



THE PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

BILL: SB 100 - Criminal Law - Organized Retail Theft

SPONSOR: Senator Watson

HEARING DATE: February 1, 2024

COMMITTEE: Judicial Proceedings

CONTACT: Intergovernmental Affairs Office, 301-780-8411

POSITION: SUPPORT

The Office of the Prince George's County Executive **SUPPORTS SB 100 - Criminal Law - Organized Retail Theft**, which establishes the offense of "organized retail theft" of property with an aggregate "value" exceeding \$1,500. A violation of this prohibition is a felony punishable by imprisonment for up to five years and/or a \$5,000 maximum fine. A person who violates this prohibition must (1) restore the property to the owner or (2) if unable to restore the property to the owner, pay to the owner the full value of the property. A conviction for organized retail theft merges into a conviction under the general theft statute (§7-104 of the Criminal Law Article) for the purposes of sentencing where the two convictions arise from the same acts or transactions. The bill also clarifies the venue for prosecution of a case involving multiple thefts in multiple counties committed by the same person under one scheme or continuing course of conduct.

Unlike amateur theft or spontaneous shoplifting by people with little to no pre-meditation, organized retail crime entails careful planning and high-level coordination. Trade group RILA says organized retail crime cost US retailers nearly \$70 billion in 2020 and notes that things have worsened since the COVID-19 pandemic when stores were short on staff.

We at the local level have been grappling with how best to fight this growing problem, but current Maryland law does not do enough to deter organized retail theft. **SB 100** will correct this by allowing all thefts committed as part of "one scheme or continuing course of conduct" to be "joined and prosecuted in any county in which any of the thefts occurred." This will reduce repeat offenders who are using the law to their advantage.

For the reasons stated above, the Office of the Prince George's County Executive **SUPPORTS SB 100** and asks for a **FAVORABLE** report.