

The Center for Just Journalism

Retail Theft: What to Know and Where to Go

Media coverage of retail theft has increased substantially since a handful of bystander videos depicting people in the act of shoplifting went viral in the early months of 2021. Headlines across the country have warned of a rise in “smash-and-grab robberies” and “organized retail crime.” The pace of these stories took off in 2021 and has only intensified in 2022. The New York Times alone published [at least five separate stories](#) about retail theft between May 2021 and February 2022. The table below shows the number of stories in U.S. newspapers containing each term over the past five years.

Annual News Stories by Keyword

YEAR	"ORGANIZED RETAIL CRIME" OR "ORGANIZED RETAIL THEFT"	"SMASH-AND-GRAB"
2018	207	521
2019	206	436
2020	171	480
2021	645	880
2022 (First Half)	541	925

Source: LexisNexis.

Many of these stories have failed to note two important facts. First, the best available data shows that retail theft rates in the cities driving much of this coverage [did not increase](#) anywhere near as much as the spike in media coverage would suggest, particularly in 2021 when the media attention began. Second, many of the policy solutions that government officials are proposing and enacting, including a [spate of legislation](#) to increase penalties for theft and [task forces](#) dedicated to arresting and prosecuting more people for theft, run afoul of the large body of research proving that sentencing more people to prison does not reduce property crime.

Data on Retail Theft: Where to Find It, What to Look for, and Questions to Consider

1 For reporting on the issues with retail theft data, see this article:

[The Great Shoplifting Freak-Out](#)

There are two common sources for data on retail theft: crime data from police departments and surveys from retail industry groups. Of those two, police reported crime data is a better—[but still highly imperfect](#)—source¹ for identifying trends in retail theft.

Important things to be aware of when using crime data from police departments to report on retail theft:

2 The definitions of each of these offenses used by the FBI for their national crime statistics can be found here:

[Crime in the US - 2019](#)

3 The FBI's expanded property crime data, which provides a basic breakdown of each type of crime by location, can be found here:

[Crime Data Explorer](#)

4 For media coverage of shifting shoplifting reporting practices see this article:

[One Target store. One huge spike in shoplifting reports. What does it mean for San Francisco?](#)

- Retail theft is not an independent category in most crime data published by police departments. Instead, instances of retail theft are included in broader crime categories, including robbery, burglary, and larceny². To get the most accurate sense of retail theft trends—relative to home burglaries, thefts from cars, and other types of property crime—detailed data³ that breaks these offenses down by location is necessary.
- Crime data reported by police departments rarely, if ever, provides estimates of the prevalence of “organized retail crime,” a term that has been widely used by government and industry officials in recent months but that has no consistent legal definition across states. Absent data that specifically defines and tracks this particular phenomenon, the term is best avoided.
- Changes to corporate policies regarding shoplifting may have large impacts on the crime rates published by police departments. For example, the larceny rate in San Francisco jumped substantially⁴ one month because a single Target store changed the way it reported shoplifting.

What does crime data from police departments tell us about retail theft in San Francisco and Los Angeles?

With those considerations in mind, crime data can be used to get a sense of broad trends in reported retail theft. National [data published by the FBI](#) shows that reported robbery, burglary, and larceny rates declined in 2021, the year that media coverage of retail theft shot upward. This data is less precise and less detailed than usual, because many local police departments [did not submit](#) data to the FBI last year. Because of those limitations, local data is a better place to look for more up-to-date and detailed information. Below are two examples from San Francisco and Los Angeles, where [coverage of retail theft has been intensive](#). **A look at this data shows that media coverage of retail theft increased far more than reported rates of retail theft did.**

5 The findings below are based on our analysis of this data.

[Police Department Incident Reports: 2018 to Present](#)

6 Based on the data found at the City-Wide Crime Statistics page at this [link](#) on 10/15/22.

San Francisco: Incident-level data⁵ from the San Francisco Police Department allows for a closer look at trends in reported retail theft than is possible in most jurisdictions.

- The number of reported commercial robberies—which should include any act of retail theft that involves a weapon or violence in an occupied store, like a “smash-and grab”—declined steadily between 2018 and 2021 and is on pace to dip to its lowest level in five years by the end of 2022.
- The number of reported commercial burglaries increased by more than 70% in 2020, began declining in 2021, and is on pace to return to pre-pandemic levels in 2022.
- Reported shoplifting incidents declined by more than a third in 2020, increased to just above pre-pandemic levels in 2021, and have continued to increase in 2022. If current trends hold, the number of reported shoplifting incidents will be roughly 20% higher in 2022 than it was in 2019.

Los Angeles: The Los Angeles Police Department publishes much less detailed data, but the aggregate numbers they do publish allow for a broad look at reported property crime trends in the city.

- A 2021 report from the LAPD indicates that the number of reported property crimes in Los Angeles [increased](#) by 4.2% in 2021 and remained 63.9% below the 1992 level.
- According to the most recent data published by the LAPD, the number of reported property crimes has increased⁶ by 11% thus far in 2022 and remains well below the [levels](#) of the 1990s and early 2000s.

Questions to consider about this data:



- [Burglary is defined by the FBI](#) as "unlawful entry of a structure to commit a felony or a theft." In the retail theft context, "unlawful entry" is most likely to take place if the store is closed. Could the disruption of the pandemic have caused a decline in shoplifting (which typically happens when stores are open) and an increase in burglary (which typically happens when stores are closed)?
- Could economic factors be driving a 2022 increase in shoplifting?
- Given what we know about the impact of individual stores' reporting practices, could the increased public and political attention to retail theft have led to an increase in stores reporting thefts to the police?

What about industry group data?

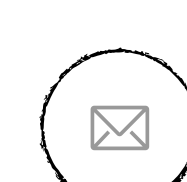
Retail industry group data, a commonly cited source in reporting on retail theft, is incomplete and opaque, making its reliability very difficult to ascertain. The National Retail Federation has fielded several surveys about [shrink](#) (the retail industry's term for inventory or money lost to theft, fraud, or error) and [organized retail crime](#). These surveys rely on a few dozen retailers, all of which are kept anonymous, and the data is self-reported and not available to be verified by third parties. Many of the questions ask retailers to report their perceptions and speculate on causes without a basis in data.

One of the more empirical, rather than perception-based, questions in these surveys (found on page 2 of [this report](#)) asks retailers to report on their shrink rate over time. According to these retailers' responses, the average shrink rate has hovered between 1.3% and 1.6% over the past five years, with no increase from FY2019 to FY2020.

The Experts



Jared Knowles is a data scientist and the founder of [Civilytics Consulting](#) with expertise in crime data and the limitations of the statistics collected and published by police departments.



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Research on Policy

Responses to Retail Theft

7 A third policy that some retail industry groups advocate for is called the INFORM Consumers Act, which would require online retailers to verify sellers' identities. There is very little research on the potential impact of this legislation, so we do not focus on it here.

8 Changes to the felony theft threshold would not impact prosecution of retail thefts that involve weapons, violence, or breaking-and-entering (i.e. "smash-and-grabs"). These offenses would be considered robbery or burglary, which are typically already classified as felonies and punishable with a prison sentence.

Industry groups and politicians have recently proposed ramping up prosecution of "organized retail crime" offenses and lowering the felony theft threshold to make more thefts punishable with a prison sentence. ***This section breaks down recent research findings on both of these policies, along with alternative, evidence-based responses***⁷.

Policy 1: Making it easier to charge theft as a felony.

The "felony theft threshold"—the dollar value of stolen goods that triggers a felony charge carrying a prison sentence instead of a misdemeanor charge carrying a jail sentence—[varies from state to state](#), ranging from \$200 in New Jersey to \$2,500 in Texas and Wisconsin. Researchers at the [Pew Charitable Trusts](#) and the [University of California, Irvine](#) have extensively studied the impact of felony theft thresholds⁸ and found no evidence that the dollar value of the threshold impacts crime rates.

Policy 2: Charging "organized retail crime" with sentencing enhancements.

Some states have statutes that define and penalize "organized retail crime" separately from other theft offenses. Similar to laws that criminalize [gang membership](#) and other types of "[organized crime](#)," researchers have found that prosecutors [disproportionately target](#) Black and Hispanic people with "organized retail crime" charges, which carry more severe penalties than standard theft offenses.

Both of these policies are focused on sending more people to prison for longer periods of time. However, a [definitive analysis](#) of the findings from 116 separate studies over several decades found that incarceration does not deter people from committing future crimes and actually increases the likelihood that a person will be arrested again in the future. In their own words, the authors state that "[i]ncarceration cannot be justified on the grounds it affords public safety by decreasing recidivism."

Policies that work to prevent property crime.

Both the felony theft threshold and "organized retail crime" policy proposals focus on prosecuting and imprisoning people after a theft has occurred. A separate line of research investigates what works to prevent property crimes like retail theft in the first place. [Medicaid expansion](#) reduces property crime. [Summer jobs programs for young people](#) lead to lower property crime. Many other short- and long-term policies, including [increased public school funding](#), [guaranteed income](#), [expanded access to substance abuse treatment](#), the presence of [local non-profit organizations focused on violence reduction](#), and [increases in the minimum wage](#), have also been shown to reduce property crime in various ways. These impacts make theoretical sense, given the strong evidence that economic and health conditions—from [consumer sentiment](#) and [unemployment](#) to [substance use disorders](#)—drive property crime.

Questions to consider and ask sources when covering policy responses to retail theft:



- Is the policy in question preventative or reactive?
- Is there evidence that the policy reduces crime?
- Do arguments in favor of the policy rely on claims that harsher punishments will deter crime?
- Is there evidence that the policy has a disproportionate impact on certain communities or causes other types of harm?
- What do supporters of the policy stand to gain if it is implemented? What do opponents stand to gain if it is not?

The Experts



Jake Horowitz leads the research team at the Pew Charitable Trusts that [analyzed](#) the impact of felony theft thresholds on crime.



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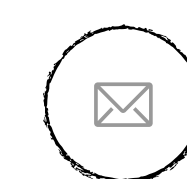
Pilar Gonalons-Pons is a sociology professor at the University of Pennsylvania and visiting scholar at the Russell Sage Foundation whose recent work [assesses](#) the impact of a guaranteed income program on property crime.



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Jaquelyn Jahn is a professor at the Drexel Dornsife School of Public Health who has [studied](#) the impact of Medicaid expansion on public safety.



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Opportunities for Reporting

9 For analysis and commentary on this trend, see the following two opinion pieces:

[San Francisco's shoplifting panic desperately needs some context](#)

[Want to be a criminal in America? Stealing billions is your best bet to go scot-free](#)

10 Robbery is typically considered a violent crime because it involves a weapon (or the threat of one) or has an element of force or violence (or the threat of one), but it is included here because it also involves theft of property.

11 The National Crime Victimization Survey collects data on the rate at which people claim that they report crimes to the police. To see that data using this link, select "Reporting to the police" from the "Comparison Characteristic" dropdown menu and use the "Crime Type" dropdown to select the offense of interest.

Retail theft is one small part of the broader landscape of property crime in the United States. Because retail theft happens in visible, semi-public spaces and victims of retail theft are often large companies with communications departments, it's easy to find information about the issue and people willing to speak on the record about it. Other types of property crime that impact less powerful people⁹ dwarf the scale of retail theft but often [generate less news coverage](#).

As the sections above make clear, it's difficult to pin down the exact number of retail thefts that occur each year, but using the broader categories of robbery¹⁰, burglary, and larceny allows us to make some high-level comparisons.

It is important to note that many instances of property crime are not reported to the police, as the [National Crime Victimization Survey results](#)¹¹ make clear. However, even if the numbers below represent only half of the robberies, burglaries, and larcenies in the country, it is clear that **minimum wage violations and tax evasion result in equal or greater losses than many police-tracked property crimes**.

Property crimes tracked by the police.

	ANNUAL DOLLARS LOST	ANNUAL INDIVIDUAL OFFENSES	STUDY PERIOD
<u>Robbery</u>	\$482M	267,988	2019
<u>Burglary</u>	\$3B	1,117,696	2019
<u>Larceny</u>	\$5.9B	5,086,096	2019

Other types of property crime.

	ANNUAL DOLLARS LOST	ANNUAL INDIVIDUAL OFFENSES	STUDY PERIOD
<u>Minimum Wage Violations</u>	\$8B in 10 states alone	2,400,000 in 10 states alone	2013-15
<u>Tax Evasion</u>	<u>\$441B</u> to <u>\$1T</u>	Unknown	2011-20

Many of these other types of property crime are tracked in fairly detailed fashion by [state](#) and [federal government agencies](#), as well as in publicly available [court filings](#) and [research reports](#). The tremendous economic impact on victims of other types of property crime is a factor for journalists to consider when choosing which stories make the news and which don't.

The Experts



Arlene Martinez and **Philip Mattera** are part of the team at Good Jobs First that developed the first wide-ranging [database of corporate misconduct](#), ranging from wage theft to price fixing.



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Joe Yerardi is a data reporter at the Center for Public Integrity where he worked on a series investigating the illegal underpayment of workers called [Cheated at Work](#). The reporting team made its [data and code](#) on wage theft available for other journalists and researchers interested in the issue.



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