

MY LEGAL RIGHTS

Q. Recently my son was waiting for a friend outside a store that was inside the mall. After meeting his friend, they began leave to get something to eat. Just then the store's security guard stopped both my son and his friend, accused them of shoplifting, grabbed them by the arm and took them to the store's security office where they were questioned for two hours. My son has never even been inside that store. What are my son's legal rights?

A. Oregon law gives merchants a great deal of authority in apprehending suspected shoplifters. If the merchant has probable cause that the person has committed shoplifting, the merchant can detain and interrogate that person in a reasonable manner. Even if it turns out that the detained person did not commit a crime, the law grants the merchant immunity from a civil lawsuit so long as there was probable cause to stop and the detention/interrogation was in a reasonable manner. If there was no probable cause to stop your son he may have a claim. You should speak with a qualified personal injury attorney.

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