OPEN LETTER

October 28, 2013

Honorable Preet Bharara

### U.S. Attorney for the Southern District of New York

### 86 Chambers Street, 3rd FloorNew York, New York 10007

Dear Mr. Bharara:

It has come to my attention that there have been many cases of unjust detention in an actual jail at Macy's Herald Square Store located on 34th Street in New York City. I have been informed that Macy's uses the New York State General Obligation Law to coerce money from people they deem to be shoplifters to avoid being charged and arrested by the NYPD.

Therefore, I am calling for a thorough investigation about Macy's Herald Square Store's in-store jail and Macy's use of New York State’s General Obligation Law.

This inquiry should answer the following concerns:

* Is Macy's using the New York State General Obligation Law as a stream of revenue?
* Are their security guards licensed?
* Are they under quotas for shoplifting detentions?
* Do they use racial profiling in the store to determine who may or may not be detained as a shoplifter?
* Why is Macy’s allowed to run a private jail and offer thieves the choice to pay or to get arrested?
* What does NYPD have to say about this?
* What records does Macy's keep?
* What are the statistics on these "collections" at Macy's?
* Does Macy’s agree that those falsely arrested at Macy’s should be compensated by a set dollar amount if they sue Macy’s in small claims court and win?

I am sure you have read news reports about Macy’s detention of Robert Brown, and I trust that you will focus on these matters before things get even more out of control – and before the rush of Christmas shoppers begin to fill the store.

Thank you.

Sincerely,

Senator Reverend Ruben Diaz

cc: Christopher Lynn, Esq.