

New law gives shoplifters pause, area merchants say

By **LEE ANN NECESSARY**
Staff Writer

Area businessmen are still unsure about the effects of a law enacted last month that stresses mandatory punishment for shoplifting.

While all agreed that any law which tries to deter shoplifting is an improvement, some still wondered whether the laws are strict enough to decrease shoplifting in this area.

The law, which went into effect Oct. 1, states that first offenders must do 24 hours of community service, second offenders must perform 72 hours of community service or serve a jail sentence; third offenders must serve a mandatory 14-day jail sentence.

In a recent press conference at University Mall, William C. Rustin Jr., president of the North Carolina Retail Merchants Association, said that N.C. businesses lose about \$500 million a year shoplifting.

The new law aims at saving both consumers and merchants the costs of shoplifting by deterring the crime.

According to Bobby Leesnitzer, manager of Fowler's food store, the penalty for third offenders may have some effect on shoplifting, but the law is still not strict enough to have a big effect on shoplifting in his store. Leesnitzer said shoplifting is

common at Fowler's. He said shoplifters are sometimes professionals, stealing higher-valued goods such as beef and cartons of cigarettes.

"To deter criminals of this kind, the laws will have to be harsher," Leesnitzer said.

Leesnitzer said a law proposed in October 1985, concerning warrantless arrests may have had more impact. If the law had passed, it would have allowed policemen to arrest a shoplifter on the scene of the crime. The store manager would not have to file a warrant, as required by the present law.

"This type of law would have saved the merchant the time and money of trying to get a shoplifter convicted of a crime," Leesnitzer said.

At Top of the Hill, shoplifting is not as common or as severe, according to manager Bill Hardy. There, the new laws will probably be quite effective, he said.

"Only on very busy weekends or during special celebrations do we see much shoplifting," Hardy said, "and then it's usually students or kids just pulling pranks."

For larger grocery stores the laws are "somewhat mild, but beneficial," said Vern Brown, a co-manager at Kroger.

"Even though the law may be mild and not very effective on the professionals, it is discouraging minor shoplifting," Brown said. "In that aspect the law is helping the marketplace and saving a loss to both the merchants and the consumers."

Merchants agree that they will be better off financially because of the new law. Bob Simpson, owner of Town & Campus clothing store on East Franklin Street, said, "The major positive aspect of the new law is that when a store owner prosecutes a shoplifter, at least he knows there will be a punishment, which is a distinct change from the past."

"This law will definitely help the store owners and managers prosecute shoplifters — at least they won't feel they are wasting their time and efforts," Simpson said.

Simpson explained that in the past, if store owners wanted to prosecute shoplifters, they had to appear in district court in Hillsborough and pay for a lawyer.

"Then once the court proceedings were over, the first offender usually got off with no punishment, and the second offender maybe got a \$25 fine," he said.

"The merchants are very cooperative and concerned about the new law because they realize how much



shoplifting costs the consumer," said H.P. Smith, a security officer at University Mall.

Smith said that shoplifting hasn't changed since the law went into effect, but that it may be too early to tell the law's result.

Response to the law at South

Square Mall has been much the same, according to Thomas Joyner, chief of security for the mall.

Joyner, who also directs different seminars and lectures on shoplifting for the mall merchants, said, "The laws could be a great deal stricter, but the good aspect is the fact that

the punishment is dealing with community service hours, which makes the shoplifter put back into the area what he was costing it before."

Joyner said that sometimes in the past, shoplifters given fines often would resort back to shoplifting to pay off those fines.

"The laws may need to be stricter," Joyner said, "but I believe we've lost a small amount of shoplifters due to the fact that they are somewhat scared by the new law. That is a help in itself."

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