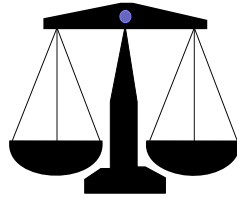


SHOPLIFTING

UCLA STUDENT LEGAL SERVICES



Questions asked by UCLA students:

Question: *Last month, I was caught taking a nice watch out of the Student Store in Ackerman without paying for it. The UCPD came and arrested me, and now I have to go to court in a few weeks. What should I do?*

Answer: You are wise to be taking this situation seriously, because shoplifting is a crime and can pose many problems for students. Shoplifting typically is charged as petty theft or grand theft, depending upon the value of the item(s) taken. If the watch is worth less than \$400, you should be charged with petty theft. Petty theft is a misdemeanor, but grand theft can be either a misdemeanor or a felony. If you are found guilty of petty theft and it is your first offense, in most cases you will have to pay a large fine and be on unsupervised probation for 1 – 3 years; you also may be required to perform community service.

Your first court date will be your arraignment, where you will appear before the judge and plead guilty or not guilty. If you cannot afford a private criminal defense attorney, you should ask to be represented by a Public Defender before you enter your plea. The Public Defender can try to negotiate with the prosecutor so you will know what your sentence likely will be if you plead guilty.

In addition to the criminal charges, merchants can demand a penalty from you, as described in the answer to the next question. For UCLA students who are arrested for shoplifting on campus, there is yet another punishment. The UCPD will inform the Dean of Students Office of your arrest, and you likely will face University discipline for violating the Student Code of Conduct. Moreover, if you are not a U.S. citizen, a conviction for petty theft could affect your immigration status because federal courts consider petty theft a crime of “moral turpitude.”

Question: *I was arrested for shoplifting a T-shirt worth \$25 at one of the local department stores last week. I know I will have to go to court for the criminal charge,*

but the store just sent me a letter demanding \$250. They got the shirt back, so why is the store asking for more money?

Answer: Even if the merchant recovers the merchandise, California law allows the merchant to demand a penalty from the accused shoplifter. The penalty can range from \$50 - \$500, plus any costs the merchant incurs, and the amount demanded does not have to bear any relation to the value of the item taken.

Because the value of the item you took is low, you may be eligible for a special program that is now available in some Los Angeles County courts for shoplifters who have no previous criminal record. The Alternative Prosecution Program works somewhat like traffic school and enables the accused person to avoid having a criminal record. Because having a criminal record can cause significant problems with graduate school admission, prospective employers, and state licensing (e.g., to be a doctor, lawyer, teacher, accountant), this program is highly desirable. If you think you might qualify, you should make an appointment with Student Legal Services as soon as possible so we can contact the people necessary to try to get you into the program; if you wait more than 1 – 2 weeks after you are arrested, it might be too late.

For more information, please visit the Student Legal Services web site, <http://www.studentlegal.ucla.edu> .

The information contained in this article is of a general nature. If you have a similar problem, you should consult with an attorney. Currently registered UCLA students are encouraged to call Student Legal Services for an appointment (310.825.9894). Appointment hours are 9:00 a.m. to 5:00 p.m., Monday through Friday, from September through June.