

Macy's drops theft charges against 'racially profiled' woman

By Associated Press

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Photo: AP

A shopper who said she was falsely accused of stealing jewelry at Macy's flagship store got the charges dismissed Wednesday, when prosecutors dropped a case that arose amid complaints that store security guards were profiling minorities.

Joweria Khalid had faced misdemeanor theft charges after a Macy's guard said she tried to take \$193 worth of items Oct. 26. Her lawyer said that the Pakistani immigrant was simply planning to go to another cashier and that the security agent gave a misleading account of his observations of her trip to the store made famous by the Christmas film "Miracle on 34th Street."

Khalid ended up being detained by Macy's security for two hours, paying a \$500 store fine and getting arrested, said her lawyer, Douglas Wigdor.

"I was overwhelmed" by the arrest, the 31-year-old, married mother of two said as she left court. "It was a constant stress for six months."

Prosecutors "couldn't prove this case beyond a reasonable doubt," Manhattan Assistant District Attorney Amy Hare told a judge Wednesday. The DA's office declined to elaborate on its reasons, and Macy's had no immediate comment.

The security guard said he started watching Khalid when she went into the jewelry department around 4 p.m., because she had two large bags and was avoiding customer-service workers. He stopped her when she tried to leave the store without paying for four items, according to his write-up.

But the guard apparently didn't notice Khalid bought a \$33 bracelet — and kept the receipt — at 4:09 p.m. before selecting the other merchandise.

And he apprehended her on an escalator heading up to another floor where she planned to check prices and shop further, Wigdor said. The jewelry cashier had seemingly misunderstood Khalid's accented English, he said.

Laws in at least 27 states give stores the right to hold and fine shoplifting suspects and allow stores to try to recoup some losses, even if a person isn't convicted.

But to Wigdor, Khalid's arrest is "another case in a pattern of Macy's stopping and detaining people based on the color of their skin and their national origin" and of police not asking enough questions of security guards. The New York Police Department didn't immediately respond to a request for comment on how it assesses security guards' allegations.

Statistics on the overall number and outcome of shoplifting arrests at Macy's weren't immediately available. At least two other shoppers — an Argentinian woman and a New York police officer — were acquitted at trials in recent months.

The store has faced profiling allegations for years, paying \$600,000 in 2005 to settle complaints raised by the state attorney general.

New claims emerged this fall from black shoppers who said they were unfairly targeted for suspicion at Macy's and other major New York stores. At least eight customers [have sued Macy's](#).

The store has said it doesn't tolerate discrimination. In December, Macy's and several other major retailers agreed to create and publicize a customer bill of rights that explicitly prohibits profiling and unreasonable searches.

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