



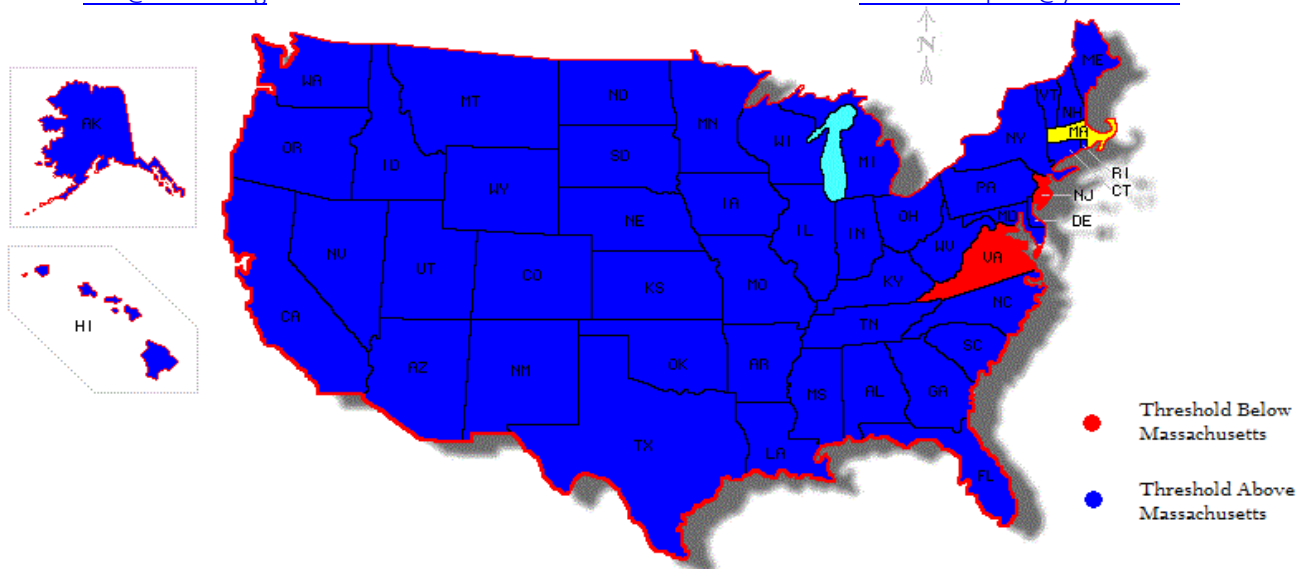
FACT SHEET ON SENATE BILL 2176: RAISING THE LARCENY FELONY THRESHOLD TO \$1500

An increase in the amount needed to trigger a felony in larceny cases is long overdue. The present \$250 threshold is unjust because it captures many low level offenses and makes felons of countless people. Any felony carries a heavy stigma, creates barriers to jobs, and increases reliance on public assistance. There also is a 10 year waiting period to seal these low level offenses because they are classified as felonies.

Increasing the threshold to \$1500 would help many young people and numerous others who are trapped in poverty and unemployment for what were actually low level offenses.

- Massachusetts is an outlier with an outdated \$250 threshold enacted in 1987.
- Every state in the U.S. has a higher amount except New Jersey (\$200) and Virginia (\$200).
- All New England states have higher thresholds for felony larceny than Massachusetts.
Conn. \$2000 • Rhode Island \$1500 • Maine \$1000 • New Hampshire \$1000 • Vermont \$900
- More examples are:
 - \$2500 in Texas and Wisconsin
 - \$2000 in Colorado, Pennsylvania, South Carolina
 - \$1500 in Delaware, Georgia, Montana, Nebraska, and Utah.
 - \$1,000 in Arizona, Arkansas, Dist. of Columbia, Idaho, Minnesota, Mississippi, Michigan, Maryland, Kansas, Iowa, No. Dakota, Ohio, Oregon, New York, & West Virginia.
- Maryland has passed a bill to raise its \$1000 threshold to \$1500 effective on October 1, 2016.
- Research on other states that increased their felony thresholds for larceny shows that increasing thresholds does not increase crime over time. (The back side of this page includes more detailed information about this issue).
- Senate bill 2176 passed the Senate and is in the House Committee on Ways & Means.

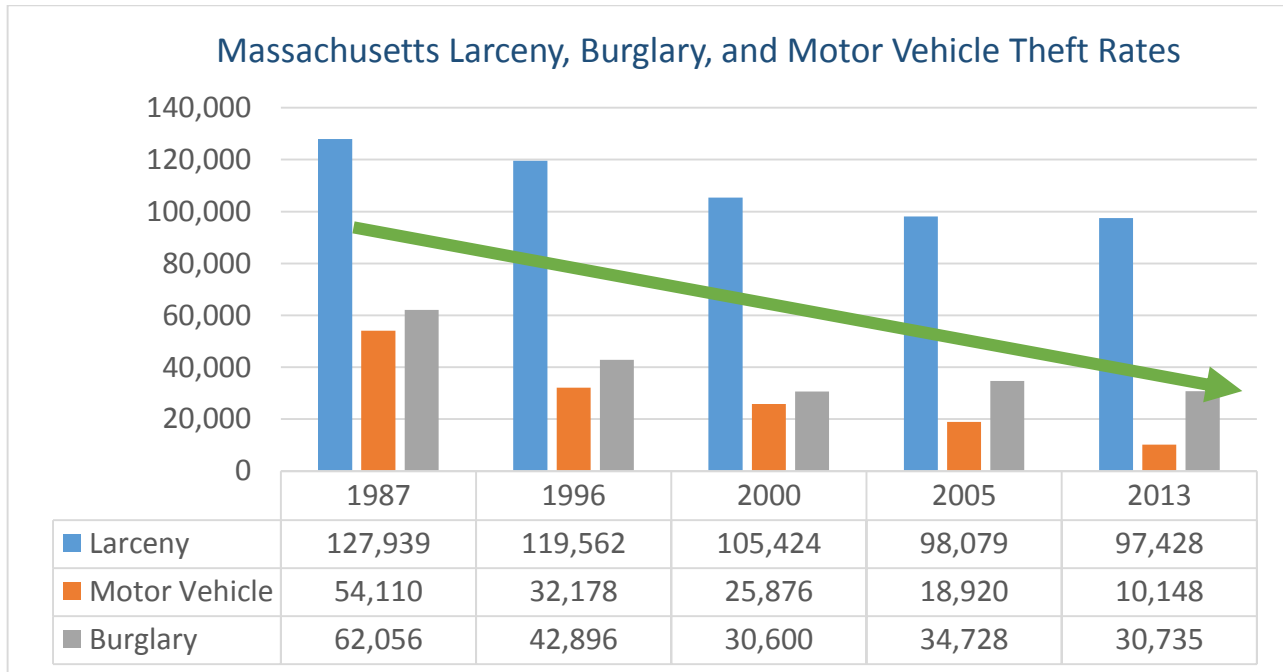
For more information, contact Pauline Quirion at Greater Boston Legal Services at 617-603-1554 or pquirion@gbls.org ; Lew Finfer at Jobs Not Jails at 617-470-2912 or lewfinfer@gmail.com ; Erin O'Leary at Neighbor to Neighbor at 508-579-2723 or erin@n2nma.org and Cassandra Bensahih at EPOCA at 508-287-8430 or cassandra.epoca@yahoo.com



RAISING THE THRESHOLD WILL NOT INCREASE CRIME

The argument that crime will increase if thresholds are increased is a myth and not backed by crime statistics.

- Research on 23 other states that increased felony thresholds from 2001 has shown that increasing thresholds does not increase crime in the long run. Pew Charitable Trust, The Effects of Changing State Theft Penalties (Feb. 2016). www.pewtrusts.org/research&analysis/the-effects-of-changing-state-theft-penalties
- Rates of larceny and other crimes in Massachusetts have decreased since the last time the felony threshold for larceny was increased from \$100 to \$250 in 1987. If the logic of the argument that this new bill will increase crime held true, larceny rates would not have decreased in Massachusetts.



Sources: MA State Police Uniform Crime Reports and MA Department of Corrections.

- The Pew study also found that threshold amounts do NOT correlate with crime rates. Florida has a low \$300 threshold and higher larceny rates than Pennsylvania which has a \$2500 threshold.
- There is no incentive to commit crime under SB 2176. The bill keeps warrantless arrest in place for shoplifting (G.L. c. 266, § 30A), and adds a new provision (G.L. c. 266, § 30(6)) for warrantless arrests for larceny. Jail sentences remain and fines are increased to reflect the new threshold.
- It strains credibility to claim that most people are aware of a felony threshold, let alone will fine-tune shoplifting to an amount below the threshold, especially if they are abusing substances.
- A recent newspaper article said theft increased in California in 2015. CA raised its threshold to \$950 in 2010 and its larceny rate decreased in 2011, increased in 2012 (but the rate was still lower than it was between 2005 and 2008 before the threshold increased) and the rates decreased again in 2013 and 2014. The Public Policy Institute of California has said the 2015 data was limited to 6 months and it is too early to know what caused the increase. Not all cities were included in the study and crime did not rise in all CA cities. Crime fluctuates and other factors affect crime rates. Policing and localized issues (e.g. longstanding problems with auto theft in CA) have an impact on crime.
- Some CA retailers in the same article said they felt vulnerable to organized crime rings because CA has no organized retail crime law and police don't bother to file complaints for misdemeanor thefts. This is not a problem for Massachusetts. We have an organized retail crime law (G.L. c. 266, § 30D) with 10 to 20 year prison terms and fines. Our police routinely file misdemeanor theft complaints.