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Macy's theft case dropped; woman said false arrest

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NEW YORK — A Pakistani shopper who said she was unfairly profiled and falsely accused of stealing jewelry at Macy's flagship store got the charges dismissed.

Joweria Khalid had faced misdemeanor theft charges after a Macy's guard said she tried to take \$193 worth of items on Oct. 26. Her lawyer said that she 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.

Khalid, a 31-year-old married mother of two children, said she was "overwhelmed" by the arrest.

"It was a constant stress for six months," she said as she left court.

Prosecutors couldn't prove the case beyond a reasonable doubt, Manhattan Assistant District Attorney Amy Hare told a judge Wednesday. The district attorney's office pointed to store policies that prohibit profiling.

"We have zero tolerance for discrimination of any kind," it said in a statement.

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 acting suspicious.

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

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 no idea she was being watched.

Laws in at least 27 states give stores the right to hold and fine shoplifting suspects and 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." He said the case was handled at the district attorney's office.

Statistics on the number and outcomes of shoplifting arrests at Macy's weren't immediately available. At least two other shoppers, an Argentine woman and a black man, were also arrested.

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 100 people filed complaints.

In December, Macy's and several other major retailers agreed to create a customer bill of rights prohibiting profiling and unreasonable searches.

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