

SHOPLIFTING

Petty Theft · Grand Theft Law · Penalties · Charges

SHOPLIFTING

By all definitions, Shoplifting is considered a *crime* and comes with *penalties*. **Shoplifting** is stealing something from a store. The legal term for Shoplifting is Petty Theft. You shoplift if you intend to take something that doesn't belong to you from a store without paying for it, and you do so, or try to. *Shoplifting* also includes switching labels on merchandise in order to get a better price for your purchases. All Shoplifting charges come with *consequences*. Shoplifting is considered a serious crime, depending on the value of the property stolen and/or the criminal record of the defendant. In most cases, first offenses such as Shoplifting are punishable by a small fine and 1 year of informal probation, even for a **teen** or **juvenile offender**. In some cases, a first offense of Shoplifting can be reduced to an infraction thus eliminating any criminal record.

SHOPLIFTING IS PETTY THEFT

Generally referred to as Shoplifting, **Petty theft** is the unlawful taking of someone else's property with the intent to deprive the owner of the property permanently. *Petty theft* is usually charged as a misdemeanor if it is a first offense, and the value of the property stolen is **valued between \$50 and \$400**. Petty theft can be punishable by a fine of up to \$400 or by imprisonment in County jail for up to 6 months, or both. Petty Theft can be charged as a felony on your second offense under Penal Code section 666. A second conviction of Petty Theft can carry a maximum sentence of 16 months in state prison. Not all courts will charge a second Petty Theft as a felony. In fact, many courts do charge a second Petty Theft as a misdemeanor, depending on the value of the property taken and the time that has lapsed since the prior Petty Theft.

SHOPLIFTING CAN BE GRAND THEFT

Grand Theft is committed when the money, labor, real or personal property take is valued at **more than \$400**. *Grand Theft* can be charged as a misdemeanor or felony and is punishable by up to one year in county jail or 16 months in state prison. Depending on the value of the goods stolen, shoplifting can be considered either Petty Theft or Grand Theft.

FACTS ABOUT SHOPLIFTING

- Shoplifting is America's #1 property crime
- 1 in 11 people shoplift
- 25% of these shoplifters are children
- Shoplifters steal over \$20 billion worth of goods from retailers each year
- Shoplifters are vigorously prosecuted in Los Angeles County

IS THERE A DEFENSE TO SHOPLIFTING?

No. Most Shoplifting charges (including Petty Theft and Grand Theft) are proven by evidence through the store video camera, loss prevention staff, security staff, or other witnesses. The specific intent of the person who committed the crime does not need to be proven. In most instances, you cannot use mental illness, medication, drug or alcohol-related problems as an excuse for Shoplifting. If the case of Shoplifting is a factually weak one (for example, few witnesses), it is possible that these charges can be reduced to a trespass charge or dismissed altogether.

CONTACT AN ATTORNEY WHO CAN HELP WITH SHOPLIFTING, PETTY THEFT, GRAND THEFT

If you are charged with **Shoplifting, Petty Theft, or Grand Theft**, you must speak to an experienced criminal defense lawyer. The Law Offices of Jerry Nicholson can properly evaluate and analyze your Shoplifting case. Petty Theft and Grand Theft charges require the legal expertise and negotiating abilities of a skilled criminal defense attorney. In the event there is a conviction, an experienced attorney is your best chance to take advantage of jail alternatives such as counseling and probation. Jerry Nicholson will discuss your rights and possible defenses in order to have your Petty Theft or Grand Theft charges reduced or dismissed. Contact us for a **FREE CONSULTATION**.