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David Chen, photographed near the grocery store he owns in Toronto's Chinatown where an apparent confrontation with a shoplifter took place.

Alleged shoplifter returns to scene, where shopkeepers tie up and hold suspect until police arrive

Chinatown rallies to defence of grocer facing assault charge

Jeff Gray

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As he unpacks tomatoes in front of his Chinatown grocery store, Wang (David) Chen, a slight, 35-year-old father of two small children, doesn't look like a superhero – or a criminal.

But on the weekend, he and two of his employees ended up charged with assaulting and kidnapping a suspected shoplifter after tying him up and keeping him in a truck until police arrived.

Nearby shopkeepers fed up with thieves are rallying to his defence, saying police are too slow to respond when called about shoplifters and often let them off with a warning.

“We hope police can protect us and keep our businesses running,” Mr. Chen said in an interview. “Now, they are ... on the criminals' side, not our side.”

The Saturday morning incident, partially caught on Mr. Chen's security cameras, shows a man on a bicycle appearing to steal a box of potted plants – worth \$60, Mr. Chen says – displayed in a lane outside the store. When the man returns, Mr. Chen confronts him.

After a brief conversation, the man drops his bike and runs, whereupon Mr. Chen and two of his staff give chase.

After catching him, Mr. Chen said he and his employees tied the man up and put him in a delivery truck, intending to hold him until police arrived. But someone else called 911 first.

“The first thing we told police this guy he stole a thing from my store there,” Mr. Chen said. “But the police [officer] didn't hear anything. He just pulled me down on the ground, put me in a car and sent me to the station.”

Mr. Chen said he spent 24 hours in a holding cell at 52 Division, paid \$7,500 bail, and that the suspected shoplifter – also charged – got out of custody before he did.

He and his two employees, Jie Chen, 21, and Qing Li, 40, were each charged with carrying a concealed

weapon, which the shopkeeper said were grocer's box-cutters, like the one hanging from his belt loop. Mr. Chen said neighbours in Chinatown are stopping him in the street. "One said ... 'I will support you.'" he said. "He told me to get a [petition], and 10,000 people will sign for you, they will support you."

This was not the first such incident Mr. Chen has been through. On Friday, he said, his staff caught a shoplifter at 4:30 p.m. and had to keep him at the store until 10 p.m. when police finally arrived.

At a nearby pharmacy, Ben Banh, 50, said Mr. Chen should not have been charged. But he said shoplifters often get away with a warning if they target goods worth a small amount, allowing them to operate with impunity.

"The police won't charge anyone. It's not a kidnapping," he said, suggesting tying up the suspect was justified. "Nobody has time to wait, to watch him. We lose a lot of money from those guys."

Police say they must prioritize calls, and that more serious calls where lives are at risk come first, followed by things like break-and-enters in progress.

Superintendent Hugh Ferguson, head of 52 Division, said he does not believe a five-hour wait for a minor crime when a suspect is on the scene is typical, pointing to increased patrols in recent years in Chinatown.

Supt. Ferguson said that according to the law, people trying to make a citizen's arrest have the right to use physical force to detain someone only if they have witnessed a crime. Unlike a police officer, they are not allowed to arrest someone if they merely suspect the person of committing a crime previously.

General police advice, he said, is that citizens should not confront or try to catch criminals on their own.

Last August, the Chinatown Business Improvement Association hired two private security guards to patrol the neighbourhood. It plans to do the same this summer.