



HINSHAW & CULBERTSON LLP

Attorneys at Law

100 E. Wisconsin Avenue
Suite 2600
Milwaukee, WI 53202

414-276-6464

414-276-9220 (fax)

www.hinshawlaw.com

Sara Butler
414-225-4813
sbutler@hinshawlaw.com

May 2, 2022

The Honorable Marina Dimitrijevic
District 14 Alderwoman
City Hall
200 E. Wells Street, Room 205
Milwaukee, WI 53202

Re: Plan of abatement for shoplifting at Walgreens Store #3509, 620
W. Oklahoma Ave.

Dear Alderwoman Dimitrijevic:

We appreciate your attention to the food license renewal application of Walgreens Store #3509, located at 620 W. Oklahoma Ave. This letter outlines Walgreens' position, analysis, and explanation why Store #3509 does not qualify for a security guard and why one should not be implemented at this location.

The purpose of security guards in Walgreens' stores is to protect the employees working there, not to protect merchandise. In looking at the specific facts of the criminal incidents at Store #3509, this location's primary basis for police contacts comes from repeat shoplifters. These shoplifters focus their efforts on removing large quantities of merchandise from the store and reselling the stolen goods online. We have found throughout our stores nationally that security guards do not reduce the incidences of these types of crimes.

Notably, the incidents reported to police at this location largely do not include violent offenses such as robberies or reoccurring incidents of disorderly conduct. In the twenty-nine listed police contacts in the hearing notice, twenty-three of the twenty-nine incidents were shoplifting issues. Only six incidents were not related to shoplifting. Two of the six were related to homeless individuals seeking refuge from Wisconsin winter and one was a false alarm from a passerby.

The three remaining incidents are all relatively minor offenses: an individual used aggressive language directed at employees, an individual was cited for disorderly conduct related to a disturbance in the bathroom, and an individual refused to leave the bathroom at closing time.

We acknowledge that police departments are adversely impacted by scarce resources and the need to ensure that all calls for police assistance are the best use of police time. However, implementing a security guard at this location would not solve the issue of shoplifting which is the predominant drain on resources and reason for police calls.

In stores where, like Store #3509, the primary issue is shoplifting, the better tool to decrease calls to police is ALTO USA, LLC ("ALTO"). As noted in our submitted plan of abatement, ALTO

0997411\310662472.v1

is an independent entity, utilized by Walgreens across the country, that provides a two-part approach to abating criminal activity and specifically targets repeat offenders. Staffed in part with attorneys, ALTO achieves long-term results by assisting in the prosecution of the offending individuals and deterring future or potential offenders. ALTO is the proper tool to manage the ongoing shoplifting occurring at Store #3509.

The first part of using the ALTO program focuses on internal documentation of the who, what, where, when, and how of shoplifting incidents. ALTO staff visit each store at least once a month and work to have two store touchpoints. This means that in addition to the in-person monthly visit, ALTO checks in on the store during a second visit or video/phone call. Once store employees document and report an incident to store leadership and ALTO, ALTO monitors the reported events, follows up to obtain additional information about the incident, and begins building cases to aid in prosecution.

The second part focuses on long-term solutions. Once the shoplifting event has been thoroughly documented by the store and ALTO, ALTO attorneys can assist Assistant District Attorneys in prosecuting shoplifters. ALTO will also represent Walgreens as the victim of these shoplifting incidents. This two-part approach emphasizes abating shoplifting at the root by prosecuting the offending individuals. Implementing a security guard where shoplifting is the problem will not serve to effectively neutralize and deter shoplifting at this location because guards are not used to protect merchandise. Only targeted prosecutorial action will abate chronic retail theft.

Finally, any time Walgreens does consider using a security guard, Walgreens measures the store accord to the CAP Index, which is a program that creates a statistical forecasting model that correlates the demographic data with survey information, incident data, and other databases with known indicators of crime. This program is an internationally accepted criminological and policing theory. In applying this program to Store #3509, Store #3509 yields a low score because the major issue is shoplifting. This reemphasizes the conclusion that ALTO should be the primary tool used to abate shoplifting at this location.

We take this matter, and our commitment to your community seriously. Walgreens loses an estimated \$12 million dollars annually in this state alone due to shoplifting and spends approximately \$292,000 annually on theft protection devices. Installing a security guard at this location will not solve the problem. This issue is best addressed in a collaborative fashion that marries Walgreens' ongoing efforts with Milwaukee's prosecution of repeat offenders.

We are eager to resolve this licensing issue and are open to discussing this element of the abatement plan. Thank you for your time and consideration.

Very truly yours,

HINSHAW & CULBERTSON LLP

Sara M. Butler

SMB
May 2, 2022
Page 3

SMB:
None

cc: