

tention against a peace officer, merchant, or merchant's employee, by a person suspected of shoplifting of goods, wares or merchandise, as hereinbefore provided; provided, however, that proof of the conviction of the person suspected of shoplifting of goods, wares or merchandise shall be deemed irrefutable proof of reasonable cause. The rule that statutes in derogation of the common law shall be strictly construed shall not be applied in the interpretation of this section, but the section shall be interpreted to effectuate its intended purpose as stated in the preamble hereof.

(f) Any person convicted of shoplifting is guilty of a misdemeanor if the value of the goods, wares or merchandise so taken or concealed is One Hundred Dollars (\$100.00) or less, and shall restore the goods, wares or merchandise to the owner thereof, or pay the full value therefor, and shall be fined or imprisoned, or both:

(1) For the first offense: Not more than One Hundred Dollars (\$100.00) or from sixty (60) to ninety (90) days in jail, or both;

(2) For the second offense: Not more than five hundred dollars (\$500.00), or from three (3) to six (6) months in jail, or both.

Any person convicted of shoplifting is guilty of a felony if the value of the goods, wares or merchandise so taken or concealed is more than one hundred dollars (\$100.00), or if the person so convicted shall have been twice before convicted of shoplifting, and shall restore the goods, wares or merchandise to the owner thereof, or pay the full value therefor, and shall be punished by fine of not less than one thousand dollars (\$1,000.00) nor more than ten thousand dollars (\$10,000.00), or by imprisonment for not less than three (3) nor more than seven (7) years in the penitentiary, or by both fine and imprisonment.

(D) IN ANY ACTION FOR FALSE ARREST, FALSE IMPRISONMENT, UNLAWFUL DETENTION, DEFAMATION OF CHARACTER, ASSAULT, TRESPASS, OR INVASION OF CIVIL RIGHTS, BROUGHT BY ANY PERSON BY REASON OF HAVING BEEN DETAINED ON OR IN THE IMMEDIATE VICINITY OF THE PREMISES OF A RETAIL MERCANTILE ESTABLISHMENT FOR THE PURPOSE OF INVESTIGATION OR QUESTIONING AS TO THE OWNERSHIP OF ANY MERCHANDISE, IT SHALL BE A DEFENSE TO SUCH ACTION THAT THE PERSON WAS DETAINED IN A REASONABLE MANNER AND FOR NOT MORE THAN A REASONABLE TIME TO PERMIT SUCH INVESTIGATION OR QUESTIONING BY A PEACE OFFICER OR BY THE OWNER OF THE RETAIL MERCANTILE ESTABLISHMENT, HIS AUTHORIZED EMPLOYEE OR AGENT, AND THAT SUCH PEACE OFFICER, OWNER, EMPLOYEE OR AGENT HAD REASONABLE GROUNDS TO BELIEVE THAT THE PERSON SO DETAINED WAS COMMITTING OR ATTEMPTING TO COMMIT SHOPLIFTING ON SUCH PREMISES OF SUCH MERCHANDISE. AS USED IN THIS SECTION "REASONABLE GROUNDS" SHALL INCLUDE, BUT NOT BE LIMITED TO, KNOWLEDGE THAT A PERSON HAS CONCEALED POSSESSION OF UNPURCHASED MERCHANDISE OF A RETAIL MERCANTILE ESTABLISHMENT, AND A "REASONABLE TIME" SHALL MEAN THE TIME NECESSARY TO PERMIT THE PERSON DETAINED TO MAKE A STATEMENT OR