

SB385 Support Letter.pdf

Uploaded by: Cassilly, Senator Bob

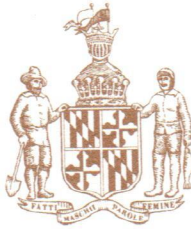
Position: FAV

ROBERT G. CASSILLY
Legislative District 34
Harford County

Judicial Proceedings Committee

Joint Committee on Administrative,
Executive, and Legislative Review

Joint Committee on Federal Relations



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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February 9, 2021

RE: Senate Bill 385 – Organized Retail Theft

Dear Committee Members:

I request your support for SB 385. This bill passed this committee and the Senate unanimously last session but ran out of time in the House due to the pandemic. This bill defines “organized retail theft” and places the burden on the State to prove that an act of theft is “organized retail theft”. If the Court determines that a theft is an organized retail theft then it shall be reported as such to the Criminal Justice Information System Central Repository (CJIS). Such a report allows multiple thefts committed by the same person in multiple counties, under one scheme or continuing course of conduct, to be aggregated and prosecuted as part of an overall scheme in any county in which any of the thefts occurred.

Sincerely,

A handwritten signature in black ink, appearing to be 'Bob Cassilly', written over a horizontal line.

Senator Bob Cassilly

SB 385 - Support - The Home Depot.pdf

Uploaded by: Tompsett, Thomas

Position: FAV



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February 9, 2021

The Honorable William C. Smith, Jr.
2 East, Miller Senate Office Building
Annapolis, Maryland 21402

In re: Sente Bill 385: Organized Retail Theft

Dear Chairman Smith and Members of the Committee,

On behalf of The Home Depot's nearly 9,000 associates and 50 facilities in the state of Maryland, I write in support of Senate Bill 385 (S.B. 385) addressing the serious issue of Organized Retail Theft.

Last year, The Home Depot alongside several retail peers testified in favor of a similar bill, including expert testimony from one of our corporate investigators. Our position remains unchanged – organized retail theft is a serious threat to the safety of our customers, associates, and consumers at large. We applaud you and the Committee for considering this issue.

Organized retail theft is a gateway crime, led by nefarious actors who seek to incent individuals to steal with promises of big payouts on the other end. Ultimately, the leaders of these crime rings fly under the radar and evade prosecution because they conduct their misdeeds (both the theft of merchandise and subsequent sale of merchandise) in multiple counties, across state lines, and even abroad. Our internal asset protection team has numerous examples of where known actors have operated for years without prosecution because of arcane information-sharing and collaboration roadblocks.

We have been clear that we do not seek to tighten laws with respect to petty theft, including theft by individuals acting under the direction of organized crime leaders. Rather, we see value in proposals like S.B. 385 that would allow better cooperation among law enforcement and our in-house investigators to get to the root cause of this insidious crime: the leaders of organized retail crime rings and the facilities and platforms that “fence” these stolen goods.

Quite often, these stolen goods are aggregated and sold on unregulated online platforms. This avenue is the new pawn shop; and shorts the state of its due tax revenue. It also fails to provide basic retail covenants: guarantees of authenticity, integrity, or – in some cases – warranty or

other protections. Consumers do not know they are buying stolen goods from these nefarious actors until it is too late.

We ask the committee to give S.B. 385 a favorable report, and are happy to answer any questions you may have following your hearing.

Respectfully,

Matt

Matthew Campion | THE HOME DEPOT

Manager, State and Local Government Relations

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Maryland State Police Position Paper SB 385.pdf

Uploaded by: Williams, Thomas

Position: FAV



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: February 11, 2021

BILL NUMBER: Senate Bill 385 **Position:** Support

BILL TITLE: Criminal Law - Organized Retail Theft

REVIEW AND ANALYSIS:

This legislation seeks to establish that multiple thefts committed by the same person in multiple counties or one scheme or continued course of conduct may be aggregated and prosecuted in any effected county. This legislation also seeks enhanced penalties for a person with a previous theft conviction who commits theft again.

In recent years the instance of organized retail crime rings in Maryland has increased. There are organized retail crime rings that commit thefts throughout many Maryland counties and the surrounding states. The rings work in groups. They not only commit thefts from retail establishments, but also commit credit card fraud, identity theft and merchandise return theft.

In just one case investigated by the Department in Southern Maryland, the investigators discovered the ring was operating in Maryland and Virginia and identified losses in excess of \$100,000. There are other cases in jurisdictions all over Maryland that show the same pattern.

Senate Bill 385 allows for the aggregate amount of the total thefts to be applied to the prosecution of the case. Otherwise each case is taken separately, which due to the low value of a single theft, results in a criminal citation or no prosecution at all. This legislation provides a mechanism for the prosecution of the aggregate offenses and provides a greater penalty to be applied upon conviction.

For these reasons, the Department of State Police urges the Committee to give Senate Bill 385 a favorable report.