



March 18, 2026

Darcel D. Clark  
District Attorney, Bronx County  
198 East 161st Street  
Bronx, New York 10451

Re: Soft-on-Crime Policies and the Latest Harm to Retail Workers and Owners

Dear District Attorney Clark,

We write in response to yet another disturbing attack on Bronx retail workers — this time at a Key Food on White Plains Road, where surveillance footage reportedly showed a group attacking store employees after an argument escalated inside the store. Two employees were injured. For hardworking Bronx residents who simply want to earn a living and serve their community, this kind of violence is intolerable.<sup>1</sup>

Unfortunately, this incident does not appear to be an isolated one. Public reporting indicates that the same group had allegedly caused trouble nearby before. That is exactly what New Yorkers are tired of: the same offenders, the same excuses, and the same failure of accountability. When violent or repeat offenders learn that consequences are unlikely, regular people pay the price — grocery workers, security guards, customers, and neighborhood businesses.<sup>2</sup>

Your own public statements make clear that this result is not accidental, but the foreseeable consequence of policy choices. In an interview you gave in 2023, you stated:

In 2016, I began my tenure as District Attorney by implementing a new bail policy. My office modeled bail reform prior to any legislation, and our data shows it. Further, I instructed my office to decline the prosecution of low-level offenses where NYPD can issue a summons or connect someone to services. I dismissed over 160,000 criminal summonses, so that people wouldn't be arrested due to open warrants.<sup>3</sup>

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<sup>1</sup> <https://pix11.com/news/local-news/attack-at-bronx-grocery-store-leaves-2-employees-injured/>

<sup>2</sup> <https://pix11.com/news/local-news/attack-at-bronx-grocery-store-leaves-2-employees-injured/>

<sup>3</sup> <https://jimowles.org/news/candidate-answers-to-joldc-darcel-clark-for-bronx-district-attorney-2023> "Candidate Answers to JOLDC: Darcel Clark for Bronx District Attorney — Jim Owles Liberal Democratic Club"

That philosophy may be marketed as reform, but on the ground, it has meant less deterrence, weaker accountability, and more danger for ordinary New Yorkers. Small business owners and frontline workers are living with the consequences. A coalition of 10,000 New York small businesses has warned that retail theft and repeat offending are “negatively impact[ing] our safety, our livelihoods and our communities.” That same coalition states that local stores have lost an estimated \$300 million in revenue due to theft, and reports that in 2022 just 327 offenders accounted for 30% of New York City’s 22,000 retail-theft arrests, with those recidivists arrested nearly 6,600 times— about 20 arrests each.<sup>4</sup>

New York officials across government have acknowledged the seriousness of this problem. Governor Hochul’s office has stated that larceny offenses in New York City rose 51% between 2017 and 2023, and that robberies, grand larceny, and petit larceny rose 86% during that same period. In response, New York elevated assaults on retail workers from a misdemeanor to a felony, allowed aggregation of stolen goods across incidents for charging purposes, funded dedicated retail-theft teams, and created tax relief to help small businesses pay for security upgrades.<sup>5</sup> The reason those changes were needed is obvious: the old status quo was failing.

Even city officials and prosecutors who support other types of reform have acknowledged that repeat shoplifters are causing real harm. When New York City launched its retail-theft task force, public officials described retail theft as harming New Yorkers, threatening businesses, and jeopardizing community safety, while Manhattan District Attorney Alvin Bragg specifically referenced “repeat shoplifters who are causing harm to our local businesses.”<sup>6</sup> And the consequences are not confined to inventory loss. New York has strengthened penalties for assaults on retail workers and imposed workplace-violence prevention requirements for retail employers, recognizing that persistent retail disorder can place frontline workers directly in harm’s way. Recent violence against store employees in New York City—including a March 2026 Bronx supermarket attack that left workers injured— illustrates how instability in retail settings can escalate from theft and disruption into physical danger for employees and customers alike.

And the repeat-offender problem is real, not rhetorical. National recidivism data remain stubbornly high. The Council on Criminal Justice reports a 71% cumulative five-year rearrest rate for people exiting prison in 2012, while the Bureau of Justice Statistics likewise identifies recidivism as a

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<sup>4</sup> <https://caps-ny.org/> "Collective Action to Protect our Stores"

<sup>5</sup> <https://www.governor.ny.gov/news/governor-hochul-retail-workers-and-small-business-owners-celebrate-new-landmark-protections> "Governor Hochul, Retail Workers and Small Business Owners Celebrate New Landmark Protections Against Organized Retail Theft | Governor Kathy Hochul"

<sup>6</sup> <https://www.nyc.gov/mayors-office/news/2023/11/mayor-adams-launches-task-force-combat-retail-theft> "Mayor Adams Launches Task Force to Combat Retail Theft - NYC Mayor’s Office"

persistent and significant challenge across offender populations.<sup>7</sup> When local policy sends the message that low-level lawlessness will be ignored, it invites escalation — especially among habitual offenders who already understand how to exploit a system with too little follow-through.

Bronx residents deserve better than a criminal-justice approach that too often seems more concerned with excusing offenders than protecting victims. Bronx workers should not have to wonder whether the people who attack them will face meaningful consequences. Local grocers should not have to absorb theft, violence, rising insurance costs, added security expenses, and declining customer confidence because the justice system refuses to draw firm lines.

We therefore urge your office to make clear— publicly and immediately — that violent attacks on retail workers and repeat retail-related offending will be prosecuted to the fullest extent of the law. Specifically, we call on you to:

1. Commit to full prosecution of assaults on retail employees and security personnel;
2. Prioritize repeat offenders and coordinated group attacks for aggressive charging and case follow-through;
3. Use every available statutory tool to seek meaningful consequences for habitual offenders; and
4. Provide the public with transparency about prosecution outcomes in retail-violence and repeat-theft cases in the Bronx.

The people of the Bronx are asking for safety, order, and accountability. Every time your office declines to act or treats quality-of-life crime as beneath enforcement, ordinary New Yorkers bear the burden.

The workers at that Key Food deserved protection before they were attacked. You have the power to deliver justice for them now.

Sincerely,

*Leigh Ann O'Neill*

Leigh Ann O'Neill  
Chief Legal Affairs Officer  
America First Policy Institute

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<sup>7</sup> [https://counciloncj.org/recidivism\\_report/](https://counciloncj.org/recidivism_report/) "New National Recidivism Report - Council on Criminal Justice"