

Important Numbers:

Police/Fire/Rescue Emergency 911

Middleburg Police Non-Emergency

540-687-6633



YOU HAVE BEEN THE VICTIM OF A SHOPLIFTER... WHAT NOW?

- **KNOW YOUR RIGHTS. INFORMATION RELATED TO WHEN A MERCHANT MAY CONFRONT A SHOPLIFTER ARE DETAILED IN THIS BROCHURE.**
- **“WHEN IN DOUBT...LOOK ABOUT!” IF YOU SUSPECT IT WATCH FOR IT.**
- **CALL THE POLICE ANYTIME YOU ARE UNSURE. WE CAN ASSIST WHEN YOU ARE NOT COMFORTABLE APPROACHING A SUSPECTED SHOPLIFTER.**
- **BE CONSISTENT IN THE PROSECUTION. THIEVES TALK AND WHEN WORD GETS OUT THAT YOU FOLLOW THROUGH...WELL, THIEVES WILL AVOID YOUR STORE.**
- **REMEMBER...WE ARE HERE FOR YOU. CALL US WHEN YOU NEED US.**



Prevention Tips:

- ⇒ Greet each customer as they enter. Make eye contact as you do.
- ⇒ Minimize access to merchandise when you can while maintaining the ambience of your store.
- ⇒ Monitor restrooms & enforce an absolutely no merchandise policy in them.
- ⇒ Keep dressing rooms locked so there is an ability to count the items. Consider using a placard system to make sure what goes in comes out.
- ⇒ Lock it up! Keep valuable merchandise in locked display cabinets when possible.
- ⇒ Reduce clutter and “blind spots”. This makes it difficult to hide a shoplifters actions.
- ⇒ When possible keep small or expensive items away from the exits.
- ⇒ Be aware of the team shoplifter. One distracts while the other conceals merchandise
- ⇒ Recognize the attire that is often used by shoplifters. Baggy clothes, bags, and coats are the “Tools of the Trade” for shoplifters.
- ⇒ Train your staff. Make sure they know how to monitor for shoplifters.
- ⇒ Adopt a CLEARLY posted AND return and exchange policy.
- ⇒ Post signage announcing ALL shoplifters will be prosecuted and then live by it.
- ⇒ When in doubt...Call the police. Our presence in the store will often prevent the shoplifter from attempting to leave with the property and in cases where prosecution is possible...we will take over.

Shoplifting Prevention

**A Community Partnership
Between the Middleburg
Police Department and the
Business Owners in
Middleburg**



Distributed by the

Middleburg Police Department

**14 MADISON STREET
PO BOX 187
MIDDLEBURG VA 20118
540-687-6636**

The Code of Virginia

§18.2-103. Concealing or taking possession of merchandise; altering price tags; transferring goods from one container to another; counseling, etc., another in performance of such acts.

Whoever, without authority, with the intention of converting goods or merchandise to his own or another's use without having paid the full purchase price thereof, or of defrauding the owner of the value of the goods or merchandise, (i)

willfully conceals or takes possession of the goods or merchandise of any store or other mercantile establishment, or (ii) alters the price tag or other price marking on such goods or merchandise, or transfers

the goods from one container to another, or (iii) counsels, assists, aids or abets another in the performance of any of the above acts, when the value of the goods or merchandise involved in the offense is less than \$200, shall be guilty of petit larceny and, when the value of the goods or merchandise involved in the offense is \$200 or more, shall be guilty of grand larceny. The willful concealment of goods or merchandise of any store or other mercantile establishment, while still on the premises thereof, shall be prima facie evidence of an intent to convert and defraud the owner thereof out of the value of the goods or merchandise.



§ 18.2-105.1. Detention of suspected shoplifter.

A merchant, agent or employee of the merchant, who has probable cause to believe that a person has shoplifted in violation of § [18.2-95](#) or § [18.2-96](#) or § [18.2-103](#), on the premises of the merchant, may detain such person for a period not to exceed one hour pending arrival of a law-enforcement officer.

“Never risk your safety while attempting to detain someone. In such case as it appears there may be violence we recommend that you gather as much information as you can and relay that to the police.”

§ 18.2-96. Petit larceny defined; how punished.

Any person who:

1. Commits larceny from the person of another of money or other thing of value of less than \$5, or
2. Commits simple larceny not from the person of another of goods and chattels of the value of less than \$200, except as provided in subdivision (iii) of § [18.2-95](#), shall be deemed guilty of petit larceny, which shall be punishable as a Class 1 misdemeanor.

§ 18.2-95. Grand larceny defined; how punished.

Any person who (i) commits larceny from the person of another of money or other thing of value of \$5 or more, (ii) commits simple larceny not from the person of another of goods and chattels of the value of \$200 or more, or (iii) commits simple larceny not from the person of another of any firearm, regardless of the firearm's value, shall be guilty of grand larceny, punishable by imprisonment in a state correctional facility for not less than one nor more than twenty years or, in the discretion of the jury or court trying the case without a jury, be confined in jail for a period not exceeding twelve months or fined not more than \$2,500, either or both.



Civil Liability Exemption

§ 8.01-226.9. Exemption from civil liability in connection with arrest or detention of person suspected of shoplifting.

A merchant, agent or employee of the merchant, who causes the arrest or detention of any person pursuant to the provisions of § [18.2-95](#), [18.2-96](#) or § [18.2-103](#), shall not be held civilly liable for unlawful detention, if such detention does not exceed one hour, slander, malicious prosecution, false imprisonment, false arrest, or assault and battery of the person so arrested or detained, whether such arrest or detention takes place on the premises of the merchant, or after close pursuit from such premises by such merchant, his agent or employee, provided that, in causing the arrest or detention of such person, the merchant, agent or employee of the merchant, had at the time of such arrest or detention probable cause to believe that the person had shoplifted or committed willful concealment of goods or merchandise. The activation of an electronic article surveillance device as a result of a person exiting the premises or an area within the premises of a merchant where an electronic article surveillance device is located shall constitute probable cause for the detention of such person by such merchant, his agent or employee, provided such person is detained only in a reasonable manner and only for such time as is necessary for an inquiry into the circumstances surrounding the activation of the device, and provided that clear and visible notice is posted at each exit and location within the premises where such a device is located indicating the presence of an anti-shoplifting or inventory control device. For purposes of this section, "electronic article surveillance device" means an electronic device designed and operated for the purpose of detecting the removal from the premises, or a protected area within such premises, of specially marked or tagged merchandise.