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MEMORANDUM

TO: All House Members
FROM: Representative Todd Stephens
DATE: November 16, 2011
SUBJECT: Cosponsor Memo – Organized Retail Theft

Organized retail theft in Pennsylvania is a sophisticated crime and a growing problem that is estimated to have cost our Commonwealth \$60 million in sales tax revenue in 2010. One major retailer lost \$21 million to retail theft in PA in 2010!

I've attached a news article reporting a recent investigation and prosecution of an organized retail theft ring operating in Berks, Bucks, Chester, Delaware, Lackawanna, Lancaster, Lehigh, Luzerne, Northampton and Philadelphia Counties. The head of this 11-county organized retail theft crime ring was from NJ and he chose to operate his criminal enterprise in Pennsylvania for good reason – lower penalties.

Pennsylvania's penalty for retail theft is currently out of step with penalties provided for in many other states, and I will be introducing legislation to correct it. In the Commonwealth, an offense crosses the line from a misdemeanor to a felony when the value of the items stolen exceeds \$2000. Today, a thief who steals an item worth \$1999 from a Pennsylvania retail establishment is charged with a Misdemeanor of the First-degree, even if he has a prior conviction.

Most other states set the felony threshold much lower. For example, in some of our neighboring states, theft of an item with a value over \$1000 carries the following:

Maryland: Felony with a maximum of 10 years

New York: Felony with a maximum of 4 years

New Jersey: Felony with a maximum of 5 years

District of Columbia: Felony with a maximum 10 years.

Ohio: Felony with a maximum 12 months.

We must deter criminal organizations from targeting Pennsylvania and our weak penalties. For that reason, I plan to introduce legislation that will amend our retail theft statute to make it a felony of the third degree if the value of the item stolen is \$1000 or more.

If you would like to join me in sponsoring this bill, please contact Lindsey Freidly at LFreidly@pahousegop.com or (717) 260-6163.