

Testimony – SB 2166

March 10th, 2021 – House Judiciary Committee

Chairman Klemin and Members of the House Judiciary Committee:

For the record, I am Jennifer Wilson, General Manager of Kirkwood Mall in Bismarck. I am here to represent over 160 retail store fronts at both Kirkwood Mall and Dakota Square Mall in Minot of which 60% are national or regional tenants and 40% ND owned businesses. Our store owners, managers, loss prevention teams and security teams do all they can every day to protect their employee's safety and product from the overwhelming number of repeat thieves. Our Malls and Retailers urge a **“DO PASS Recommendation of SB 2166”**.

Employee, management and customer safety, retention of product and consequences to stop repeat theft by repeat offenders in North Dakota retail establishments is the most important focus. Retail theft has been increasing for several years, but the accelerated increase in repeat theft with threat of violence and violence in most recent years is cause for increased consequences.

Big box retailers typically employ asset protection team members who are trained to solely focus on safely eliminating theft. Target & Scheels shared they've hired additional full time and part time staff to combat the theft. Smaller mall inline stores rely on their selling staff of part time employees, store managers and store owners themselves to deter theft, stop the thieves, and call security and/or 911. These team members all put themselves in danger any time they try to stop a thief. Thieves watch store employee coverage and customer traffic to time their theft. When there is a moment the employees are busy with purchasing customers they enter, grab what they want, many times don't conceal the product and walk/run out. They may hit multiple stores before being caught. Mall Security often identifies the repeat thief in mall common areas, alerts stores, call PD and follow the individuals until PD can apprehend.

One recent incident I can share is a store manager at Kirkwood has been threatened, lunged at and most recently shoved by a thief she tried to verbally stop. She now keeps pepper spray and tazer by her register.

Mall security spends increasingly more time daily supporting the stores who experience theft, aggression and if possible, they keep the thief on property until police arrive to apprehend them. Our Security then “trespasses” the individual to deter their return and when they do return, it allows police to arrest the individual the next time they are seen on property.

Retailers across the nation are experiencing and increase in organized retail theft and North Dakota is no different. Target, Scheels, Wal-Mart and a majority of stores inside our shopping malls are seeing record theft. Target Bismarck has lost more in one year to theft than several stores achieve in one year’s gross sales. Thieves Repeat Theft, they have NO FEAR of today’s consequences and will continue until new firm action is implemented and enforced. Let’s end repeat theft, let business employees feel safe again and stop letting repeat thieves off easy.

Kirkwood Mall and Dakota Square Mall urge a “DO PASS” recommendation on SB 2166