

1969 Assembly Bill 730

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CHAPTER 254, LAWS OF 1969

AN ACT to create 943.50 of the statutes, making shoplifting a crime, establishing prima facie evidence of shoplifting and providing penalties.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

943.50 of the statutes is created to read:

943.50 SHOPLIFTING. (1) Whoever intentionally alters indicia of price or value of merchandise or who takes and carries away, transfers, conceals or retains possession of merchandise held for resale by a merchant without his consent and with intent to deprive the merchant permanently

of possession, or the full purchase price, of such merchandise may be penalized as provided in sub. (4).

(2) The intentional concealment of unpurchased merchandise which continues from one floor to another or beyond the last station for receiving payments in a merchant's store is evidence of intent to deprive the merchant permanently of possession of such merchandise without paying the purchase price thereof. The discovery of unpurchased merchandise concealed upon the person or among the belongings of such person or concealed by a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing such goods.

(3) A merchant or merchant's adult employe who has probable cause for believing that a person has violated this section in his presence may detain such person in a reasonable manner for a reasonable length of time to deliver him to a peace officer, or to his parent or guardian in the case of a minor. The detained person must be promptly informed of the purpose for the detention and be permitted to make phone calls, but he shall not be interrogated or searched against his will before the arrival of a peace officer who may conduct a lawful interrogation of the accused person. Compliance with this subsection entitles the merchant or his employe effecting the detention to the same defense in any action as is available to a peace officer making an arrest in the line of duty.

(4) Penalties for violation of this section are:

(a) If the value of the merchandise does not exceed \$100, a fine of not more than \$200 or imprisonment for not more than 6 months or both.

(b) If the value of the merchandise exceeds \$100 but not \$2,500, a fine of not more than \$5,000 or imprisonment for not more than 5 years or both.

(c) If the value of the merchandise exceeds \$2,500, a fine of not more than \$10,000 or imprisonment for not more than 15 years or both.

Approved November 25, 1969.
