material:

Attached reprint of "The Washington State Juvenile Diversion Program," by Jay Reich et al.

## THE WASHINGTON STATE JUVENILE DIVERSION PROGRAM

## DIVERSION

On July 1, 1978, Washington's new Juvenile Justice Act became law. This comprehensive act revised the 1913 Juvenile Code and deals with juveniles who commit crimes, run from home, are abused, or neglected.

This brochure is designed to inform interested citizens about one significant part of this law, the DIVERSION of juveniles who commit minor criminal offenses.

We hope that you will take the time to read this brochure in order to become acquainted with the juvenile justice system and how you may be able to help.

## WHAT IS DIVERSION

Diversion involves the handling of minor juvenile offenders outside of the juvenile court. Juveniles under the age of eighteen who are arrested for offenses such as trespassing, shoplifting, possession of alcohol, and malicious mischief are typically eligible for diversion. After making an arrest, the police will refer the case to the local Prosecuting Attorney or designee where it is reviewed to determine legal sufficiency. If the case is legally sufficient it will be sent to a Diversion Unit. The case is thus DIVERTED from the court.

## WHAT IS A DIVERSION UNIT

A Diversion Unit is usually made up of professionals and citizen volunteers. This combination of participants is responsible for ensuring that the juvenile offender is held accountable for his or her criminal behavior. The professional staff member(s) of the unit are responsible for information gathering and for ensuring that due process is followed throughout the process. The citizen volunteers act as community board members to determine the terms and conditions of the diversion agreement. In communities where there are no citizens' board, the diversion unit made up of a probation officer or court appointed diversion worker may opt to determine the terms and conditions of the diversion agreement.

## DIVERSION HEARING AND AGREEMENT

The Diversion Unit will schedule a meeting with the juvenile offender, advise him/her of his/her rights, discuss the nature of the crime and the surrounding circumstances. The Board will determine the appropriate consequences (penalty) for the juvenile offender and write the conditions of the penalty in the form of a contract, known as the "DIVERSION AGREEMENT."

The diversion agreement may include restitution to the victim for his/her losses, community service (volunteer work in a public or non-profit agency), and/or a counseling, informational, or educational session. The juvenile is

## THE WASHINGTON STATE JUVENILE DIVERSION PROGRAM, CONTINUED

expected to fulfill the terms of the diversion agreement within the allotted time or else the Diversion Unit will refer the case back to the prosecutor for formal court action. Under specified conditions, the staff counselor may counsel and release the juvenile without a penalty.

### VICTIM'S COMPENSATION AND CIVIL ACTION

When a juvenile's crime has caused a financial loss to a victim, replacement of that loss (restitution) will normally be required by the Diversion Unit. The Diversion Unit will contact the victim to determine the amount of such loss and assess the juvenile's ability to pay. It will set the restitution amount based on these two considerations and determine a schedule for payment.

The Diversion Unit deals only with criminal charges; the victim retains the right to initiate civil court action for additional damages. In shoplifting cases, a special statute allows the victim store to sue the parents regardless of the actual loss.

### WHAT ARE THE JUVENILE'S RIGHTS

The Diversion Unit is obligated to inform the juvenile offender, before entering into a diversion agreement, of the availability of free legal counsel, though the juvenile may seek legal assistance from any counsel of his/her choosing.

Prior to signing the diversion agreement, the juvenile may request that his/her case be heard in court before a judge. While the Diversion Unit does not determine guilt or innocence, the juvenile must acknowledge his/her willingness to participate in diversion and to accept responsibility for the crime. While this is not a conviction, it will become part of the juvenile's record if he/she ever returns to the Juvenile Court.

### WHAT ARE THE ADVANTAGES OF DIVERSION TO THE JUVENILE

Diversion is more protective, and informal. Diversion is also more convenient, less expensive and less time consuming than going to Juvenile Court. The Diversion Unit normally conducts its meetings in the evening or at a time that is convenient to the juvenile and his/her family. The diversion process is confidential; unlike the court proceedings which are public, the diversion process is private. The Diversion Unit does not have the scheduling problems and waiting time usually associated with the Court. The Diversion Agreement is not a conviction and affects the juvenile's future only if he/she comes back into the juvenile court system.

### WHAT ARE THE ADVANTAGES OF DIVERSION TO THE COMMUNITY

Diversion is a local means to control a local problem by utilizing volunteers and/or professionals who represent the community's interest. Diversion is considerably less expensive than formal court processing. The Diversion Unit works with community service organizations, counseling services, the police

## THE WASHINGTON STATE JUVENILE DIVERSION PROGRAM, CONTINUED

the schools, juveniles and their families and thus provides a means of community communication. In short, juveniles and their families and thus provides a means of community communication. In short, Diversion allows the community to assume responsibility for its juvenile crime problem and makes the offender accountable to the community for his/her behavior.

### HOW DO I FIND OUT MORE ABOUT DIVERSION

If you are interested in finding out more about, or participating in a diversion program please contact the following Division of Juvenile Rehabilitation Regional Offices. They will refer you to the appropriate Diversion programs in your local area.

REGION I, Regional Administrator  
2610 Northwest Boulevard  
Spokane, Washington 99205  
Phone: (509) 456-3250

REGION II, Regional Administrator  
120 East Walnut  
Yakima, Washington 98801  
Phone: (509) 575-2624

REGION III, Regional Administrator  
1616 Hewitt Avenue  
Everett, Washington 98201  
Phone: (206) 259-0081

REGION IV, Regional Administrator  
2366 Eastlake Avenue East  
Seattle, Washington 98102  
Phone: (206) 464-7700

REGION V, Regional Administrator  
901 Tacoma Avenue South  
Tacoma, Washington 98402  
Phone: (206) 593-2034

REGION VI, Regional Administrator  
5000 Capitol Center Building MS: KR-14  
Olympia, Washington 98504  
Phone: (206) 753-2273

or locally contact:

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In cooperation with the Division of Juvenile Rehabilitation, Department of Social and Health Services.

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CHAPTER 4 -- THE AFTERMATHLearning Objectives:

After completing this chapter, a student will be able to:

Correctly classify the three different kinds of consequences of shoplifting.

Identify at least three possible personal consequences of being caught shoplifting.

Storyline:

Karen experiences a series of difficulties in her personal life as a result of the incident. Her brother, Roger, shares a first shoplifting incident with Karen. She and her family go through the diversion system, with Karen being assigned her community service obligation.

Background Notes:

The three aspects of the aftermath of the shoplifting incident are classified as criminal, civil and personal consequences.

Learning Activities: All do A and either B or C

A)	<u>Criminal</u>	<u>Civil</u>	<u>Personal</u>
	Arrest, diversion process (home visit, youth accountability board, community service work).	Payment of demand letter.	Grounding for one month, bad feelings about Shirley, herself, worries about what friends will say about her; worries about lack of trust by parents; upsets parents.

## B) More personal consequences

1) "Men aren't suppose to cry" and "boys not girls shoplift (get in trouble with law)." Plus examples of "reversals": women getting angry, men displaying tenderness and love, women competing in business and sports, men cooking, cleaning, washing, etc.

2) Differences: More involved; different kinds of things taken. Similarities: Consequences, personal and criminal; one arrested, several not. Emphasize the fact that Roger has to live with this, that he trusted Karen a great deal to share it with her and it taught him to strictly obey the store manager's rules about no extra helpings!

3) Karen felt Shirley deserted her.

4) On the surface, her father blamed Karen. Emphasize, as a caring parent, he also felt responsibility, disappointment, etc.

5) Karen's parents would be embarrassed, feel inadequate, concerned by what the community would think, similar feeling to Karen's.

6) Shirley would wish to share responsibility and the consequences;

would feel frustration at inability to communicate with Karen.

7) A diversion unit is a group of community people (with paid professional staff in our story) who interview juvenile criminal offenders and their families and assign them community service work.

8) Answers should emphasize basic feelings of inadequacy, caring, embarrassment, etc.

9) Feelings of empathy, trying to help friends and trying not to judge others without knowing the facts!

C) Attitude Check. Emphasize honest, sincere answers.

Check-up Answers

- |             |             |
|-------------|-------------|
| 1) Civil    | 4) Personal |
| 2) Personal | 5) Criminal |
| 3) Criminal | 6) Civil    |

Reference Material:

Contact local youth service bureau or youth center to find out more about the diversion system in your community.

## CHAPTER 5 -- EPILOGUE

Learning Objectives:

After completing this chapter, a student will be able to:

Explain the legal consequences of failing to respond to the "demand letter."

Explain several possible personal consequences of "not getting caught" shoplifting.

Storyline:

Karen successfully completed her community service work. Her parents had responded to the demand letter and paid the civil penalty. Karen did extra work around the house for the next six months to "pay back" her parents. Finally, she reads the letter from Shirley. In it, Shirley relates that she feels just as responsible as Karen, is sorry she "ran out on her", has thrown away the basketball charm, and wishes that Karen would return her calls. Story ends with girls together again!

Background Notes:

Copies of THE STATE OF WASHINGTON CIVIL ANTI-SHOPLIFTING LAW (RCW 4.24.230), and First and Second Demand Letters are enclosed in the student section. This material is part of the Retailer's Shoplifting Prevention Guide prepared by and available from Washington Crime Watch.

Learning Activities: Students should do both A and B.

## A) Answers:

1) "Emancipated" means living on one's own, free from parental control, i.e., . . . not living at home with the parent(s) or a guardian. "Unemancipated" means living at home under parental or guardian control.

2) Under 18 years old.

3) Adults are responsible for actual damages, retail value up to \$1000 and penalty of \$100 to \$200. Parents of minors are responsible for retail value up to \$500 and \$100-\$200 penalty.

4) The last paragraph reminds the offender that this is only a civil penalty separate from and in addition to the criminal penalty, usually handled through a diversion unit for first time offenders.

5) If the parents fail to pay, the store has the right under the law to sue them for the amount owed. Such a suit would be tried in the courts.

## B) Answers:

1) Almost 8 months.

2) Shirley didn't face civil or criminal consequences, but did face personal consequences.

3) Karen's relations with Shirley were strained by the incident. The TV show reminded her of the problem between them, resulting from "the incident."

4) The purpose of the Civil Anti-Shoplifting Law is to attempt to make apprehended shoplifters pay for the merchandise taken, security measures and time required to apprehend them. It is an attempt to make those responsible for the problem, pay the costs of trying to prevent the problem.

Check-up:

None this chapter. Have students review all check-ups in preparation for the Post-Test.

Reference Material:

Retailer's Shoplifting Prevention Guide, prepared by Washington Crime Watch, Office of the Attorney General, Revised Edition, August, 1978.

# SHOPLIFTING -- THERE'S MORE TO IT THAN YOU THINK!

## STUDENT SECTION

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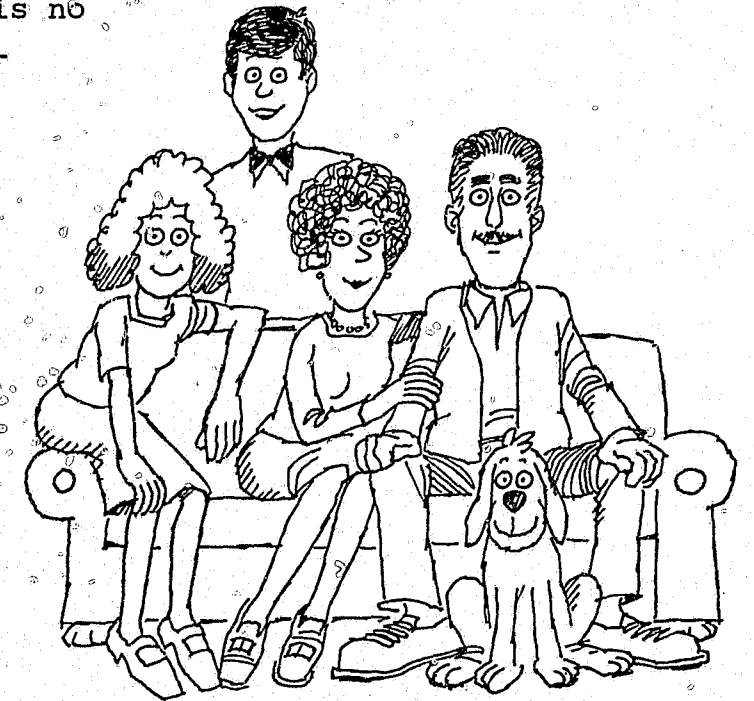
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## TO THE STUDENT

### INTRODUCTION

You will be reading and reacting to a case study of an actual shoplifting incident. The names are fictional but the facts are true. There is no attempt to exaggerate the consequences of shoplifting. As you know, many young people as well as adults have shoplifted and never been caught. But many others have. The purpose of this study is to help you learn the facts and make decisions about your actions in advance. Then when you are tempted, you can make an informed decision, knowing the consequences of shoplifting, whether or not you are caught.



### CHAPTER 1 -- PROLOGUE

Karen was fifteen years old, the younger of two kids. Her older brother, Roger lived at home while attending the nearby community college and working four times a week at The Hotdog House. He was okay, but she was a little jealous that he had a job and she didn't. Because he was working, he was also able to own a bike -- a motorcycle. When not working at The Hotdog House, he was working on the motorcycle. Both Karen's folks worked. Her mom was a part-time secretary, filling in at various businesses. Her dad was an electrician. Karen's family lived in a nice neighborhood. The city bus stopped a block from their house. Karen had been riding the bus for several years, and she also had a ten-speed bike.

She was allowed to go to the large shopping mall about three



miles away by herself or with friends. It was a great place to buy ice cream at The Hotdog House or look at clothes and jewelry. She earned her weekly allowance by doing the dishes, vacuuming and babysitting. Karen did well in school. She liked the ninth grade because she could take home economics. Designing and sewing dresses was fun. She wanted to be a clothes designer. Her best friend's name was Shirley and they spent a lot of their free time together.

#### Background Notes:

The following list summarizes important facts on who shoplifts in the State of Washington:

- \* 90% of us have shoplifted at some time.
- \* One out of every 50 customers in a store at any given time is a shoplifter.
- \* The shoplifter is an amateur. Amateurs shoplift 90% of the total value of merchandise stolen.
- \* 60% of shoplifters caught are under 18. The most frequently arrested group are 15 year olds.
- \* 60% of shoplifters caught are females.
- \* 90% of shoplifters have the money to pay for what they steal.

SOURCE: "Shoplifting in the State of Washington: The Crime and Its Prevention," by Philip L. Shave, Washington Crime Watch, March, 1978.

#### LEARNING ACTIVITY -- DO A (This Page) or B (Following Page)

A) Conduct your own interviews to find out the facts about shoplifting. Interview at least three people, including yourself, a friend and an adult (your parents). Ask your interviewees if they mind being interviewed about shoplifting. Be sure to tell them that you will keep their identity confidential. Refer to them as "Interviewee #1, #2, #3." People may also be hesitant to admit that they have shoplifted, so you might ask them about "any shoplifting incident that they are aware of." So, for this activity:

- 1) Ask the questions below.
- 2) Record the interviewees' answers on the chart
- 3) If a person has no knowledge of any incident, just fill out boxes #2 and #3. Then go on to the next.
- 4) After your interviews, discuss your results in class. Were they similar to these facts presented in the "Background Notes?"

#### SHOPLIFTING INTERVIEW CHART

	Interviewee #1	Interviewee #2	Interviewee #3
1) Age (at time of incident)			
2) Sex (No need to ask!)			
3) Check here if no knowledge of any incident (go to next interviewee).			
4) Item(s) stolen			
5) Value/Did they have enough money to pay for it?			
6) Kind of store			
7) Why did the person shoplift?			
8) If they were caught, what happened to them?			
9) If not caught, what did they do with the items stolen?			
10) Is the person aware of the Civil Penalty Law? Have them explain it to you.			
11) Does this person think shoplifting is a serious problem? Why? Why not?			
12) Did the person ever shoplift again? If so, what caused them to stop? If not, why not?			

## LEARNING ACTIVITY, Continued

B) Let's see if you can predict what's going to happen in our story. Answer the following questions. (Don't look ahead.) Use your imagination. Keep your answers to refer to as you complete the story.

- 1) Who shoplifted? Karen? Shirley? Roger? Neither?  
All three?
- 2) Who got caught?
- 3) Why did she/he shoplift?
- 4) How did the parents react?
- 5) How did the shoplifter(s) feel afterward?
- 6) Describe what happened to those who were caught.  
Did anyone go to jail?
- 7) Have you had enough questions? If not, make up some more and answer them. Then read Chapter II, The Incident.

## CHECK-UP

Circle the correct choice.

According to research data by the Attorney General's Office, the most likely shoplifter to be caught is:

1. Male ----- Female
2. Over 30 ----- Under 30
3. 15 years ----- 25 years old
4. Amateur ----- Professional
5. 2% of a ----- 20% of a  
store's shoppers store's shoppers

CHAPTER 2 -- THE INCIDENTStory Line

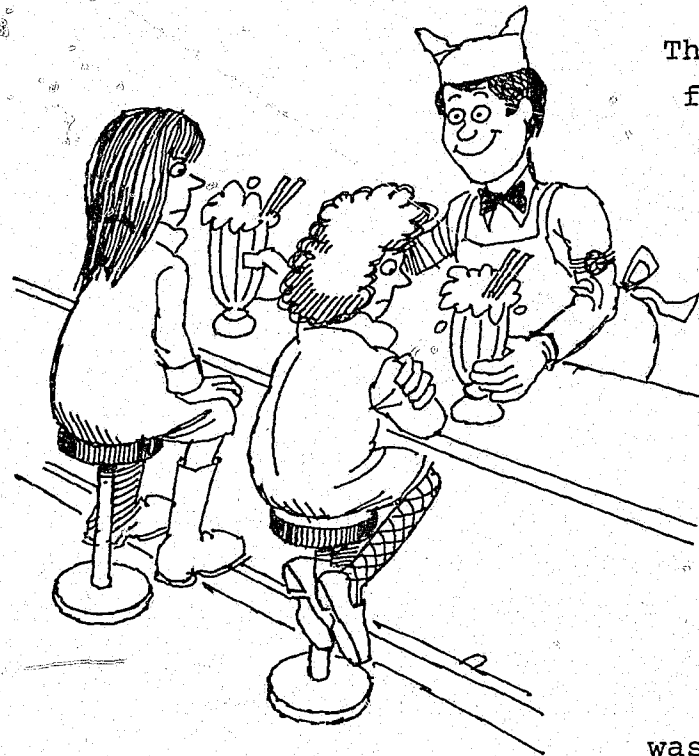
Karen lived several blocks from Shirley. They had known one another a long time, since their parents were friends. Their parents had bowled together as long as Karen could remember. Roger used to babysit all the kids, including, Karen, during league bowling.

In the past Karen and Shirley did everything together -- riding the bus to school, and playing every day at each other's house. Now Shirley went to a different school and had different friends. They weren't as close as they used to be, but they still did things together when they could, like going to the mall.

The "incident" occurred on a Friday afternoon. It was a clear cold fall day. Karen called to suggest they bus over to the shopping mall to look for a present for her brother's birthday. Her dad had given her extra money to "buy something," and she had her own money. Shirley also had some money to do some shopping. The girls felt rich to have so much money on them.

Karen's brother Roger worked Fridays at The Hotdog House which was in the shopping mall. The first thing the girls did after getting off the bus was to head for The Hotdog House for twin double floats. Roger's motorcycle was parked in the lot so they knew he was there. The girls had agreed to try to get a little extra ice cream if he was working at the counter.

Roger was working at the counter and took their order while listening to them hint that they would like an extra large serving of ice cream. He returned with the measured amount of ice cream for double floats --no more, no less. The girls paid, giving Roger their hardest, coldest, stares. Roger thanked them courteously, as he did all his customers. (Under his breath he added that he especially appreciated how they always tried to make his job so easy for him!)



The girls guzzled their double floats and when they finished they were almost sick. They agreed, as usual, that they would never do it again.

Waving at Roger  
(he pretended not to see them), they left The Hotdog House.

Since the new department store had finally opened, that was their next stop. The jewelry department was well stocked. Karen

liked fancy gold chain necklaces, so they looked over the necklace display. Shirley preferred inexpensive costume jewelry--charm bracelets and charms-- so they moved on to that display. There were only a few charms Shirley didn't already have in her collection. Karen told Shirley the small basketball was the best one and maybe she should buy it. But Karen quickly lost interest and drifted toward the scent of popcorn and candy. Shirley stayed at the charm display, searching for others she didn't have. That small, gold basketball was cute. She had room for at least one more on her charm bracelet. And the price was right --\$5.50. Suddenly, a strange notion struck Shirley. She cautiously looked around. Karen was headed toward the candy counter. The sales clerk was at the far end of the counter with her back to Shirley, helping a customer. The customer's view of Shirley was blocked by the sales clerk. No one else was near. Shirley quickly pulled the charm from the rack, and holding it in her hand, headed toward the candy counter.

Then she noticed the restroom sign to her left. She ducked in. No one was there. She removed the price tag from the charm, quickly

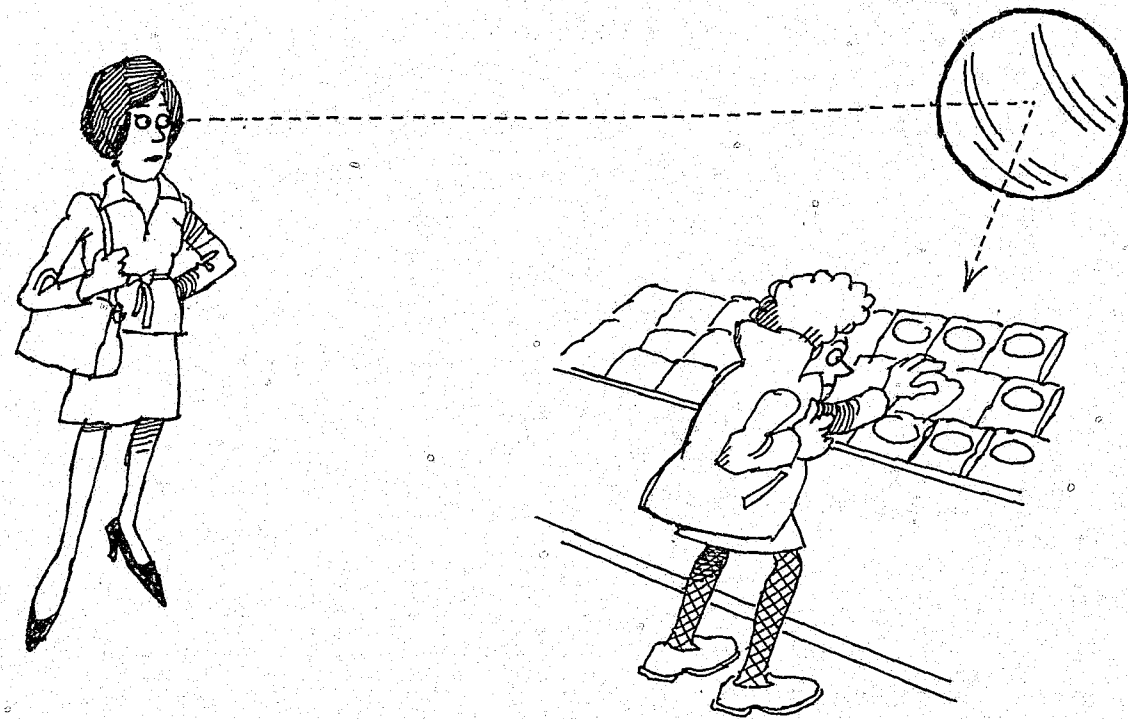
pulled up her coat cuff and snapped the charm onto her bracelet. Then she pulled her cuff back down, concealing the bracelet again, and left the restroom. All this had taken less than a minute or two. At the candy counter, Karen had hardly missed her. Shirley greeted her and asked Karen to come with her to the restroom.

Once there, Shirley showed Karen the charm on her bracelet, and Karen admired it again. But when Shirley said she had taken it without paying, Karen was surprised. Shirley said it was easy, and then explained how she looked around and palmed it. Just then, a woman wearing a dark uniform with a badge walked into the restroom. The girls nearly dropped dead. They waited. Then Karen peeked out of the corner of her eye toward the badge. It read "Custom Cleaning Service." She doubled over, hugging herself to keep from exploding with laughter, pointing at Shirley and the badge. Shirley breathed a huge sigh of relief and laughed, but not as easily as Karen. Shirley had gotten away with it.

Karen remembered that her brother Roger had a birthday soon and moved on to look for a present. Browsing through the sweaters and sportswear, they came to a table in the farthest back corner with a full display of warm-up suits. Jackets and pants could be purchased separately and the jackets were only \$8.95. Roger was turning out for basketball and track in the spring. He would enjoy having a warm-up jacket. Great idea! A neat present at a good price. She held up a jacket to flash at Shirley who was leafing through ski jackets on a special rack. Shirley nodded. The light blue was a great color for her brother. The dark blue would look great on her. She wondered if . . . a funny feeling crept over her. She looked at Shirley; Shirley was still busy with the jackets. Karen was in the very back of the store. No one was around, except Shirley. Suddenly, awkwardly, she knocked one of the blue packages off the counter onto the floor. Bending over, she opened up her winter coat, and nervously stuffed the package under her arm beneath her sweater and coat. She straightened up, picked up the dark blue jacket and looked for Shirley. Shirley was staring at her with the strangest



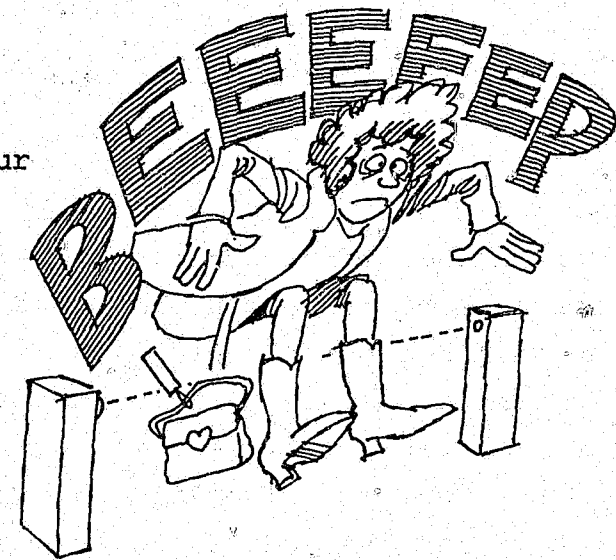
look on her face. From where she was, Shirley could see the large curved mirror in the ceiling above and behind Karen. Shirley also saw the young woman dressed somewhat like them, watching Karen through the mirror. Shirley immediately turned and headed away from Karen back toward the candy counter and out of the store.



Karen puzzled, called to Shirley, but Shirley kept right on going. She looked around, then headed toward the check-out counter to pay for her warm-up jacket. The young woman appeared to follow her. After nervously paying for her jacket, Karen walked quickly toward the door. Glancing back she again noticed the woman following. Just before Karen reached the door, the young woman caught up with her and tapped her on the shoulder. The woman identified herself as a store security specialist by showing a badge with her picture on it. She asked Karen to come to the store manager's office. By now, Karen was frightened and also angry at Shirley for leaving her. Red with embarrassment, Karen realized that other shoppers were staring at her. She walked through the store with the security specialist holding her arm, directing her to the manager's office.

#### Background Notes:

The facts are that the amateur shoplifter, once caught, seldom shoplifts again. The best shoplifting prevention program is a store environment where the potential shoplifter senses that the chances of getting caught are very high. Some of these security measures are: mirrors in corners, two-way mirrors, "security specialists" disguised as shoppers, posters, video cameras, special locking holders or display cases for items like tapes and calculators, electronic tags, hidden price tags, and more.



Stores try to make the customer feel that the sales people are helpful and attentive. This also makes the shopper/shoplifter feel well-watched and removes much of the opportunity to shoplift.

The costs to the store of such shoplifting prevention measures are high, but so are the costs of the merchandise being stolen. In the past, everyone has had to pay for this shrinkage. This means that about 2% of all the money a family spends in stores is an extra charge to cover the loss to shoplifters. It takes employee time when shoplifters are caught: filling out reports, waiting, doing follow-up, etc. One store in Seattle estimates it costs them \$263.00 to apprehend one shoplifter. The Washington Civil Anti-Shoplifting Law attempts to make the shoplifter and his/her family pay for the costs of the act. It fines the parents of a juvenile shoplifter (under 18) from \$100 to \$200 plus the price of the merchandise stolen --even if it is recovered. In our story, Karen's parents will be receiving a letter (demand letter) from the store requesting payment of \$100 plus \$8.95 = \$108.95.

IT'S TIME FOR SEVERAL LEGAL NOTES

1. The world of law can be divided in half --one half is civil law and the other is criminal law. Civil laws and penalties "make things fair" for the victims of some injustice (for instance, when someone loses money or property). The civil anti-shoplifting law requires parents of juvenile shoplifters to pay for some of the time and money lost by stores (the victims) to shoplifters. It also tries to "make things fair" for the other victims --the shoppers who don't shoplift, but pay higher prices anyway. The civil penalty has the additional purpose of deterring shoplifting (preventing others from shoplifting).

Criminal laws and penalties deter the potential offender and punish the criminal. When most people are told something is wrong (a crime), and why it is wrong, and the penalties for doing it, they won't do it (they are deterred from doing it). Shoplifting, according to Washington State law is theft, a crime. It is a crime because it is taking something from someone else, without paying for it. A person who shoplifts, no matter what age, has committed a crime and, if arrested, has a criminal history and faces the penalties.

The criminal penalties for first or second time juvenile shoplifters are not severe, in the sense of having to go to jail, unless the amount of the theft is unusually high. The penalties, as you will see in our story, deal with bad feelings --between family, friends and with yourself: feelings of loneliness, hurt, frustration, lack of trust. These emotional penalties can be quite severe, whether one is caught or not.

2. The law states that if a person conceals something in a store with the intention of not paying for it, they are shoplifting. Karen was correctly apprehended, even though she was still in the store. She had been observed concealing merchandise. According to the law, this concealment gives a merchant reason to believe that she was going to commit a theft --to shoplift.

To be an accomplice to Karen's crime, Shirley would have had to

"actively help" Karen commit the crime, for example, help her knock the jacket to the floor or conceal it. From a legal point of view, Shirley did not participate in Karen's shoplifting. Of course, Shirley was guilty of shoplifting on her own when she took the charm without paying for it.

## LEARNING ACTIVITY -- DO A (This Page) or B (Next Page)

A) We have all been "tempted" at one time or another to do something we shouldn't. Answer the questions below as honestly as possible. After thinking of and analyzing as many examples as you can (at least four), share your answers and feelings with your parents, a friend, classmates.

1. Temptation to break law or rule \_\_\_\_\_.  
Did you? \_\_\_\_\_. Why/Why not? \_\_\_\_\_.  
Were you caught? \_\_\_\_\_. Consequences \_\_\_\_\_.  
Will you do it again? \_\_\_\_\_.  
What would change your mind? \_\_\_\_\_.

2. Answer same questions as #1

3.

4.

## LEARNING ACTIVITY, Continued

B) Write short answers in complete sentences to these questions OR discuss these questions in a group or as a class.

1. Why did Shirley shoplift the charm? Did she need the charm?
2. Explain what the cleaning lady in the bathroom would have had to have seen to be able to have Shirley arrested.
3. If Shirley had been arrested:
  - a. Would Karen have been an accomplice?
  - b. Would Karen also have shoplifted?
4. List the shoplifting prevention measures you've observed in stores.
5. What would you have done if you had been Shirley (after she observed Karen shoplift)? Explain why.
6. Each girl "looked around" before she shoplifted. Why? What do stores do to "make people feel watched?"

## CHECK-UP

Matching: Put the letter of the best answer in Column B after the number in Column A. You may use one answer more than once.

## COLUMN A

## COLUMN B

- |  |  |
|--|--|
| 1. _____ Criminal penalties.   | A. Gives a merchant reason to believe that an item will be shoplifted. |
| 2. _____ Civil penalties.  | B. Good shoplifting prevention techniques                              |
| 3. _____ Concealment of an item.                                     | C. Helps to make things fair for the victims of crime.                 |
| 4. _____ Helpful and attentive store clerks                          | D. Deters offenders and punishes criminals.                            |
| 5. _____ Victims of shoplifters                                      | E. Stores/the public.  |
| 6. _____ Mirrors; locking price tags                                 | F. Common reasons given for shoplifting.                               |
| 7. _____ To see if one can "get away" with it; for the thrill of it. |  |



Story Line

Karen sat down in a padded chair in the manager's office. The young woman, "the store security specialist," was not a police officer but her first act in the office was to pick up the telephone and call the police. The young security specialist explained to Karen that she was being arrested for a criminal act --the shoplifting of a \$8.95 jacket, and that this was a misdemeanor crime --third degree theft. The manager just watched silently. Karen was also told that:

1. She could remain silent.
2. Anything she said could be used as evidence against her in a court of law.
3. She had a right to call an attorney and to have him/her present before she said anything.
4. If she couldn't afford an attorney, she could have one appointed for her free of charge by the court.

Karen set the package she had paid for on the chair next to her. She felt that the bulge of the stolen package must be obvious to everyone in the room. She had never stolen anything before. Where was Shirley? That louse, she had shoplifted and gotten away with it. Were they going to call her parents? What about her rights? She was remaining silent, for sure. She was too scared and nervous to say or do anything. Suddenly, she burst out crying, tore open her coat, and threw the blue package on the floor. "THERE!" she sobbed.



The security specialist and manager looked at one another and smiled, as if they had witnessed this scene many times. They offered Karen a tissue. She blew several times . . . then tried to pull herself together.

The security specialist read her rights to her again. She handed Karen a piece of paper and asked her to sign it. It said her constitutional rights had been explained to her. Karen signed it. Then the security specialist asked her to read the next two lines on the piece of paper. They read:

"I have read the above explanation of my constitutional rights and I understand them. I have decided not to exercise these rights at this time. The following statement is made by me freely and voluntarily and without threats or promises of any kind,

Signature \_\_\_\_\_"

The security specialist asked her if she knew what that meant. Karen told her, and then signed it. Next, the store manager asked her how she could contact her parents. Karen glanced at the wall clock. It was 5:15 and both her parents should be home by now.

"Do you have to call my parents?" she asked, but without too much hope. Reluctantly Karen gave the manager her home phone number.

Karen described what she had done as the security specialist wrote it down. Then Karen read the statement and the security specialist asked her to sign it.

As she was signing, a police officer walked into the room. Karen's heart raced, but she managed to stay outwardly calm. Was she going to detention? She had heard of a few kids at school who had been arrested and taken to juvenile hall.

The police officer talked briefly with the security specialist, looked at Karen's signed statement and then repeated the same "rights

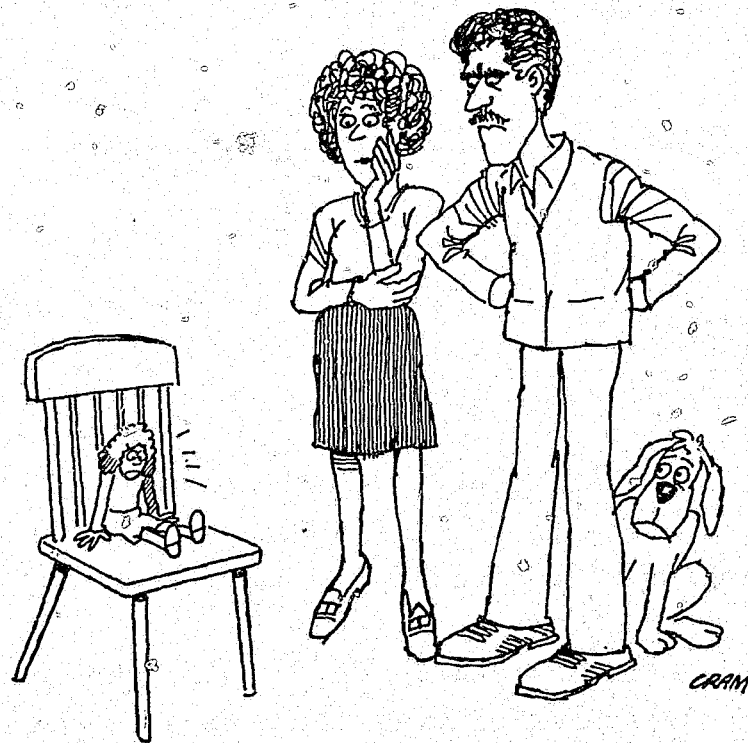
statement" that the security officer had read earlier: "You have the right to remain silent . . . ."

"Do you have anything to add to your written statement, Karen?" he asked.

Karen shook her head, no.

The officer spoke again, "You have been arrested for theft and I am going to write you a citation. You will be released to your parents when they arrive. You will be contacted later by a representative of the juvenile court to determine what action will be taken."

Then the office door opened. Karen didn't look up. She recognized a tone worse than anger in her dad's voice as he introduced himself and her mom. Karen knew it was going to be a long, silent ride home before she could get to her room, shut the door behind her and sort it all out.



# BACKGROUND -- LEGAL NOTES

1. A representative of the store can legally detain a suspected shoplifter for a "reasonable time" --time to question, call the police, fill out a report and call the parents. Some store security specialists have police arrest powers within the store. A store owner, manager or employee can also make a citizen's arrest of a shoplifter.

2. Notice that the police were very careful to make certain Karen had been informed of her constitutional rights. This demonstrates that they are treating her as a criminal.

3. Karen has been arrested. She has a criminal history. She will be released to her parents. Since she is a juvenile (under 18), her case will be handled by the juvenile criminal division. Since it's her first criminal offense and not a violent one, her case will be moved out (diverted) of the juvenile court system to a diversion unit in her community. This unit is usually called a conference committee or youth accountability board (as Karen's is called). We'll learn more about diversion in the next chapter. A juvenile offender signs a diversion agreement with the diversion unit.

4. If Karen successfully completes her diversion agreement, she will have no conviction on her record, but she will have an offense record. However, at any future time, if she is arrested for a crime, her diversion record can be reviewed by the court to help determine how she should be treated. Law enforcement agencies involved in future investigation would also be able to look at Karen's diversion record.

5. Notice the store manager said nothing to Karen's parents about their obligation to pay the civil anti-shoplifting penalty. Later, her parents will receive a demand letter from the store explaining the civil penalty, and containing a copy of the civil anti-shoplifting law. Payment of the civil penalty is usually not requested at the time of the arrest because the store does not want the shoplifter

or the parents to confuse the civil and criminal penalties. For this reason, stores send civil demand letters later. The letter requests the parents to pay the value of the merchandise (\$8.95 here), plus \$100, a total of \$108.95, as a penalty. If parents ignore the letter, they may receive a second letter repeating the request for payment of the penalty. Both letters remind the parents that they may be taken to civil court if they do not pay the penalty.

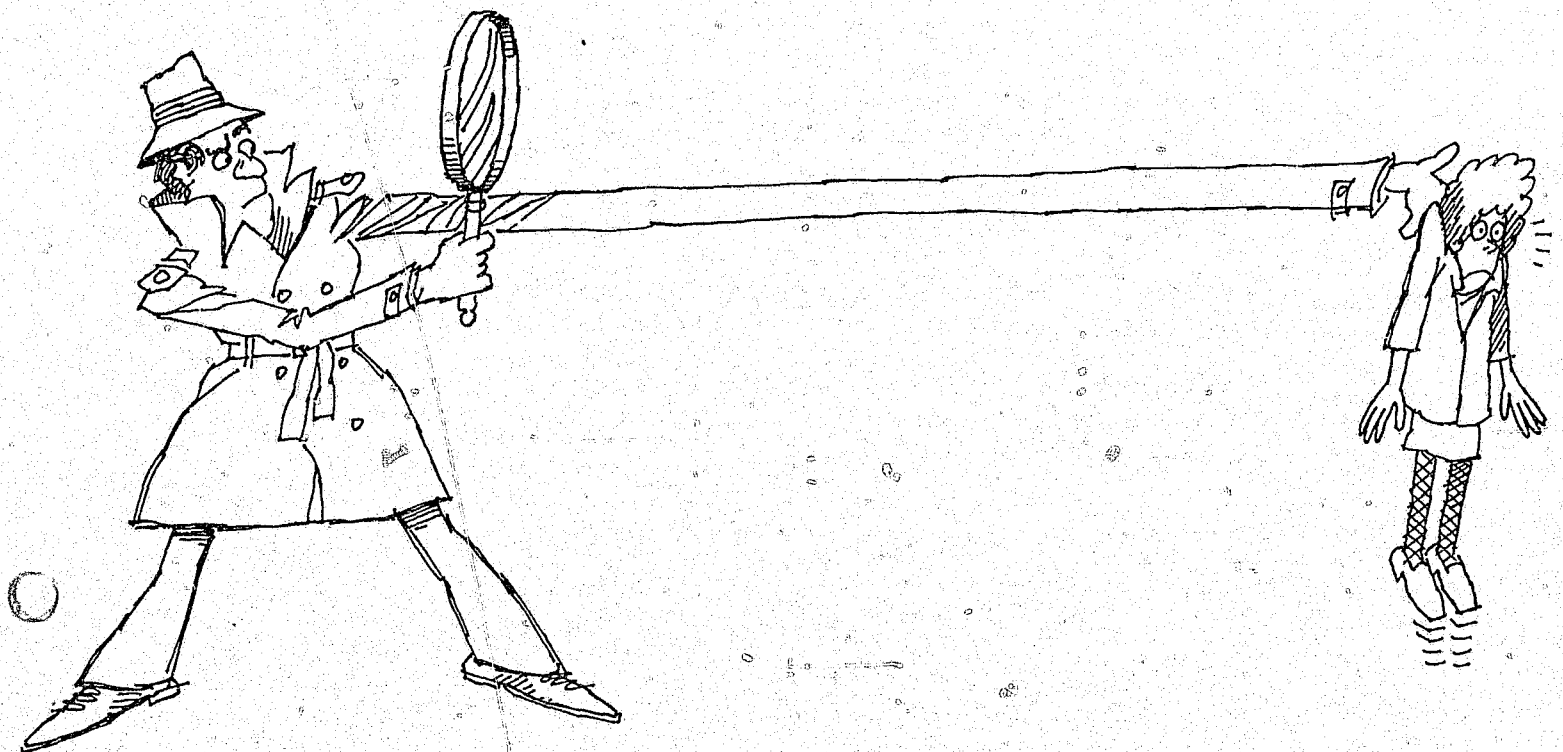
# LEARNING ACTIVITY -- DO A (This Page) or B (Next Page)

A) Many small store owners do not have the time, staff or money to deal with shoplifters the way Karen has been in our story. The owner might catch a young shoplifter, detain him or her for a short period, threaten to call the police or their parents if the merchandise isn't produced. But once the merchandise is produced, as it usually is, store owners often let the shoplifter go, telling him or her, "Don't come back to my store! . . . ." This is particularly true if the item taken is small, like a 25 cent candy bar or a 49 cent pen. Some store owners always have the parents come to the store to pick up young shoplifters.

If you owned a small store (a "mom & pop" store), you had one employee besides yourself, you didn't make much money, you knew that kids and some adults were taking a lot of small items from you, what would you do about it? Propose an anti-shoplifting program for small stores. Be sure to consider the following questions in your plan. Remember the elements of prevention include security for the merchandise and a sense of "being watched" for the customer.

1. What are some inexpensive prevention techniques?
2. Is it fair to kids to "let them go with a slap on the wrist?"
3. Would you be afraid of losing business by confronting shoplifters?
4. Would you be afraid "someone might get you" --break a window at night, gang up on you, etc. . . .?

Present your plan to a small store owner in your community. Have him/her help make it better. HELP him/her implement it!





## LEARNING ACTIVITY, Continued

B) Alone or in a group, or as a class, complete each of the following sentences. Add two to three more sentences describing what happens in Chapter 3 under a new set of circumstances.

1. Karen accepts her constitutional right to silence and . . .
2. Karen blames Shirley and . . .
3. Shirley returns to the manager's office and . . .
4. Karen's parents are not at home, so Karen . . .
5. (Write your own version of what happens)

## CHECK-UP

Mark True (T) or False (F). Change a word or two in the false sentence to make it true. Careful, several are tricky!

- ☐ 1) In Chapter 3, Karen was convicted of a crime.
- ☐ 2) Karen will have a criminal history.
- ☐ 3) When arrested, a juvenile always has the constitutional right to remain silent and to have a lawyer present.
- ☐ 4) Karen's case will be handled by a criminal unit of the juvenile court.
- ☐ 5) Karen's theft will result in a penalty handed out by a diversion unit for her and a civil penalty for her parents.
- ☐ 6) A "demand letter" is sent by a store to the parents of an arrested juvenile shoplifter requesting payment of the civil penalty (or fine).

CHAPTER 4 -- THE AFTERMATHStory Line

The only thing Karen's mom and dad had said to her on the way home was that she was grounded for a month and that they "would talk." She didn't dare say a word. All she did was stare at the back of her parent's heads. Neither turned to look at her. They hurried through dinner and went bowling. Exhausted, Karen went to sleep early for a Friday night.

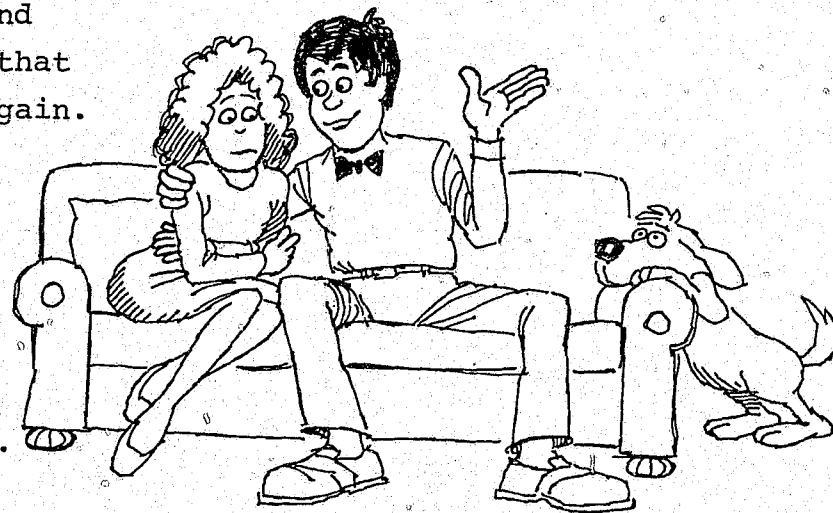
For the next two weeks, Karen wouldn't let anyone talk to her about the incident. After school, she stayed at home in her room, doing homework or listening to the radio. When friends invited her to a movie or a game, she politely turned them down, saying she had "family commitments." Shirley had called twice, but Karen refused to talk to her. Roger had tried talking to her, but got frustrated since Karen always started crying. Karen's mom and dad had said several times that it wasn't the end of the world, they all still loved her, and they both had tried with no luck to get Karen to talk about what had happened.

When Karen came home on a Friday afternoon exactly two weeks after "the incident" she noticed a letter on top of the pile of mail addressed to her parents from the department store. She held it up to the light. She couldn't see anything. She carefully put it back in the middle of the stack. There was also a letter addressed to her with no return address. She recognized the writing --it was Shirley's. She threw the letter in the waste basket. Her mom and dad had left a note, telling her to put in a TV dinner for herself; they were going to dinner with Shirley's folks before bowling, they loved her.

After dinner she checked the TV guide and found an old movie to watch. Grabbing a bag of chips, Karen sat down in front of the TV. Soon after, she heard Roger's motorcycle.

He was home from work early. She had curled up on the couch, pretending to be asleep when he came in and plunked down next to her. After a moment of silence, Roger tapped her on the knees, calling softly to her. She couldn't help smiling! He said he wanted to talk to her about a couple of things, but he didn't want her to start crying. She agreed. First, he said he wanted to explain that the reason that he never gave Karen and Shirley, or any of his friends who came into The Hotdog House for that matter, anything extra was that it was wrong; it was giving away something that wasn't his to give away; it was stealing from the restaurant. The store manager had made this very clear to all employees and, if caught, any employee would be fired. Roger asked Karen if she understood. She said she did.

Second, Roger said, he wanted to tell her that he understood how she must be feeling about "the incident." He explained that about three years before, just after he had gotten his motorcycle, he and some friends had shoplifted, had stolen some things from a store. They were decals for their bikes. None of the fellows had really needed them, they just wanted them and . . . had just wanted to see if they "could get away with it." Well, Roger said that he and two other friends had "gotten away with it," but their fourth friend had been arrested. Roger told Karen how difficult it had been on their friendship, that it took several months for them all to get together and completely talk it out so that everyone was comfortable again. Karen asked him what had happened to the decals. Roger told her he had burned his, and his friends had thrown theirs out. None of them put the decals on their cycles. They didn't want to be reminded of a stupid incident that nearly ruined their friendship.



Roger then told Karen that mom and dad had never found out about his incident. Karen thanked him for talking with her. She still couldn't tell him that it was his birthday present she had shoplifted. It had helped a lot. Roger reached over, gave her a hug and went to his room in the basement. Karen fell asleep on the couch.



She awoke to her dad's thundering voice. ". . . What the #\*&! is this all about?!" He was in the kitchen. Half asleep, she wandered in to see what the problem was. He continued to bellow, "The Store expects US to pay \$8.95 plus \$100.00 as a civil penalty. She is going to pay, not us! She got herself into this, not us." Her mom tried to calm him down. Neither of them noticed Karen standing just inside the kitchen door. Beside himself, her dad said, "You know, we've had no trouble with Roger. You almost expect

it from a boy. But, Karen! I just can't believe she would have done something like this!" There were tears in his eyes. Her mom tried to put her arm around him. Karen had never seen her dad so upset. She couldn't believe it. She slipped back into the hallway, tiptoed to her room, got into bed, and stared at the ceiling --now wide awake.

The weekend passed. No mention was made of the letter from the store. Early the next week, a call came from the youth service bureau. A staff member arranged to meet with Karen and her folks at their home. Karen dreaded the meeting, but she also felt a sense of relief. He explained the diversion process to the three of them. Karen had committed a crime, but because it was not a major one and it was

her first arrest and she was a juvenile (under 18), her case had been diverted from the regular court system. Her case would be handled by the neighborhood accountability board. The man would write up a brief report about "the incident," the family situation, how they felt about what happened, how Karen was doing in school, and present it to the board. The neighborhood accountability board was a three member group of neighbors who volunteered to help out youth in their community. The man explained that after their meeting that night, Karen and her parents would meet with the board. First Karen alone, then her parents, and then together. The board would ask the same type of questions he was asking, then would assign Karen community work. This would be her way of showing the community that she was sorry for what she did, of cleaning the slate and starting over again.

Karen listened intently as this was explained. How she wanted a chance to tell her folks that she could be trusted again! The youth service man then asked her to tell him what had happened.

She started, "Shirley and I" (It was the first time she had mentioned Shirley. Now she just wanted to get it all out). She started to snifle . . . blurted more . . . "a warm-up jacket for Roger . . . Shirley had made it seem so easy. I don't know why I did it. Yes, I had enough money to pay for the jacket. And the last three weeks have been terrible! I knew it was my fault. I won't do it again."

Karen stopped. She wanted her dad and mom to forgive and trust her. She really hadn't meant to upset them so much. She didn't enjoy feeling like a criminal. Cautiously, she glanced toward her father. His warm smile was all she needed. She moved over into his arms. It was the longest, best bear hug she could remember. Over her shoulder, her dad winked at his wife.

Before the meeting was over, a meeting with Karen and her parents and the accountability board was set up for the following week.



At the board hearing, they asked the questions over again. It was embarrassing to repeat the story in front of strangers, but it wasn't quite so bad this time. She told them what happened, that for four weeks now she had been living with all these bad feelings, that she had been grounded, and that she wanted to be done with it. The board talked to her parents. Then in front of both Karen and her parents, the board chairperson told Karen the board didn't ever want to see her back before them; the board hoped they would see her in the community under different circumstances; they thought she was a good person with good parents and wished her well. They assigned her 18 hours of community service work through the youth service bureau. They informed Karen it was her responsibility to call to schedule her work. Finally, she and her parents signed an agreement to complete the assigned work within one month or her case would be referred to juvenile court.

Karen did her community service work with several other boys and a girl from her school. She knew several of them --they were known as "bad kids" --trouble at school, trouble after school, trouble at home. She wondered what would be said about her now that it was known by some of the kids that she had done community service work.



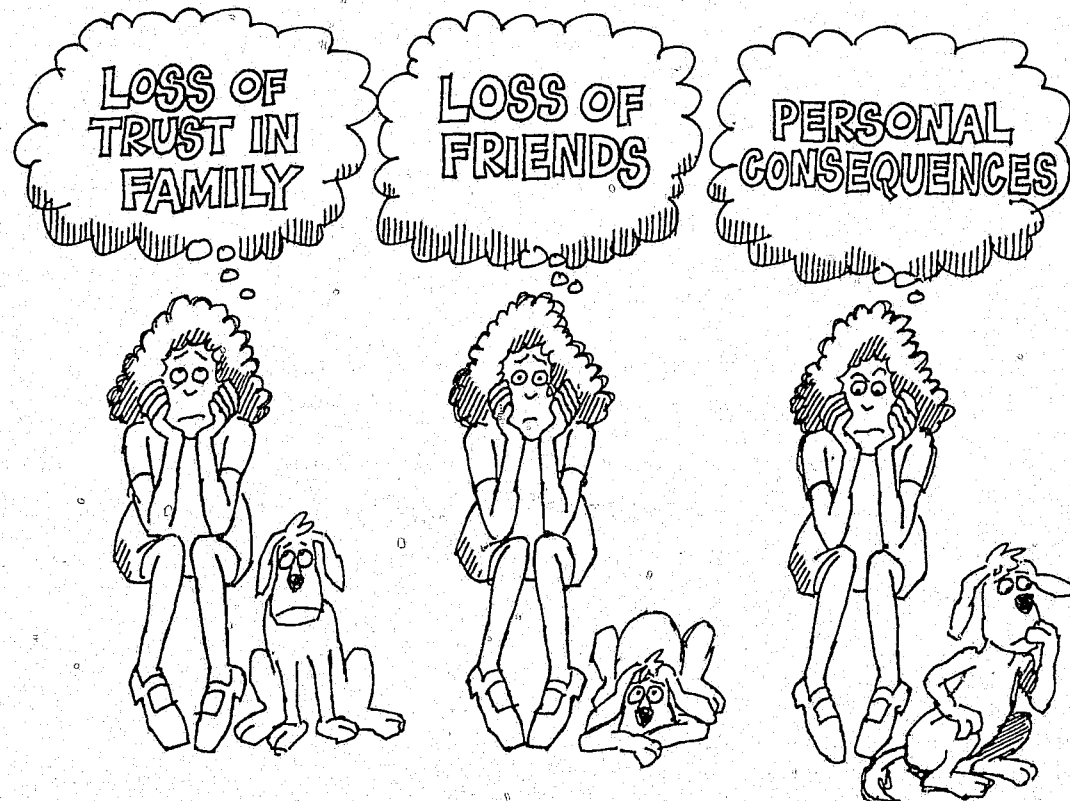
BACKGROUND

The three aspects of the aftermath of Karen's actions are dealt with in Chapter 4.

1. Criminal consequences. Karen meets with her community diversion unit (youth accountability board). She has a criminal history which would be considered if she were to get into trouble again.

2. Civil consequences. Karen's parents receive a letter from the store (the demand letter). Remember, it asks for a penalty to help pay for the costs of prevention measures and apprehension of shoplifters. This penalty is also a deterrent to other shoplifters.

3. Personal (psychological) consequences. Karen's feelings about herself and relations with her parents, relatives, and friends (Shirley). The criminal and civil consequences are straightforward. The personal consequences --how Karen feels-- are more complex. Are they the worst consequences of all? Remember, a simple, spur-of-the-moment act, such as what Karen decided to do in the store, can have long-term, complex consequences.



LEARNING ACTIVITY -- Do A (This page) and either B (Next Page) or C (Page S-29)

A) Under each of the headings, list the consequences of Karen's act of shoplifting. Which has a longer list?

<u>Criminal</u>	<u>Civil</u>	<u>Personal (Emotional, Psychological)</u>

## LEARNING ACTIVITY, Continued

B) Write complete sentence answers to any 5 of the following questions or discuss in a group or as a class.

1. There is a bit of sex stereotyping in this chapter . . . "men aren't supposed to \_\_\_\_\_" and "boys, not girls \_\_\_\_\_." Describe at least 3 examples in your family or with your friends when "boys acted like we think girls act" or vice versa, and when "men acted like we expect women to act."
2. Roger shared a shoplifting incident with Karen. In what ways was it different than Karen's? Similar? What did Roger learn from the shoplifting incident?
3. Why wouldn't Karen speak to Shirley?
4. Who did Karen's dad blame for her problems? Do you agree? Why? Why not?
5. How do you think Karen's parents felt when they had to go before the accountability board? Would their feelings be similar to Karen's?
6. How do you think Shirley is feeling now?
7. Explain what a diversion unit is.
8. How would your parents react? Mother? Father? Brother? Sister?
9. How do you react to friends in trouble or when you hear of kids who get in trouble?

## LEARNING ACTIVITY, Continued

C) Decide how you stand on each statement. If you can, discuss with a group or the whole class. Place an X under "Agree," "Neutral" or "Disagree."

	<u>Agree</u>	<u>Neutral</u>	<u>Disagree</u>
1. Karen was wrong not to talk to Shirley.			
2. Shirley was lucky not to get caught.			
3. Karen overreacted to the whole thing.			
4. I would be <u>less</u> affected than Karen.			
5. I would be <u>more</u> affected than Karen.			
6. The members of my family would react like Karen's did.			
7. The diversion process seems effective and fair in dealing with young people in trouble.			
8. The diversion process is "too easy" on juveniles.			
9. Karen's parents really love and care about her.			
10. Karen loves and cares about her parents.			
11. It hurts to have friends ignore you.			
12. Kids sometimes label "bad people" unfairly.			
13. I sometimes label "bad people" unfairly.			

## CHECK-UP

Classify each of the following consequences by writing:

Criminal in front of criminal consequences.

Civil in front of civil consequences.

Personal in front of personal or psychological consequences.

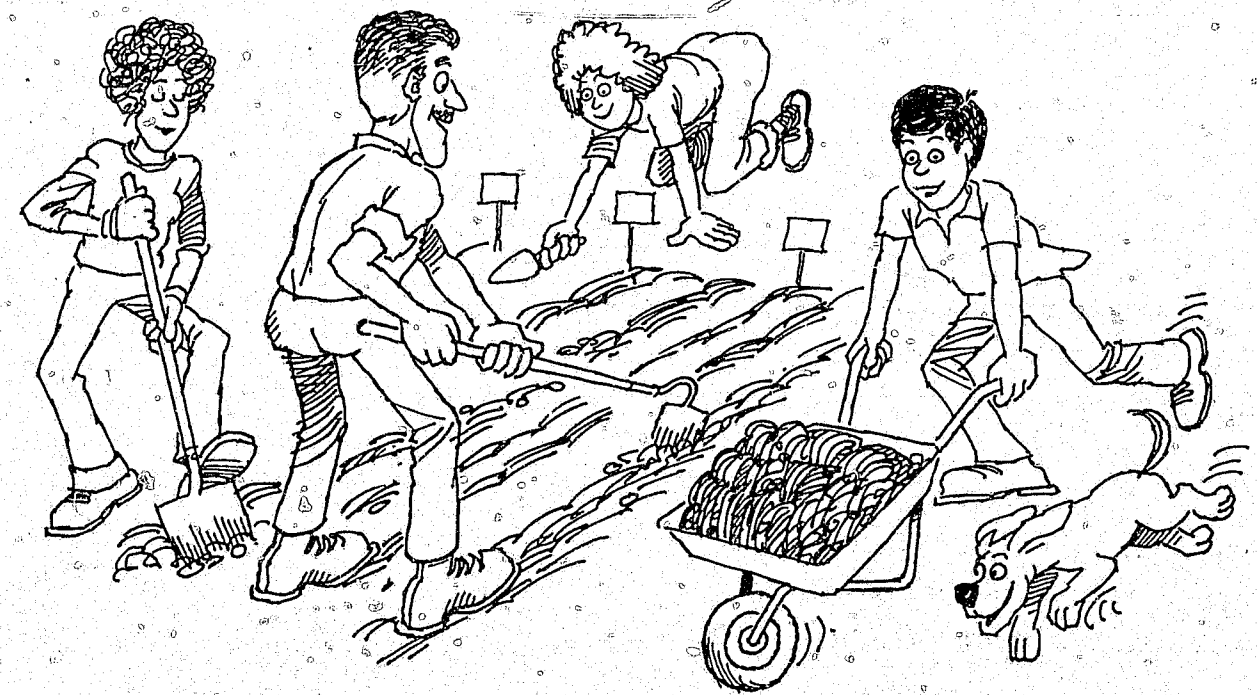
1. \_\_\_\_\_ The demand letter from the store.
2. \_\_\_\_\_ Upsetting to family and friends.
3. \_\_\_\_\_ Diversion process.
4. \_\_\_\_\_ Ignoring Shirley's calls.
5. \_\_\_\_\_ Youth accountability board or conference committee.
6. \_\_\_\_\_ anti-shoplifting Law.

## CHAPTER 5 -- EPILOGUE

Story Line

Karen successfully completed her community service assignment within the month's time. She worked the following three Saturdays for six hours each day. The first Saturday, she cleaned at the youth service bureau. The next, she handed out community club newsletters door-to-door. And the third, she went door-to-door in the community picking up household recyclables --bottles, cans and newspapers.

Things were much better at home. She found out that the letter from the department store required her parents to pay the value of the jacket (\$8.95) plus a \$100.00 penalty to the store. This penalty was intended to help compensate the store for its losses to shoplifters. The store evidently spent a lot of time and money apprehending and arresting shoplifters. Her father and mother paid the \$108.95. Karen and her parents worked out a schedule of extra help around the house --yard work, car washing, and cleaning so that Karen could "pay back" the money. It took her until the middle of summer vacation.





The morning after the meeting with the accountability board Karen had found a letter under her back door. It seemed to be the same letter she had thrown away before. This time she opened it.

Dear Karen,

I've tried to call you. I started to come over, but I couldn't face you, so I am writing this letter. I hope you are reading it!

I've talked to a couple other kids who were caught shoplifting. Their parents were ticked . . . They were grounded. They're still doing their community service work. What can I say? I am truly sorry. I didn't realize that such a silly little thing could lead to so many problems. I want you to know as soon as I got home, I threw that charm in the garbage. I feel so bad for you . . . it was all my fault.

The hardest thing for me is to explain why I left the store. You must hate me. All I can say is . . . I was frightened. I was afraid they would find out about the charm. I know it was selfish of me. Please . . . I am so sorry! I've been too afraid to tell anyone. My folks asked me if there was anything wrong between us. I just said no . . .

Please call me or write me and tell me we can work it out. I almost wish I had been caught, I feel so badly.

I still want to be your friend. Please let me.

Love,

*Shirley*

Karen reread the letter. It was from a true friend. Shirley really seemed to be in so much pain! Until now, Karen never realized how badly Shirley must have felt.

She decided to write Shirley. Karen wanted to tell Shirley she wasn't to blame; she also wanted to say she was facing the consequences of her own actions, and she had learned a lot. Even more, she wanted to cheer Shirley up . . .

After the month's grounding period was over, Karen and Shirley met at The Hotdog House for two double floats. Roger was there. This time there was no hinting for extra helpings. Also, after they were finished, they didn't go near the department store.

### Background

We have included a copy of the State of Washington civil anti-shoplifting law and the first and second "demand letter" usually sent by stores. Read them carefully. Then answer the questions in Learning Activity A.

STATE OF WASHINGTON  
CIVIL ANTI-SHOPLIFTING LAW

RCW 4.24.230

(1) An adult or emancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller, and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof, shall be liable, in addition to actual damages, for a penalty to the owner or seller in the amount of the retail value thereof not to exceed one thousand dollars, plus an additional penalty of not less than one hundred dollars nor more than two hundred dollars.

(2) The parent or legal guardian having the custody of an unemancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof, shall be liable as a penalty to the owner or seller for the retail value of such goods, wares or merchandise not to exceed five hundred dollars plus an additional penalty of not less than one hundred dollars nor more than two hundred dollars: PROVIDED, That for the purposes of this subsection, liability shall not be imposed upon any governmental entity or private agency which has been assigned responsibility for the minor child pursuant to court order or action of the department of social and health services.

(3) Judgments, but not claims, arising under this section may be assigned.

(4) A conviction for violation of chapter 9A.56 RCW shall not be a condition precedent to maintenance of a civil action authorized by this section.

UNEMANCIPATED MINOR DEMAND LETTER

\_\_\_\_\_  
(Store Name)

\_\_\_\_\_  
(Store Address)

\_\_\_\_\_  
(Subject's Parents)

\_\_\_\_\_  
(Subject's Address)

Dear \_\_\_\_\_:

This store has a report showing that on \_\_\_\_\_ (date), your child  
\_\_\_\_\_  
(subject's name) took from us \_\_\_\_\_ (list stolen items)  
without permission, without paying for them, and to use them as his/her own.

State law provides that we can demand that you pay these penalties:

the selling price of the stolen items \$ \_\_\_\_\_  
(even if we have recovered the items)

a penalty of no less than \$100 and \$ \_\_\_\_\_  
no more than \$200

TOTAL AMOUNT DEMANDED \$ \_\_\_\_\_

This letter is our demand.

The parent or legal guardian of a child is responsible for payment of this demand. A copy of the state law allowing this demand is attached.

Please send your check or money order to \_\_\_\_\_ (store name & address).

If you do not pay by \_\_\_\_\_ (date), we will take this demand to civil court.

This demand is made by this store. It is separate from any criminal prosecution by the city or county. This demand does not take the place of any fines or punishment which may be handed out by the criminal court.

If you disagree with this demand you may wish to contact \_\_\_\_\_ (store contact & phone number). You may also wish to talk to a private attorney. If you do not pay this demand, we will file a court action. You will then have the chance to defend your position in civil court.

(Signed by store owner, manager or  
representative)

## SECOND DEMAND LETTER

(Store Name) \_\_\_\_\_

(Store Address) \_\_\_\_\_

(Subject's Name) \_\_\_\_\_

(Subject's Address) \_\_\_\_\_

Dear \_\_\_\_\_:

This store has a report showing that on \_\_\_\_\_ (date), \_\_\_\_\_ (subject's name) took from us \_\_\_\_\_ (list stolen items) without permission, without paying for them, and to use them as your/his/her own.

You have not replied to our demand letter of \_\_\_\_\_ (date of first demand letter). We are again demanding payment. State law provides that we can demand that you pay these penalties:

for any damages \$ \_\_\_\_\_

the selling price of the stolen items (even if we have recovered the items) \$ \_\_\_\_\_

a penalty of no less than \$100 and no more than \$200 \$ \_\_\_\_\_

TOTAL AMOUNT DEMANDED \$ \_\_\_\_\_

This demand is made by this store. It is separate from any criminal prosecution by the city or county. This demand does not take the place of any fines or punishment which may be handed out by the criminal courts. You will not receive another notice before we file the civil court action.

(Signed by store owner, manager  
or representative)

## LEARNING ACTIVITIES -- Do Both A and B

A) Answer or discuss these questions based upon your reading of the civil anti-shoplifting law and the two demand letters.

1. What do "emancipated" and "unemancipated" mean? (Look them up in the dictionary).
2. Legally, you are a minor if you are under \_\_\_\_\_.
3. What are the major differences in the penalty for shoplifting if you are an adult rather than a minor?
4. The last paragraph of the first demand letter reminds the shoplifter of what other consequences?
5. What will happen if the parents of a juvenile shoplifter fail to respond to the first and second demand letters?

B) Answer the following questions or discuss as a group or class.

1. Assuming that "the incident" took place in mid-November, how many months did it take Karen to completely "pay back" her community and family?
2. Was Shirley the lucky one because she didn't get caught? Explain your answer.
3. Explain in your own words the purpose of the civil anti-shoplifting law.

## CHECK-UP

Review the previous check-ups.



GLOSSARYAccomplice

Someone who actively helps a person commit a crime.

Accountability Board

Same as conference committee (see below), except the community volunteers have paid professional staff who help them.

Civil Consequences

A result of the civil law which helps repay and "makes things right" for the victim of a crime. Examples are: a penalty (money) to be paid to the victim, a public apology.

Criminal Consequences

A result of the criminal law that tries to deter and punish an offender. Examples are: fines, community service work, time in jail.

Concealment

When one hides something. The hiding of a store item which has not been paid for shows a store owner that one might intend to steal it.

Conference Committee

A group composed of volunteer community residents who meet with juvenile offenders and assign them community service.

Demand Letter

A letter sent by stores requesting payment of the civil penalty for shoplifting.

Deter

To try to prevent from happening.

Diversion Process

The juvenile criminal process in Washington State which involves community people in dealing with juvenile offenders by meeting with juvenile offenders and their families and by assigning community service work. This process replaces the court process when the criminal offense is not too serious.

Diversion Unit

An accountability board or conference committee.

GOSSARY, ContinuedIntent

One's mental attitude at the time of an act. Example: Intent to shoplift means that a person has decided to steal an item from a store.

Offender

Someone who has committed a crime.

Personal Consequences

Personal problems with oneself or with family and friends; the bad feelings about oneself which result from doing something wrong.

Shoplift

To steal merchandise from a store. Also called "theft."

Shrinkage

The amount of merchandise stolen from stores in a given period of time (over \$60,000,000 a year in Washington State). This amount includes both shoplifting and other thefts (by employees, for example).

Washington State Anti-Shoplifting Law (RCW 4.24.230)

A law which allows a store to demand a penalty from the parents of juvenile shoplifters. The penalty is from \$100-\$200 in addition to the value of the merchandise shoplifted (up to \$500) even if the merchandise is returned undamaged. This law also applies to adult shoplifters.

Victim

The person (or business) who is harmed (who suffers a loss) as a result of a crime or other act done by another.

**END**