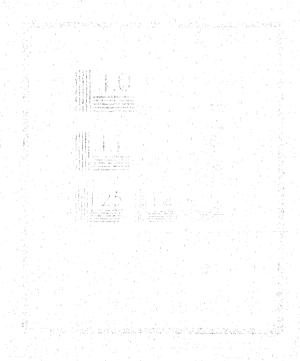
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U.S. DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE WASHINGTON, D.C. 20531 ANTI-SHOPLIFTING

CAMPAIGN

IN

NEVADA -

CHOLINE VADA 18 A MANDEULL CE TROUBLE OCCUPA



## State of Nevada Office of the Attorney General Carson City spron

Robert Test Attorney General

AN OPEN LETTER TO EVERY CITIZEN OF NEVADA

Shifting the burden to the consumer.

principally because store thieves are looting Nevada, of over \$44.000 for every day they are doing business and Principally because store thieves are looting Nevada merch. Shifting the hurden to the consumer doing business and think it the "thing to do"; some even feel it's a lot of fun. Many think of shoplifting as a harmless act; others

Nevada stealing is a serious offense. It must stop now. This is nonsense. Shoplifting is stealing, and in incidence of shoplifting in Nevada. Cooperating in this effort incidence of shoplifting in Nevada. Cooperating in this effort and Corrections: the Nevada Commission on Crime, Delinquency are my office; the Nevada Commission on Crime, Delinquenthe Nevada Retail Association with its member stores throu and Corrections; the Nevada Department of Education; and out the State

out the State

Association with its member stores through-

law. Let's nake it effective. Let's put it to work. Let's put The Nevada Legislature passed a tough anti-shoplifting

Your cooperation in this campaign is vital. It will be appreciated.

ROBERT LIST Attorney General

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INTRODUCTION

NEVADA STATISTICS

SHOPLIFTING LOSSES IN THE UNITED STATES CONSERVATIVELY ARE CALCULATED AT \$5 BILLION ANNUALLY. ON THE BASIS OF A 240-DAY BUSINESS YEAR, THAT MEANS THAT SHOPLIFTING THEFTS AMOUNT TO \$21 MILLION EACH DAY. THESE LOSSES ARE PAID FOR INDIRECTLY BY EVERY HONEST AMERICAN CONSUMER. HONEST CONSUMERS, THEREFORE, ARE SUBSIDIZING THIEVES AT THE RATE OF \$2.5 MILLION EACH BUSINESS HOUR. (1)

Shoplifting losses in Nevada have reached a monumental level, amounting to \$13.2 million annually, making the shoplifter the number One Public Enemy in Nevada. On the basis of a 300-day business year, that means that shoplifting thefts amount to \$44,000 each business day in Nevada. These losses are paid for indirectly by every honest nevada consumer. Honest consumers, therefore, are subsidizing thieves at the pate of \$5,500 each business hour in Nevada. (2)

IN 1973, FOR INSTANCE, TOTAL RETAIL SALES IN NEVADA ARE ESTIMATED TO APPROACH \$2,322,223,221. OF THAT VOLUME, 57% IS IN THE "EASILY PILFERABLE" CATEGORY. AT LEAST 15 OF THAT, RETAILERS SAY, IS LOST TO STORE SHRINKAGE, WHICH INCLUDES SHOPLIFTING.

Shoplifting is stealing. Stolen goods represent higher costs to merchants; higher costs to consumers. The information contained in these pages represents an attempt to do something about the rising incidence of shoplifting in Nevada.

This proposed anti-shoplifting campaign in Nevada will run for approximately one year, starting in mid-September of 1973. Associations and agencies involved in this campaign include the following: Nevada Attorney General; Nevada Commission on Crime, Delinquency and Corrections; Nevada Department of Education; and, Nevada Retail Association.

#### NEVADA STATISTICS

## SHOPLIFILING LOSSES IN NEVADA 1962 THRU 1973

NOTE: The figures used on the following page represent total retail sales in Nevada beginning with fiscal year 1963 (July 1, 1962 through June 30, 1963) and were obtained from the Nevada Tax Commission. Total retail sales include: food stores, grocery stores, restaurants, general apparel, auto dealers, mobile homes, trailers, garages, drug stores, home furnishing stores, appliance outlets, building material and hardware. The Tax Commission estimates of the total that 57% of the items in the above category are listed as "easily pilferable" items and vulnerable to shoplifters. Conservatively, Nevada merchants estimate that of their total annual retail sales volume, one percent is lost to shoplifting.

<sup>(1)</sup> STATE OF COLORADO ANTI-SHOPLIFTING PROGRAM. VIP INC.

<sup>(2)</sup> BASED ON FIGURES FROM NEVADA TAX COMMISSION

<u>YEAR</u>	TOTAL RETAIL SALES IN NEVADA	57 PERCENT EASILY PILFERABLE ITEMS	CONSERVATIVE LOSS ESTIMATE ONE PERCENT
1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973	1,027,345,153 1,096,534,540 1,143,698,163 1,201,339,642 1,194,727,142 1,307,894,132 1,513,291,529 1,705,509,949 1,812,124,846 2,019,324,540 2,322,223,221 Est.	585,586,736 625,024,688 651,907,951 684,797,795 680,994,470 745,499,654 862,576,115 972,140,672 1,032,911,165 1,151,014,988 1,323,667,235	5,855,867 6,250,247 6,519,080 6,847,978 6,809,944 7,454,997 8,625,761 9,721,407 10,329,112 11,510,150 13,236,672
\$35			TOTAL RETAIL SALES
2.500 B			SALES
2.250 B			الك
2.000 B			
1.750 B			
1.500 B			57 PER CENT EASTLY PILFERABLE
1.250 B			The state of the s
			4
1.000 B			
500 N			
100 M			
25 M			CONSERVATIVE
			ESTIMATE: 1
			4
63	64 65 66 67	68 69 70 71 72 73	YEARS
(1) In ord	er to emphasize the treme	endous amount of shoplifting los	ses in

(1) In order to emphasize the tremendous amount of shoplifting losses in Nevada, a semi-logarithmic graph was used with the scale 1 cycle X 10 divisions per inch.

THE LAW

[Approved April 13, 1973]

The People of the State of Nevada, represented in Senate and Assembly,

SECTION 1. Chapter 598 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this net.

Sec. 2. An adult who steals merchandise from a merchant's premises is civilly liable for the retail value of the merchandise, plus damages of not less than \$100 nor more than \$250, costs of suit and reasonable

Sec. 3. The parents or legal guardian, as the case may be, of a minor who steals merchandise from a merchant's premises is civilly liable for the retail value of the merchandise, plus damages of not less than \$100 nor more than \$250, costs of suit and reasonable attorneys fees. Recovery under this section may be had in addition to, and is not limited by, ony other provision of law which limits the liability of a parent or legal guardian for the tortions conduct of a minor.

Signature NRS 598.030 is hereby amended to read as follows:

598.030 1. As used in this Esection: I section and in sections 2 and (a) "Merchandise" means any personal property, capable of manual 3 of this act:

delivery, displayed, held or offered for sale by a merchant.

(b) "Merchant" means an owner or operator, and the agent, consigner, employee, lessee, or officer of an owner or operator, of any mer-

(c) "Premises" means any establishment in part Ethereto I thereof chant's premises. wherein merchandise is displayed, held or offered for sale.

2. Any merchant Eshall have the right to I may request any individual on his premises to place or keep in full view any merchandise such individual may have removed, or which the merchant has reason to believe he may have removed, from its place of display or elsewhere, whether for examination, purchase or for any other purpose. No merchant shall be

criminally or civily hable on account of having made such a request. 3. Any merchant who has [probable cause for believing] reason to believe that merchandise has been wrongfully taken by an individual and that he can recover such merchandice by taking such individual into custody and detaining him may, for the purpose of attempting to effect such recovery or for the purpose of informing a peace officer of the circumstances of such detention, take the individual into custody and detain him, on the premises, in a reasonable manner and for a reasonable length of time. Such taking into custody and detention by a merchant shall not render such merchant criminally or civilly nable for false arrest, false imprisonment, slander or unlawful detention unless such taking into custody and

detention are unreasonable under all the circumstances. 4. No merchant shall be entitled to the immunity from liability provided for in this section unless there is displayed in a conspicuous place on his premises a notice in boldface type clearly legible and in substantially the following form:

Any merchant or his agent who has [probable cause for believing I reason to believe that merchandise has been wrongfully taken by a person may detain such person on the premises of the merchant for the purpose of recovering the property or notifying a peace officer. [Nevada Revised Statutes, section 598.030.] An adult or the purents or legal guardian of a minor, who steals merchandise is civilly liable for its value and additional damages. NRS 598.030 and sections 2 and 3 of this act.

Such notice shall be prepared and copies thereof supplied on demand by the superintendent of the department of state printing. The superintendent of the department of state printing shall be entitled to charge a fee based on cost for each copy of such notice supplied to any person.

Sec. 5. The superintendent of the department of state printing may utilize notices which were printed and available for distribution immediately prior to the effective date of this act, for distribution as required by sub-action 4 of NRS 598.030. After this supply is exhausted, notices thereafter printed and distributed shall comply with subsection 4 of NRS 598 0 10 as amended.

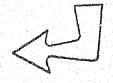
NOTE: SPEARHEADED BY THE NEVADA RETAIL ASSOCIATION, A STRONG ANTI-SHOPLIFTING LAW WAS PASSED BY THE 1973 NEVADA ILEGISLATURE. PROPONENTS OF THE MEASURE FEEL THAT THE LAW IS ONE OF THE MOST UNIQUE IN THE NATION AND ONE WHICH MAY BE THE FORERUNNER OF SUCH "MODEL" LEGISLATION IN OTHER STATES.

> ON THIS PAGE IS A COPY OF THE NEW NEVADA

> > IAW.

REPRODUCED IN ITS ENTIRETY:

MATERIAL IN [ ] IS DELETED FROM THE NEW LAW. COPY IN ITALICS IS THE NEW LANGUAGE ADDED TO EXISTING LAW.



#### A CONCISE INTERPRETATION OF NEVADA'S SHOPLIFTING LAW

#### AS PREPARED BY THE ATTORNEY GENERAL'S OFFICE

Shoplifting in Nevada is stealing and stealing is a serious crime.

Every person, child or adult, who takes property out of a store without paying for the item has committed a crime and is subject to punishment for that crime. The punishment that an individual can receive depends on the value of the item taken, with there being a maximum punishment of 10 years in prison and/or a fine of \$5.000.

Not only has the person who took the property committed a crime, but any one who has encouraged that person or aids him in anyway has also committed a crime and is subject to the same punishment as the person who committed the actual act of taking the property from the store. Further, one who helps the oftender avoid or escape being caught may also be held for the committing of a criminal act.

A peace officer and any private citizen can arrest a person who they saw take the property in their presence and if the property is of a sufficient value they may arrest the person even though they did not see the taking if they have reasonable cause to believe that the person has committed the act of taking an item. The person making the arrest may be any customer, employee, or owner of a store. Nevada law provides for compensation for any person injured while attempting to aid in the prevention of a criminal act.

An owner of a store or employee has a right to detain on the store premises an individual he has reason to believe has taken an item. This detention is for the purpose of attempting to recover property taken and informing a peace officer of the circumstances of such detention. This detention must be done in a reasonable manner and for a reasonable length of time; thus only reasonable force can be used and there should be immediate notification to the local law enforcement agency. If the merchant does detain a suspected individual in this manner, he will be free from any type of liability, both criminal and civi.

Juveniles under 18 years of age who shoplift have committed the same crime as an adult with the only differences being in the punishment, there existing the possibility of release to parents' custody or confinement in a juvenile detention home instead of prison; and the fact that they are not treated as criminals in regard to the judicial procedure followed and record keeping process.

The owner of a store, who has placed notice in his store, may bring both a criminal action and a civil action against a shoplifter. Under the civil action, which has just recently been provided for by the 1973 Nevada State Legislature, the owner of a store may bring a law suit against an adult or against the parents or legal quardian of a juvenile who steals items from his store. An adult or parent can be held liable for the item taken, if not returned or destroyed, and up to \$250 damages, plus the cost of having to bring the action.

Thus, as stated above, shoplifting is a serious crime and is treated as such in Nevada.

# A. POSTING OF NOTICE ON STORE'S PREMISES IN SUBSTANTIALLY THE FOLLOWING FORM:

Any merchant or his agent who has reason to believe that merchandise has been wrongfully taken by a person may detain such person on the premises of the merchant for the purpose of recovering the property or notifying a peace officer. An adult or the parents or legal guardian of a minor, who steals merchandise is civilly liable for its value and additional damages. NRS 598.030 and Sections 2 and 3 of this act.

Copies of the above notice are available (see Page 7) on demand from the Department of State Printing, 301 South Stewart Street, Carson City, Novada, 89701. Posting of said notice is required by merchant to be entitled to immunity provided for under Nevada statutes for the detention of suspected individual.

## B. DETENTION OF SUSPECTED INDIVIDUAL:

Any merchant or his agent who has reason to believe that an individual has taken an item can take the individual into custody for the purpose of recovering an item taken or for the purpose of informing a peace officer. Detention must be on the premises and individuals can only be detained through the use of reasonable force, in a reasonable manner, and for a reasonable period of of reasonable force, in a reasonable manner, and for a reasonable period of time; thus immediate notification to local law enforcement agency is advistime; thus immediate notification to local law enforcement agency is advistime; If the merchant follows this procedure, he will be immune from any criminal or civil liability.

#### C. COMPLAINT:

Upon the arrival of a peace officer, the merchant will be required to sign a misdemeanor citation form, provided by the peace officer, if the amount taken was less than \$100 in value. If the value of the item taken is more that \$100 the merchant will be required to fill out a complaint at the police station. If the party taking the property escapes, then the merchant will notify the police, and a complaint will be filled out.

#### D. EVIDENCE:

The peace officer will take the item that was attempted to be taken from the store and hold it as evidence, giving the merchant a receipt for the item: Or the officer will instruct the merchant on how to preserve it as evidence and allow the merchant to retain possession. If the item is of a perishable nature, then a written inventory will be prepared and the item will be left with the merchant.

#### E. APPEARANCE AT TRIAL:

The individual who witnessed the crime will be required to appear at the trial; however, if it appears that the witness may be unable to attend or prevented from attending, his testimony may be taken by way of deposition under conditions that will afford to each defendant the opportunity to confront the witness against that will afford to each defendant the opportunity to confront the crime him. Proceedings will be held in Justice Court or Municipal Court if the crime charged is petit larceny, the item being taken valued less than \$100; and in the

District Court if the item is valued at \$100 or more

#### F. CIVIL ACTION

The merchant may bring a civil action, as provided for by the 1973 Nevada State Legislature, against an adult or parent or legal guardian of a minor child for the retail value of the merchandise (if damaged or lost) plus damages of not less than \$100 nor more than \$250, costs of suit and reasonable attorney's fees. If the amount in question is less than \$300, action is brought in Justice Court or Municipal Court; if more than \$300, action is brought in the District Court.

#### ALL RETAILERS SHOULD DISPLAY THIS NOTICE INSIDE HIS PLACE OF BUSINESS

(1) Copies of this notice can be obtained by writing: Nevada State Printer, 301 South Stewart Street, Carson City, Nevada 89701. The notices sell for two cents each. Include 50¢ for handling and postage.

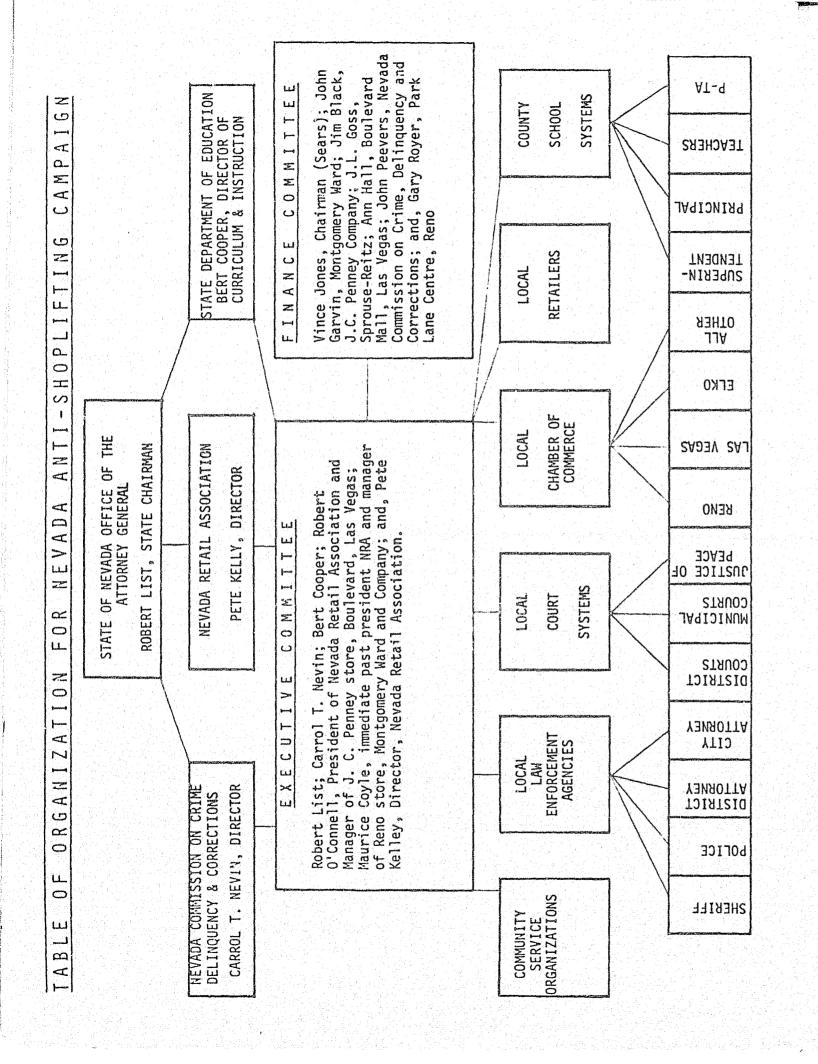
#### Nevada

# SHOPLIFTING LAW

Any merchant or his agent who has reason to believe that merchandise has been wrongfully taken by a person may detain such person on the premises of the merchant for the purpose of recovering the property or notifying a peace officer. An adult or the parents or legal guardian of a minor, who steals merchandise is civilly liable for its value and additional damages. NRS 598.030 and sections 2 and 3 of this act.

SPO, CARSON CITY, NEVADA

WHAT WE PROPUSE TO DO



## STATWIDE INFORMATION PROGRAM

#### PUBLIC RELATIONS - PUBLICITY PROGRAM

- There will be an aggressive public relations publicity program supporting the entire statewide anti-shoplifting campaign.
  - A story will announce inauguration of the program including the appointment of a state chairman and members of an executive and finance committees.
  - Committees in support of the united effort will be established in each of the counties of the state and in Carson City. Appointment of key people in each area will be announced as the campaign develops.
  - Regular publicity articles will be disseminated as each phase of the program unfolds.
  - Endorsements to the program, such as from the P.T.A. and other groups, will be solicited and handled as regular news releases.
  - A kit for newspaper guidelines, including fillers, editorial suggestions, etc., will be developed.
  - 6. Public service advertisements will be mailed to newspapers of the state.
- Plans will be developed for having campaign representatives appear on local television and radio programs.
- 8. There will be placement of public service spots with radio/ television stations.
- There will be a heavy buildup of publicity just prior to launching of the statewide campaign in approximately mid-September of 1973.
- 10. Photo coverage for newspapers will be provided as part of the overall campaign.

Take your time. Think it over. Make your choice. Which book will it be? A police record look because of shoplifting or a high school yearbook? One can haunt you for life . . . the

other can give you a lifetime of many happy recollections.

There is another record book you should be interested in ... your Dad or Mother's checkbook.

Honest consumers in Nevada are getting fed up with paying for the \$44,000

that is stolen from Nevada merchants each day by shoplifters. The legislature has decided that the shoplifter should pay this freight. Now in addition to existing criminal penalties, the shoplifter will pay the merchant an additional \$100-\$250 over and above the value of the item wrongfully taken.

In Nevada, shoplifting is stealing and stealing is a serious crime.

Which book will you be in ... in June? Don't risk it.

IN NEVADA IS A HANDFUL OF TROUBLE

PREPARED BY THE NEVAL A ANTI-SHOPLIFTING COMMITTEE, ATTORNEY GENERAL ROBERT LIST, STATE CHAIRMAN

under it? Pictures your family won't treasure? ink about it. Is it really what you want? Nevada has in addition to existing criminal penalties, ties payable to the merchant which can cost you arrassment too. It's in effect right now and consumers should pay for the \$13.2 million Nevada store costs because of thieves. Nevada's new ke our word for it. It recognizes the fact that at stealing is a serious crime and deserving of like the other guys? Don't risk it!



DA ANTI-SHOPLIFTING COMMITTEE. ATTORNEY GENERAL ROBERT LIST, STATE CHAIRMAN

od an beken edver ar den een een been en did raterel (o beild ein) eringen <mark>হাতি বিধিন্তি, বিভাগিত বাবি প্ৰদিন্তৰ প্ৰহত হুৱা ভোগোন্য, প্ৰকাশি প্ৰচেত হুৱা বাৰ্ডনেন্দ্ৰ না কছেছে।</mark> ইবিন্ধু প্ৰতি **প্ৰকৃত বাবি নামে গ্ৰাম কৰ** হাত্ৰ শিক্ষান্ত, দিও কিছুৰি চাৰ স্বাপ্তত হাত্ৰ নামান্ত ও প্ৰচিত্ৰ দি in economic extra control continues and the circle catemater on our of, hard Decolor of the Control of the Cont

f Mom. . I'm sorry. And Mom . . I'm scared. They just took my fingerprints and my picture. They said something about bail. Does the rest of the family have to know?

Dad will be so upset!"

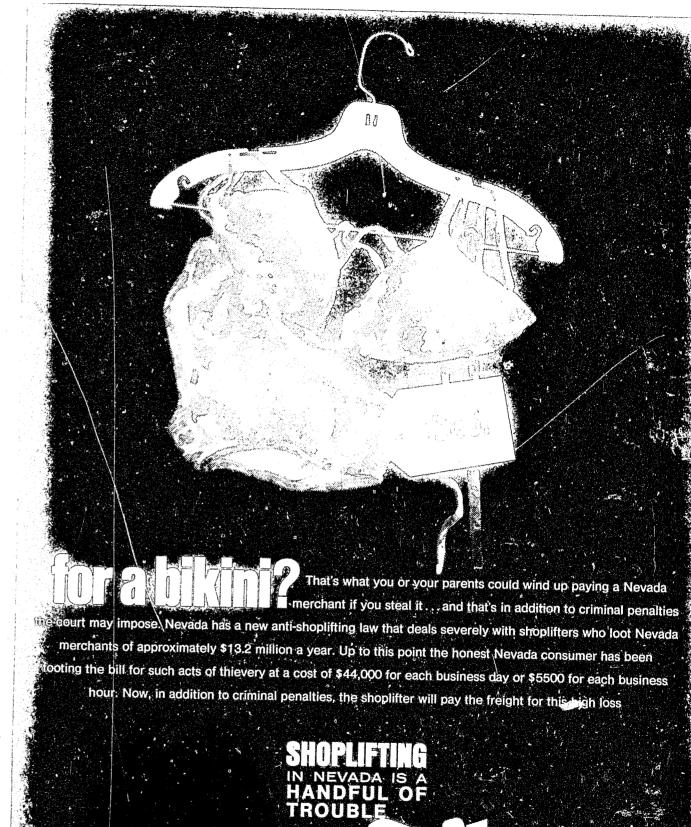
If you can't picture yourself in this situation, consider Nevada's new law on shoplifting. It's a fough one. One you should know about. Legislators passed it because shoplifters are looting Nevada merchants of approximately \$13.2 million each year. Now, in addition to criminal penalties, the shoplifter and not the honest Nevada consumer, will pay the freight for this high loss by paying the merchant an additional \$100-\$250 over and above the value of the item wrongfully taken. In Nevada, shoplifting is stealing and stealing is a serious crime. How do you tell your mother . . .?

Don't risk it.

> IN NEVADA IS A TROUBLE

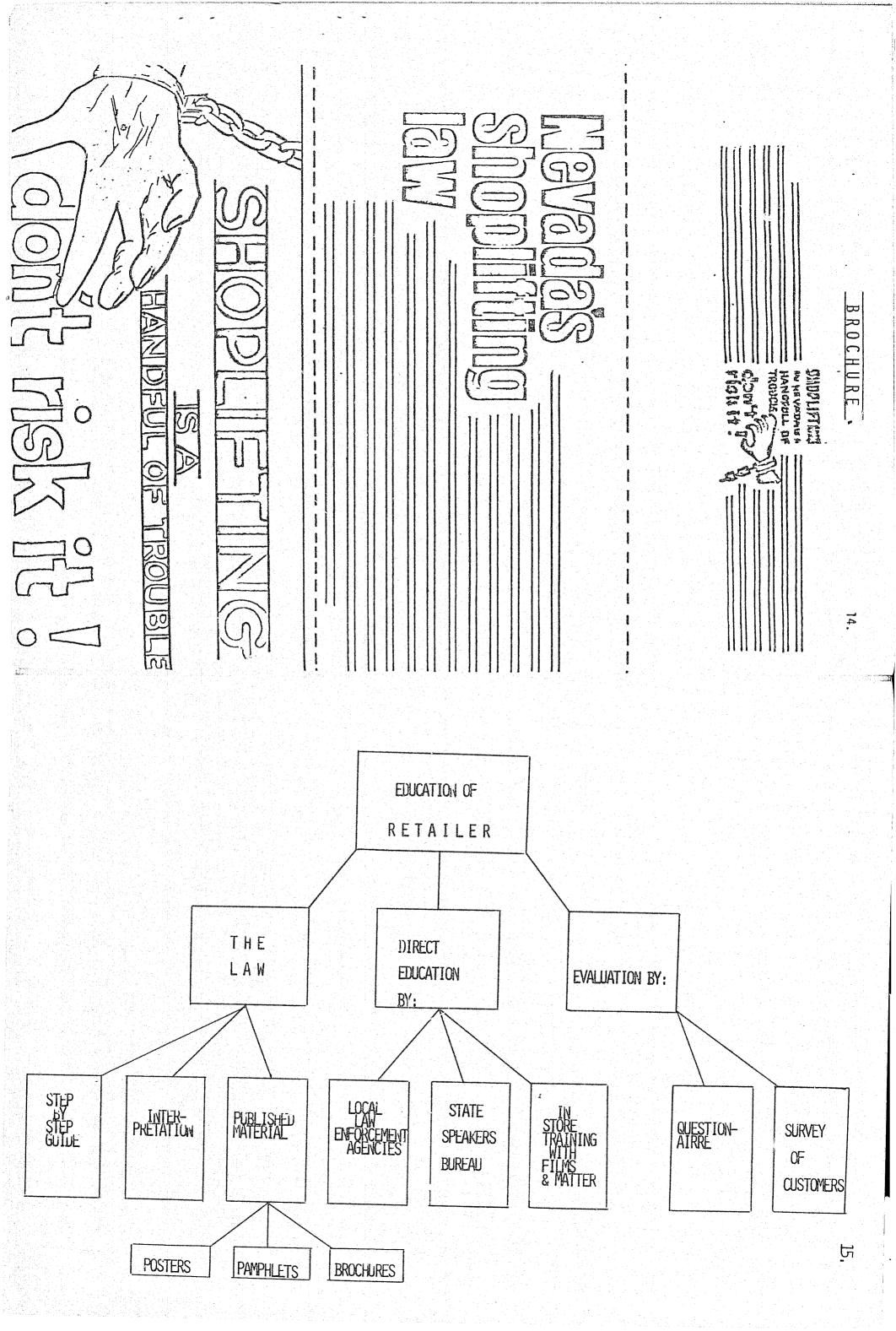
It's free. But restrictive, confined, cramped. Really not what you had in mind. But it's what shoplifters could get for stealing something not belonging to them. Nevada has a new law on shoplifting. In addition to existing criminal penalties it provides strict civil penalties payable to the merchant which can cost you plenty if you're a shoplifter embarrassment too. It's tough. It's designed to recover some of the \$5500 lost each hour by Nevada business firms and to help every honest Nevada consumer by having the shoplifter pay the loss directly to the merchant. It recognizes that shop lifting in Nevada is stealing ... that stealing is a serious crime and deserving of punishment. Want a room with a view? Don't risk it!

PREPARED BY THE NEVADA ANTI-SHOPLIFTING COMMITTEE, ATTORNEY GENERAL ROBERT LIST, STATE CHAIRMAN





PREPARED BY THE NEVADA ANTI-SHOPLIFTING COMMITTEE, ATTORNEY GENERAL ROBERT LIST, STATE CHAIRMAN



#### C. EDUCATION OF SCHOOL CHILDREN

- A. THE LOCAL SUPERINTENDENT OF SCHOOLS AND SHERIFF WILL SERVE AS CO-CHAIRMAN OF LOCAL CAMPAIGN.
- B. ASSEMBLY PROGRAMS WITH FEATURED SPEAKERS.
- C. CLASSROOM DISCUSSIONS ON THE LAW AND ITS RAMIFICATIONS.
- D. VARIOUS PUBLISHED MATERIAL.
- E. CONTESTS: ESSAY-POSTERS; AWARDS PRESENTED.
- F. This area will be expanded to include other areas that have not yet been provided.

WHAT WE ARE ASKING YOU - THE RETAILER

ANTI-SHOPLIFTING FUND

ANTI-SHOPLIFTING FUND

SUPREME COURT BUILDING

CARSON CITY, NEVADA 89701

ATTORNEY GENERAL

#### AN OPEN LETTER TO EVERY NEVADA RETAILER

Do you know that shoplifters are stealing \$5,500 for each business hour Nevada stores are open? That amounts to \$44,000 for each business day; \$13.2 million for each business year.

Because of the Nevada Retail Association, a strong anti-shoplifting bill was passed by the Nevada Legislature this year. It gives you the right to recover your losses and collect fines. In addition to existing criminal penalties, the new law provides:

"A civil penalty of not less than \$100 nor more than \$250 payable to the merchant in addition to the value of the item taken, court costs and attorney fees; and if the shoplifter is under 18, the parents or legal guardian can be held liable for these amounts".

A statewide effort has been planned to acquaint Nevadans everywhere with the new law. The campaign, utilizing bill-boards, newspaper ads, posters, brochures, publicity, TV and radio spots, education and training programs, will cost \$35,000 and will run for nine months starting in September 1973.

Of this amount, the Nevada Crime Commission has contributed \$12,500 in federal funds. Members of the Nevada Retail Association have matched this amount with another \$12,500 and now funds are being sought from all retailers in an effort to raise the additional \$10,000.

For your contribution you will get a booklet outlining the overall state program and printed material (posters, pamphlets, and the law) for your store, and you will participate in an extensive statewide media advertising-information program. We are asking for your support and contribution to this overall statewide program.

Most of all, you will be participating in a statewide effort to reduce effectiveness of the shoplifter who has been called Nevada's No. 1 Public Enemy. You will help put Nevada's tough anti-shoplifting law into effect.

Your contribution will be most appreciated.

Thank you.

### BREAKDOWN OF ASSESSMENT TO STORES FOR SHOPLIFTING CAMPAIGN

Square Footage Occupied	
0 - 2,500	Stores under this footage will be requested to pay the minimum of \$25.00
2,501 - 9,999	Stores will be requested to pay one (1) cent per sq. foot of net sales area
10,000 - 49,999	Stores will be requested to pay three- fourths (3/4) of a cent per sq. foot of net sales area
50,000 - 99,999	Stores will be requested to pay one-half (1/2) of a cent per sq. foot of net sales area
100,000 - 300,000	Stores will be requested to pay one- third (1/3) of a cent per sq. foot of net sales area
STORE NAME	ADDRESS
SQ. FT. SALES AREA	
OWNER OR MANAGER	
I WILL PARTICIPATE	
I WILL NOT PARTICIPATE	
STORE CONTACT FOR PRINTED	MATERIAL
(1) PLEASE MAKE YOUR CHE	CK PAYABLE TO: ATTORNEY GENERAL

MAIL THE ABOVE FORM AND CHECK TO:

#