



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

POSITION ON PROPOSED LEGISLATION

DATE: February 2, 2021

BILL NUMBER: House Bill 446 **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.

House Bill 446 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 House Bill 446 a favorable report.