

Oak Park Mall Enforcement Project--Summary

Beginning in 2001 members of the Overland Park Police Department's Financial Crimes Unit implemented a program in which they conducted undercover plainclothes enforcement at the Oak Park Mall shopping center on specific days during the holiday season between Thanksgiving and Christmas. During these enforcement days it was noted that detectives were making a large number of arrests in relationship to the relatively small amount of enforcement time at the mall. These arrests were for various crimes ranging from theft, false writing, forgery, counterfeiting, unlawful removal of a theft detection device, trespassing, and arson. It was also noted that the mall was being targeted by various groups of criminals ranging from one time and occasional shoplifters to organized retail crime groups including local, interstate and international crime groups. Also, during these enforcement days, detectives spoke with numerous retailers at the mall who advised this type of theft activity was being perpetrated during the entire calendar year, not just during the holiday season. They also advised this activity had been going on for many years prior and was responsible for a significant amount of their stores' shrinkage/loss. After having evaluated this arrest information, as well as the information provided by the mall retailers, it was decided that a concerted undercover enforcement effort would be implemented in an attempt to reduce the number of one time/occasional shoplifters and to disrupt these organized groups of local, interstate, and international theft rings and attempt to recover some of the property being stolen by these groups.

In June of 2009, members of the Financial Crimes Unit, Special Investigations Unit, and the Tactical Unit combined their resources and began an undercover enforcement project which consisted of placing officers at the mall in an undercover basis, either two or three officers at one time, for ten hours per day, seven days per week.

This operation was conducted between June 15, 2009 and December 31, 2009. During this six and one half month period a significant number of arrests were made, numerous groups of organized retail theft groups were identified and disrupted, and a large amount of stolen property was recovered. Numerous retailers were contacted and advised their shrinkage for this period was significantly lower than previous months and years.

Oak Park Mall Deployment Project -- Description

DEMOGRAPHIC DATA

The City of Overland Park Kansas, located in northeast Kansas, with a population of 173,250, is the second largest city in the State of Kansas and is one of many cities which constitute the [Kansas City metropolitan area](#).

[Oak Park Mall](#), with 185 stores and 1.56 million square feet of retail space, is an upscale indoor shopping mall located in western Overland Park. Oak Park Mall is one of six major shopping malls in the Kansas City metropolitan area. The retail activity at this center generates 22% of the total sales tax revenues received by the City of Overland Park.

OPERATION FRAUD (Forgery Recognition And Undercover Detection)

Operation FRAUD began in 2001 as an undercover program working with the local Retail Grocer's Association. The goal was to establish a fraud prevention program intended to combat the check forging activity in local grocery stores.

Following the initial success of Operation FRAUD, and believing there was a significant crime problem at Oak Park Mall, the Financial Crimes Unit implemented Operation FRAUD at the mall. The Overland Park Police Department's (OPPD) Financial Crimes Unit has conducted Operation FRAUD at Oak Park Mall for the last

nine years. This activity takes place during the holiday season, beginning at Thanksgiving and ending shortly after the New Year. Operation FRAUD is a narrowly focused enforcement effort using a combination of plain clothes detectives and uniformed officers. This group of specially trained police officers specifically target organized shoplifting groups and criminals conducting financial crimes. Each year, prior to implementation of Operation FRAUD, the Financial Crimes Unit conducts its annual fraud and forgery training for the retail merchants at Oak Park Mall. Dates of Operation FRAUD are strategically selected to match known crime types and activity. The statistics for Operation FRAUD for the years 2006-08 are:

- 2006 arrests: 66 (Approximately 8 days worked)
- 2007 arrests: 32 (Approximately 4 days worked)
- 2008 arrests: 102 (Approximately 12 days worked)

Using traditional performance measures, Operation FRAUD at Oak Park has been considered extremely successful. One of the side benefits of Operation FRAUD is the professional relationships developed between the Detective working the mall and the retailers. The overall sense was the merchants and their employees were thankful and appreciative of the police presence.

THE PROBLEM:

Investigators with the Financial Crimes Unit working Operation FRAUD began to see a distinct thread of organization emerge with the repeat offenders being arrested at Oak Park Mall. It was believed that Oak Park Mall, like many across the country, had become the focus of numerous professional criminals working financially based crimes. Arrest records supported the fact that these criminals came from far and wide to “attack”

Oak Park Mall. Suspects have been identified from all over the country as well as Europe, Africa, South America, Asia and the Caribbean.

Prior to the implementation of Operation FRAUD, the mall was primarily patrolled, both the inside and outside, by uniformed police personnel as a part of their routine patrol.

This was occasionally supplemented by Officers assigned to the COPPS Unit (Community Oriented Policing) who walked the interior of the mall during the holiday season. (Note: this does not include the unarmed civilian security officers employed by the mall itself).

Operation FRAUD resulted in a relatively high number of arrests in comparison to the actual man hours spent at the mall. The data also indicated that of those arrests being made, one of every five arrests was a felony).

Of those suspects arrested, there appeared to be a high percentage of persons who were involved in some sort of [organized retail crime](#) scheme based in the local Kansas City area. However, some individuals arrested were connected to interstate and international organized retail crime groups and Oak Park Mall was a consistent target for these groups. Retailers contacted were aware that this type of organized theft had been going on for quite some time, well before Operation Fraud. This type of theft has been adversely affecting the bottom line profitability of those retailers at the mall. This is also important because Oak Park Mall remains the primary source of sales tax revenue for the City of Overland Park.

Individuals arrested were repeat offenders who had a significant criminal history of theft and financial crimes. These suspects, when arrested, possessed a significantly larger amount of merchandise than regular shoplifters. Also many of these individuals, when confronted, were verbally abusive and aggressive in an attempt to avoid arrest.

As a result of Operation FRAUD, the Financial Crimes Unit was notified throughout the year by mall retailers when people tied to Organized Retail Crimes were arrested. Information obtained during suspect interviews pointed to Oak Park Mall as a prime target for these organized retail groups claiming the Midwest was naïve and an “easy target”.

The OPPD Crime Analysis Unit (CAU) was asked to determine what type of theft problems were being experienced in Overland Park as a whole and how much of this overall theft problem was coming from Oak Park Mall. CAU conducted a check of all drug stores, grocery stores, department stores, and specialty Stores within the police department’s I-Leads Reporting System. The data studied for calendar year 2008 revealed there were 1044 crimes reported by these types of stores. Of these 1044 reported crimes, 444 (43%) were from the [Oak Park Mall town code](#).

The data from CAU as well as the observations made by the Financial Crimes Unit suggested a new approach needed to be taken in addressing the theft problem at the mall.

It appeared the traditional use of uniform officers patrolling the mall alone was not significantly deterring theft and financial crimes. It was also apparent undercover enforcement during the holiday season alone could not handle the problems experienced at the mall throughout the entire year. Due to routine case load, the assigning of six or seven detectives at the mall (e.g., Operation FRAUD) on a regular basis would be impossible.

Part of the planning process involved presenting the problem to the command staff of the police department. The Criminal Investigation Section sought permission to develop a plan directed at curtailing the amount of theft and financial crime at the mall.

During a series of meetings with the command staff, the Chief of Police, John Douglass, advised that Oak Park Mall was a vital city resource that needed to be preserved. He further advised that Oak Park Mall has always been a place for families to visit and have a pleasurable shopping experience and this experience must be preserved. He further stated that due to the recent downturn in the economy, it was more important than ever to ensure the mall remains a place where families can shop in a safe and inviting environment. Chief Douglass authorized the Financial Crime Unit, with added personal from other Divisions, to implement an Oak Park Mall Deployment plan.

OAK PARK DEPLOYMENT PLAN:

After obtaining the statistical information from CAU but prior to determining the number of officers needed to implement this program, it was necessary to consider what we wanted to accomplish with an Oak Park Deployment Plan.

It was subsequently decided the project would be striving to accomplish the following goals:

- Attempt to define the difference between an [occasional one time shoplifter](#) and persons belonging to an organized retail theft group.
- After having identified these organized retail groups, attempt to ascertain where they are fencing their property.
- Ensure that on every arrest, mall security is contacted and the arrested person banned from the mall for a specified period of time. Keeping a record of all persons being banned from the mall.
- Thoroughly interview all persons arrested and check their criminal history in order to ascertain if the suspect is eligible to be charged with felony theft. (In Kansas a person who commits a misdemeanor theft can be charged with felony

theft if they have two prior theft convictions on their record or if they had stolen property from three or more retailers in the previous 72 hour period).

- The officers will ask the suspects for consent to search their vehicle in order to recover any merchandise that might have been stolen from another retailer.
- The officers will take strict enforcement action on any charges developed during the investigation. As an example, the officers will charge the suspect with the unlawful removal of a theft detection device in those instances in which it meets the charging criteria set forth by the District Attorneys Office.
- Communicate with the District Attorney's Office on filing all charges on Organized Retail Crimes arrestees and push for high bonds to break the cycle of catch and release. Establish foundation against the ring leaders to facilitate the filing of an upward departure for sentencing
- Complete investigative reports on organized retail crime arrestees detailing all criminal history and intelligence from retailers which differentiates the suspect from a regular shoplifter.
- Make an effort to aggressively recover any property stolen and either seize the property for forfeiture or return the property to the retailer.
- Coordinate with law enforcement and district attorney's offices in other jurisdictions to charge arrestees tied to Organized Retail Crime groups in those jurisdictions.
- Contact all of the retailers at the mall and request their assistance in locating, identifying, and prosecuting offenders. In other words, create a synergy between law enforcement and the retail industry in order to combat organized retail crime.

PERSONNEL:

At this point it was necessary to analyze the number of detectives/officers needed to support a focused enforcement project and still be able to safely and effectively handle the arrests that would be produced. During Operation Fraud there were numerous instances in which there were several suspects under arrest and in the [mall police office](#) at one time.

Due to the case load it would not be possible for all eight members of the financial crimes unit to be at the mall every day.

There are several factors used to determine how many officers would be deployed at the mall. The officers the mall would be working in plain clothes and not recognizable as a police officer. Thus, there should be no instances in which there would be less than two officers available to handle any given incident.

One lesson learned from Operation Fraud was that activities on the outside of the mall in the parking lot area were usually a good indicator for what was going to happen in the mall. There were numerous instances in which the driver of a car would park in the fire lane directly in front of a store entrance. The passenger(s) would commit a “grab and run” then jump back into the vehicle parked in the fire lane and make a hasty exit. Thus, it would be necessary for officer(s) to constantly patrol the mall lot. Also members of organized retail theft groups are known to bring their own bags to the mall. After stealing the thieves go to their vehicle to unload the merchandise then return to the mall commit more thefts, all of which can be detected by an outside officer

Another lesson learned from Operation Fraud was that organized retail shopping groups are sophisticated and quite often conduct [counter surveillance](#). Thus it is necessary to monitor those persons doing the counter surveillance while other officers focus on the persons committing the crimes.

It appears that the effect of our continued presence at Oak Park Mall has caused many of the organized retail crime groups to steal merchandise from other malls return these items to sister stores at Oak Park Mall. A significant source of income for these thieves is the returning of stolen property. The investigation of these returns require a different approach as subsequently more personnel. One officer would be needed to follow up on the return at the store while other officers would need to follow the suspects and monitor their movement before an arrest can be made.

After suspect(s) are arrested and processed it is often necessary to transport the prisoner to the county jail. If an officer assigned to the deployment project transports the prisoner a minimum staffing of at least two officers must be maintained. It was decided there would never be less than two undercover plainclothes officers at the mall.

It was decided that two detectives, one of them being a financial crimes detective, would be at the mall from 1:00 PM-9:00 PM, seven days per week, for the months of June (2 weeks), July, August, and September. For October, November, and December, the holiday season, there would be a minimum of three officers at the mall 2:00 PM-10:00 PM, seven days per week. In addition the Tactical Unit would provide at least one uniform officer in support, patrolling the parking lots. These officers would also assist in transporting prisoners. The Patrol Division and the Community Oriented Policing Unit would continue to work at the mall as duty permitted. In an effort to strike a balance between our enforcement effort and the desire to make Oak Park Mall an inviting place for families to shop we attempted to minimize our visible presence to routine patrol.

A second presentation was made to the command staff of the police department detailing the specifics of the Oak Park Mall Deployment Plan. The plan was approved.

PLAN IMPLEMENTATION AND RESULTS:

Beginning in mid June of 2009 two officers were assigned to work the mall until October 1st at which time the second phase of the project was implemented. Beginning October 1st six officers were assigned to the mall with at least three undercover.

The results of this six and one half month project are:

- Total number of arrests: 439
- Percentage of total arrests that were felonies: 18%
- Percentage of total arrests that were self-initiated by the undercover officers: 41%
- Value of recovered stolen property: \$92,872.00
- Total man hours spent at the mall for this project: 4,173
- Average value of stolen property recovered from every arrest: \$230.
(177% higher than the national average of \$130)
- For the months of October, November, and December the project averaged three arrests per day with every fifth arrest being a felony.

FEEDBACK FROM RETAILERS:

The manager of Retailer A, (national chain), advised that prior to the implementation of the deployment project her store experienced an average of approximately \$1,300 per week in shrinkage. After the implementation of the program, her store experienced reduction in shrinkage to approximately \$120 per week. She added in the 12 month period ending in early 2009, their percentage of shrinkage was 3.4%. In the 12 month period ending in early 2010, their percentage of shrinkage was 0.02%. She said prior to partnering with the police department, their company's corporate management team would not prosecute retail theft suspects. However, during this enforcement program they did prosecute theft suspects. Their corporate management

team is looking at this project as a model to help their company develop partnerships with law enforcement in combating organized retail crime.

The regional manager of Retailer B (national chain) stated that during the five years prior to 2009, the shrinkage numbers for their Oak Park Mall store had been steadily increasing each of those five years. She advised for 2009 the shrinkage numbers were 21% lower than 2008. She attributed this significant decrease to the cooperative effort between their store personnel and the undercover officers working Oak Park Mall Deployment.

The loss prevention manager at Retailer C, (national chain) advised that in calendar year 2008, their stores overall shrinkage was \$480,000. He advised Oak Park store was consistently one of the companies' top ten worst stores in the nation in shrinkage. He said this was a list they were desperately trying to get off of. In 2009 the stores overall shrinkage had been reduced to \$266,000 or a reduction of approximately 45%. The loss prevention manager advised this 45% reduction was somewhat inaccurate in that it covered losses from parts of the store that could not be attributed to retail theft. The manager advised a true reflection of the shrinkage caused by retail crimes would be best measured by looking at the shrinkage reduction in the top [five theft departments](#) in their store and determining what the shrinkage reduction percentages were in these five departments. Those five departments are: Jewelry, Young Mens, Juniors, Accessories/Handbags, and Housewares. He advised the shrinkage in those areas were:

1. Jewelry decreased from \$62,000 in 2008 to \$12,700 in 2009.
2. The shrinkage in Young Mens decreased from \$56,000 in 2008 to \$11,900 in 2009.

3. The shrinkage in Juniors decreased from \$50,000 in 2008 to \$12,800 in 2009.
4. The shrinkage in Accessories decreased from \$41,000 in 2008 to \$4,500 in 2009.
5. The shrinkage in Housewares decreased from \$31,000 in 2008 to \$24,000 in 2009.

He advised in these five high theft departments there was an overall shrinkage reduction of 81%. The loss prevention manager advised their store dropped off of this top ten list for the first time. Corporate management is now looking at this retail/law enforcement partnership as a model for their other stores loss prevention efforts. The loss prevention manager credited the Oak Park Mall enforcement project for his stores success in curbing retail crime.

Managers from three other nationwide retailers in Oak Park Mall indicated they too experienced a reduction in store shrinkage and believed the number of organized theft groups appear to be staying away from Oak Park Mall. These merchants credit their loss reductions to the Oak Park Mall enforcement project.

THOSE ARRESTED:

As previously stated, during this six month project there were 439 arrests made. These arrests consisted of first time occasional shoplifters as well as local, interstate, and international organized retail crime groups.

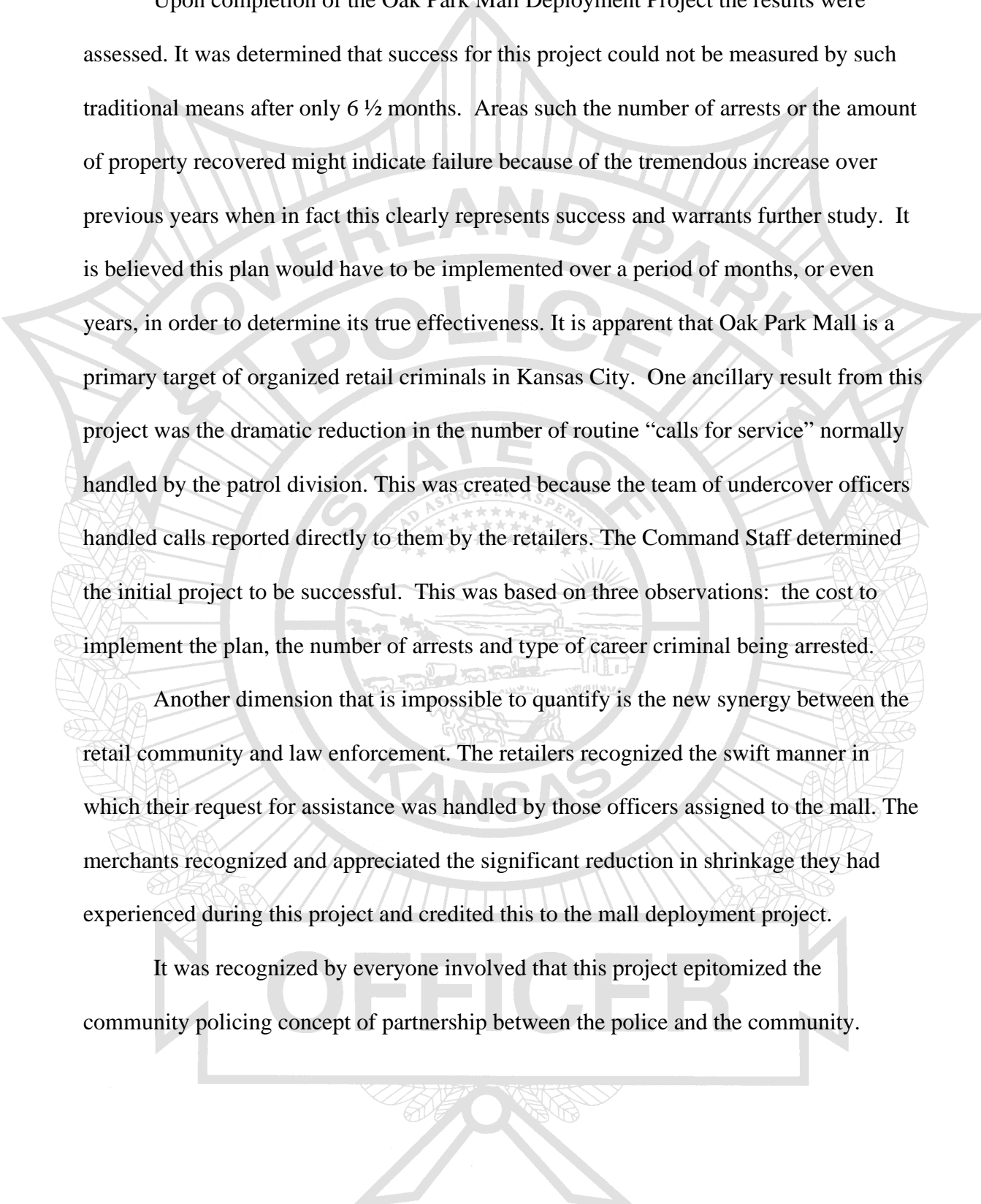
An example of a [local organized retail group](#) arrested during the Oak Park Mall enforcement project happened on 11/10/2009. Detectives arrested eight individuals involved in the theft of merchandise from a local retailer. Subsequent interrogations of the eight arrested persons revealed this theft ring involved at least 17 persons in the Kansas City metro area. These interrogations led to the issuance of a search warrant in Blue Springs Missouri where officers recovered \$22,500 worth of [stolen property](#). This

property was new with the price tags attached. Besides the new property, evidence was recovered indicating that \$10,800 worth of stolen merchandise had already been returned in exchange for gift cards. These gift cards are then traditionally sold for fifty cents on the dollar. After inventorying all 1,400 items of recovered stolen property it was determined that the items had been taken from 60 different retailers, 25 of which were located at Oak Park Mall. On a side note, a [loaded handgun](#) was also found in the property stuck between a set of new bed sheets still in their original packaging.

An interstate organized retail crime group working the Oak Park Mall was uncovered on 11/6/2009 when two females were arrested in Springfield Missouri for purchasing items with counterfeit checks. When the two were arrested in Springfield Missouri, the loss prevention officers at the Oak Park Mall were contacted who, in turn, notified our detectives. Our detectives, familiar with the suspects, immediately traveled to Springfield Missouri and interviewed the two. Both suspects were subsequently charged with crimes originating from Oak Park Mall. It was later determined the females were involved in the passing of approximately \$275,000 in counterfeit checks in at least four states.

An example of an international organized retail group arrested during the Oak Park Mall deployment project happened on 11/21/2009 when three persons from Sierra Leon Africa were arrested using a stolen credit card. An interrogation of the three subjects revealed they were filling orders for the clothing and electronic items they had stolen. A search of their motel room revealed an additional \$6,000 worth of stolen electronics and clothing items. The credit card that was used by the suspects had been compromised in United States island territory of Guam.

ASSESSMENT:



Upon completion of the Oak Park Mall Deployment Project the results were assessed. It was determined that success for this project could not be measured by such traditional means after only 6 ½ months. Areas such the number of arrests or the amount of property recovered might indicate failure because of the tremendous increase over previous years when in fact this clearly represents success and warrants further study. It is believed this plan would have to be implemented over a period of months, or even years, in order to determine its true effectiveness. It is apparent that Oak Park Mall is a primary target of organized retail criminals in Kansas City. One ancillary result from this project was the dramatic reduction in the number of routine “calls for service” normally handled by the patrol division. This was created because the team of undercover officers handled calls reported directly to them by the retailers. The Command Staff determined the initial project to be successful. This was based on three observations: the cost to implement the plan, the number of arrests and type of career criminal being arrested.

Another dimension that is impossible to quantify is the new synergy between the retail community and law enforcement. The retailers recognized the swift manner in which their request for assistance was handled by those officers assigned to the mall. The merchants recognized and appreciated the significant reduction in shrinkage they had experienced during this project and credited this to the mall deployment project.

It was recognized by everyone involved that this project epitomized the community policing concept of partnership between the police and the community.

GREATER KANSAS CITY AREA

[Return to
Kansas City
Metropolitan
area](#)



OAK PARK MALL OVERLAND PARK KANSAS

[Return to Oak Park Mall](#)



ORGANIZED RETAIL CRIME (ORC)

[Return to
Organized
Retail Crime](#)

- local, interstate, international groups loosely to highly organized
- Very large percent of overall retail shortage with annual losses due to ORC estimated between \$30-\$50 billion
- Leads to higher prices for consumers, lost tax revenue for government
- Billions of dollars in revenue for criminal enterprises to buy guns, drugs, support terrorism, etc
- Multiple arrests, in-depth interviews necessary, vehicles with numerous stolen articles, extensive criminal history's, aggressive when confronted by LEO and Loss Prevention
- Follow up investigations can be extensive: search warrants, interview other suspects, travel for interstate groups, Fence almost always outside our jurisdiction
- Must reach out to other agencies, DA's offices, LEO and retailers to effectively catch and charge co-conspirators
- Groups steal, write counterfeit checks, pass counterfeit or stolen credit cards, returns, counterfeit traveler's checks
- Utilize counter-surveillance and target numerous retailers
- Purpose is to obtain stolen property, return stolen property for money/gift cards and then sell gift cards/property on streets

OAK PARK MALL COMPLEX

[Return to
Oak Park
Mall Town
Code](#)



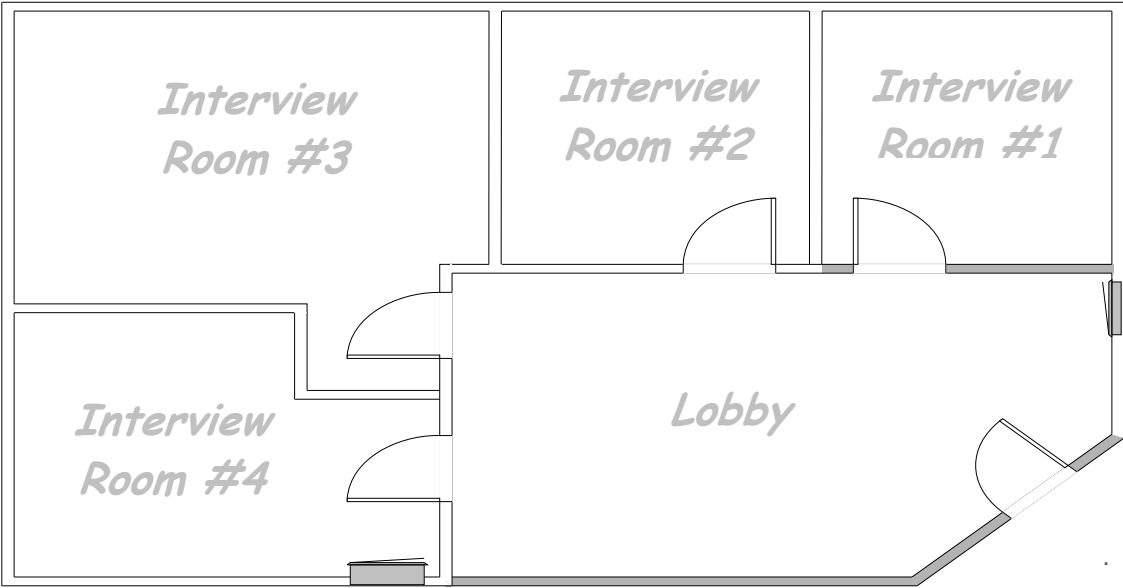
OCCASIONAL SHOPLIFTER

[Return to
occasional
one time
shoplifter](#)

- wide range of ages (juveniles, elderly, adults), ethnicities, nationalities and races
- opportunists, very little if any criminal history
- Wide range of stores; retail, specialty, clothing, grocery, department
- Small percent of overall retail shortage (Small theft amount)
- Patrol arrests with no additional follow up needed
- Very few resources needed
- Municipal court for adults, juvenile district court for juveniles
- Typical consequences: diversion and fine

OVERLAND PARK POLICE OFFICE AT OAK PARK MALL

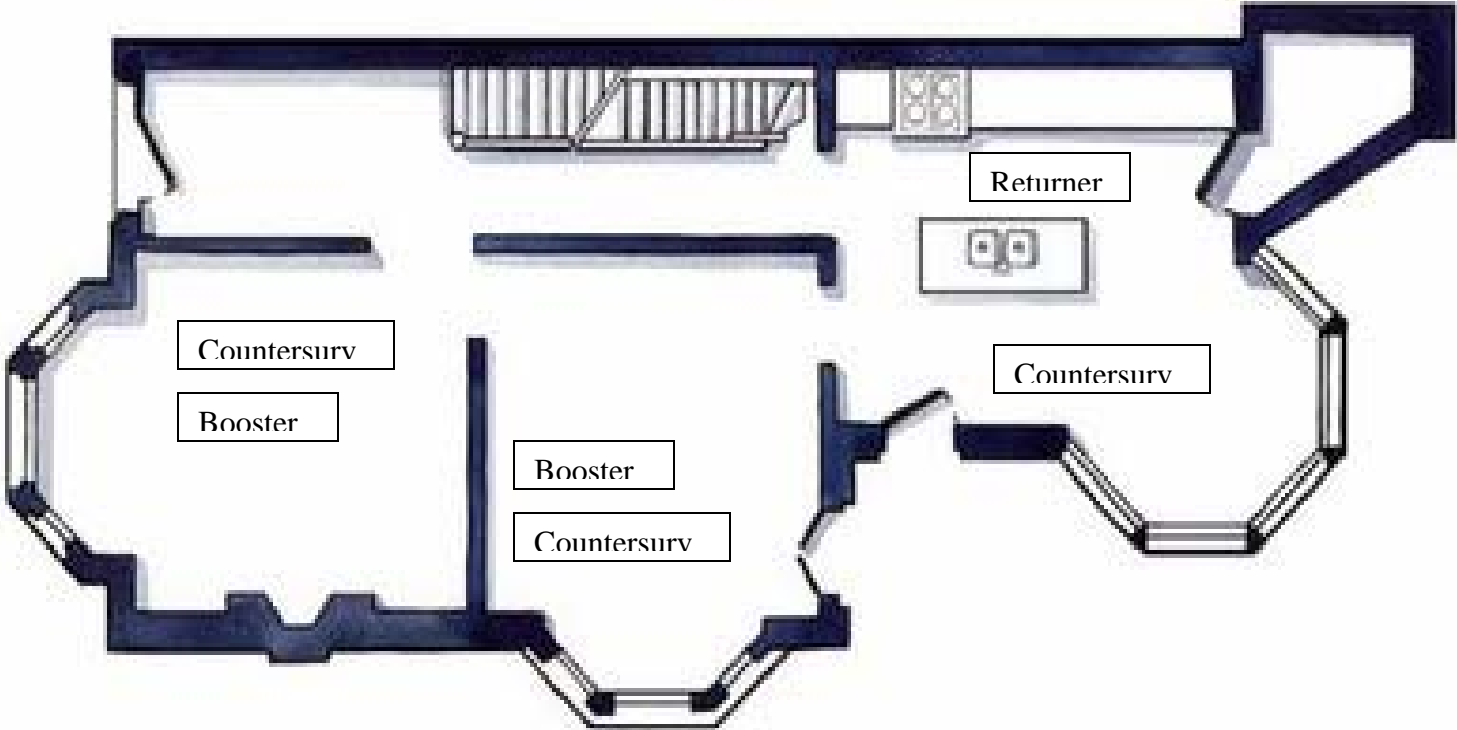
[Return to
Mall Police
Office](#)



COUNTER-SURVEILLANCE EXAMPLE

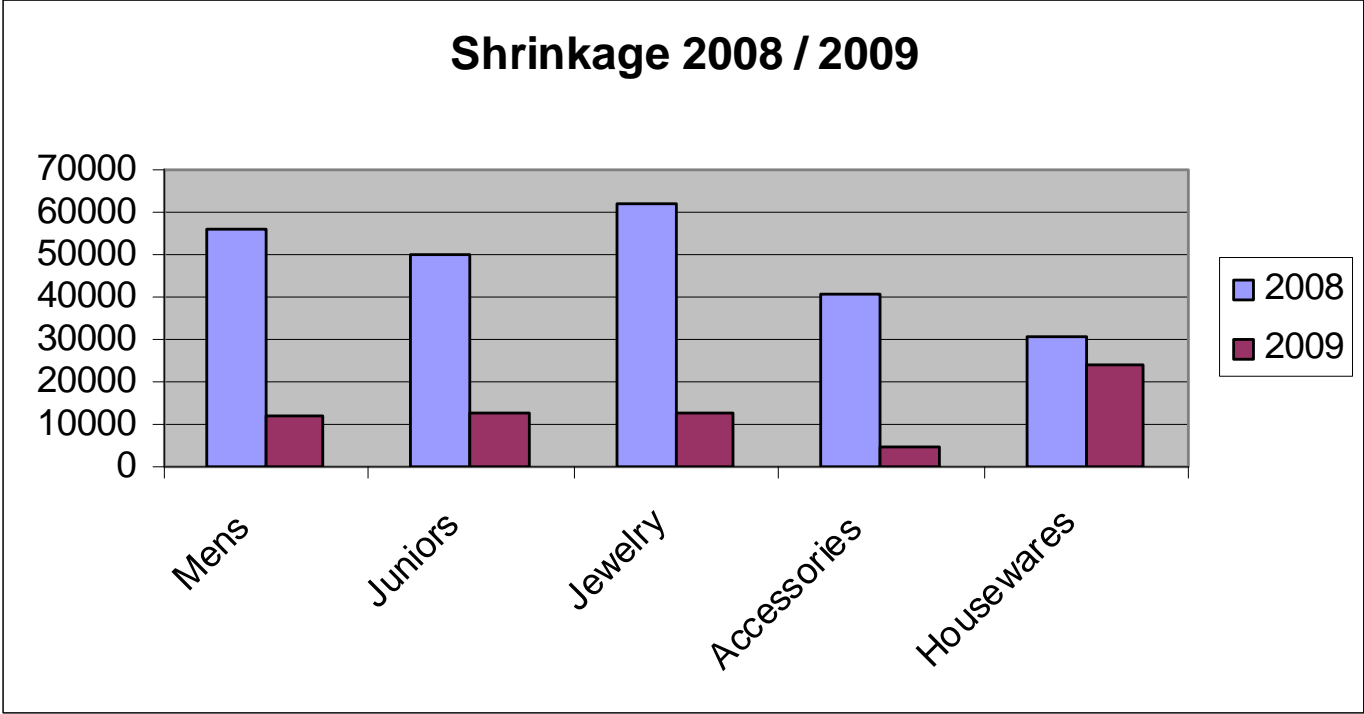
RETAIL STORE

[Return to counter surveillance](#)



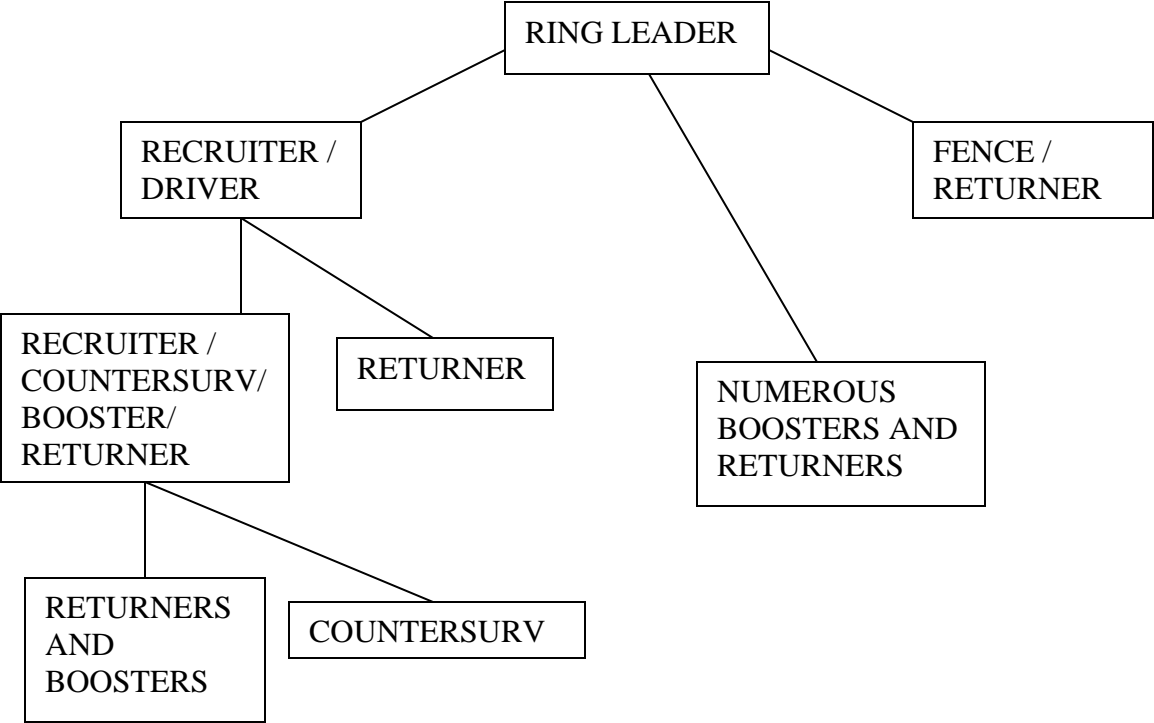
FIVE DEPARTMENTS

[Return to five theft departments](#)



LOCAL ORGANIZED RETAIL GROUP: INDIVIDUAL ROLES

[Return to local organized retail group](#)



RECOVERED NEW PROPERTY

[Return to stolen property](#)



LOADED HANDGUN

[Return to loaded handgun](#)

