

Louisiana Shoplifting Laws Explained

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I have been receiving an unusually high number of questions about the crime of shoplifting, its penal consequences and the grade of the offense (misdemeanor or felony). In the Louisiana Criminal Code, shoplifting is called “theft of goods.” The statute can be found at La. RS 14:67.10 and reads in pertinent part:

A. Theft of goods is the misappropriation or taking of anything of value which is held for sale by a merchant, either without the consent of the merchant to the misappropriation or taking, or by means of fraudulent conduct, practices, or representations. An intent to deprive the merchant permanently of whatever may be the subject of the misappropriation or taking is essential and may be inferred when a person:

- (1) Intentionally conceals, on his person or otherwise, goods held for sale.*
- (2) Alters or transfers any price marking reflecting the actual retail price of the goods.*
- (3) Transfers goods from one container or package to another or places goods in any container, package, or wrapping in a manner to avoid detection.*
- (4) Willfully causes the cash register or other sales recording device to reflect less than the actual retail price of the goods.*
- (5) Removes any price marking with the intent to deceive the merchant as to the actual retail price of the goods.*
- (6) Damages or consumes goods or property so as to render it unmerchantable.*

B.(1) Whoever commits the crime of theft of goods when the misappropriation or taking amounts to a value of one thousand five hundred dollars or more shall be imprisoned, with or without hard labor, for not more than ten years or may be fined not more than three thousand dollars, or both.

(2) When the misappropriation or taking amounts to a value of five hundred dollars or more, but less than a value of one thousand five hundred dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years or may be fined not more than two thousand dollars, or both.

(3) When the misappropriation or taking amounts to less than a value of five hundred dollars, the offender shall be imprisoned for not more than six months or may be fined not more than five hundred dollars, or both. If the offender in such cases has been convicted of theft or theft of goods two or more times previously, upon any subsequent conviction he shall be imprisoned, with or without hard labor, for not more than two years or may be fined not more than one thousand dollars, or both.

Like most offenses that can be quantified in a dollar amount, the grade of the offense and the penal consequences depend upon the value of the goods at issue.

Shoplifting

- Value of the goods is \$1,500.00 or more => Felony; Imprisoned for not more than 10 years with or without hard labor; and/or Fine of \$3,000.00
- Value of the goods is \$500.00 but less than \$1,500.00 => Felony; Imprisoned for not more than 5 years with or without hard labor; and/or Fine of not more than \$2,000.00
- Value of the goods is less than \$500.00 => Misdemeanor; Imprisoned for not more than 6 months; and/or Fined of not more than \$500.00

It should be understood that shoplifting in Louisiana is an enhanceable offense, meaning that subsequent convictions will carry harsher sentences and steeper fines. Furthermore, when the misappropriation or taking occurred on multiple occasions and/or by a number of distinct acts of the offender, the aggregate value of the misappropriations or takings shall determine the grade of the offense.

If you have been arrested for shoplifting / theft of goods in Louisiana, you should consult a criminal defense attorney for a case evaluation.

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