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March 28, 2024

The Honorable Luke Clippinger
Chairperson, House Judiciary Committee
House Office Building, Room 100
6 Bladen Street
Annapolis, MD 21401

RE: Senate Bill 100 – Criminal Law Organized Retail Theft

Dear Chair Clippinger and Members of the Judiciary Committee:

On behalf of the Maryland State's Attorney's Association, and the Frederick County State's Attorney's Office, I write in support of Senate Bill 100. This bill has the intended purpose of consolidating and aggregating theft amounts for retail theft when occurring pursuant to one scheme or continuing course of conduct and to authorize prosecution in one Maryland county where the scheme/continuing course of conduct involves offenses in more than one Maryland county.

Since testifying initially in this case, I have reviewed video from multiple organized retail theft offenses in Frederick County involving crews, or groups of individuals walking into stores with bags or shopping carts, filling them with product and exiting the stores without paying.

As I said when I testified before, organized retail theft is real, it is brazen, it financially impacts communities, and, yes, even puts the public at risk. These are targeted hits on retail establishments. These thieves join in a criminal enterprise together, walk into these stores without fear, seemingly knowing they will not be engaged by the employees, take product, boldly leave without paying, and gambling they will not be caught by the police before they escape.

Cases I have reviewed reveal these groups engage in various tactics to avoid identification. Everything from not looking at the cameras to different clothing, to wearing hats or masks, to using rental cars. I have even reviewed, what I believe, is a family engaging in various retail thefts over several counties, with similar appearing, but different individuals engaging in individual thefts. Then there are just the practical limitations such as low surveillance footage quality or surveillance systems not being operational at the time of the thefts. These are all hurdles which prosecutors must overcome to bring charges to ultimately bring these perpetrators to justice.

I can also report to this Committee that I have had the chance to review footage of these same groups committing these crimes in other jurisdictions. Some of the footage from other counties has been

better, clearer, or just corroborated the footage from the incidents in Frederick County. It is very likely that I will want to utilize footage from these other counties to assist in the prosecution in my county.

Enabling the option of a single prosecution for these theft schemes reduces the burdens on the court system, the witnesses, including loss prevention personnel and law enforcement. Instead of multiple trials in multiple counties utilizing other counties' evidence in each, there can be one prosecution utilizing all evidence in one county.

Allowing a single prosecution for these multi-county offenses, gives defendants the opportunity to reduce the number of cases, or even have one case, to resolve their criminal justice contact, as opposed to multiple cases in multiple counties. This gives the defendant a chance for finality, including a single probation once a unified prosecution occurs and a conviction is obtained.

I will reiterate that it is time for Maryland to address this issue. It also is time to reassure the employees and customers of these stores, as well as our communities, that their leaders recognize the problem and want to help them be able to work and shop in safety.

Thank you for the opportunity to provide support for this bill and I urge this Committee to issue a favorable report on Senate Bill 100.

Sincerely,

A handwritten signature in black ink that reads "Jason S. Shoemaker". The signature is written in a cursive, flowing style.

Jason S. Shoemaker,
Chief, Economic Crimes Unit