



7th JMTC Legal Assistance Information

AAFES Shoplifting Policy

Please note that this Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Legal Assistance Attorney.

AAFES has a civil recovery program aimed at shoplifters. They will pursue the actual loss of the merchandise taken and charge a flat rate administrative cost on every shoplifting incident. The actual loss to AFES for the merchandise mirrors that of state civil recovery statutes: **If the merchandise is not returned to the store or is not returned in merchantable condition, then AAFES will demand the full retail value of the item. If the merchandise is recovered damaged but salable, AAFES will demand the difference between the full retail value and the reduced sale value. The administrative cost will be \$ 200.**

The store manager of the facility where the shoplifting occurred will send two demand letters for money damages. Should the debt remain unpaid for 30 days the store manager will notify the unit commander of the debt. The General Manager (GM) serves as the local review authority. The suspected shoplifter or sponsor may seek review of the debt by writing the GM within 30 days of the demand letter. The GM will review all available evidence and may under limited circumstances waive the indebtedness. If the debt is not collected locally, then after 90 days the exchange will write off and transfer it to Headquarters, AAFES, Financial Management and Accounting Directorate.

Under the Civil Recovery Program, military sponsors are responsible for their family members. A parent, guardian or other person having legal custody of an unemancipated minor who commits the offense of shoplifting shall be liable to AAFES for the damages and costs specified above.

The Civil Recovery Program is separate from any criminal prosecution initiated by appropriate legal authority. Nor is a conviction or a plea of guilty, for theft necessary to pursue civil recovery under this section. The collection action is in addition to any criminal, disciplinary action, or suspension of privileges. The military sponsor's check cashing privileges will be suspended until the debt is paid or waived.