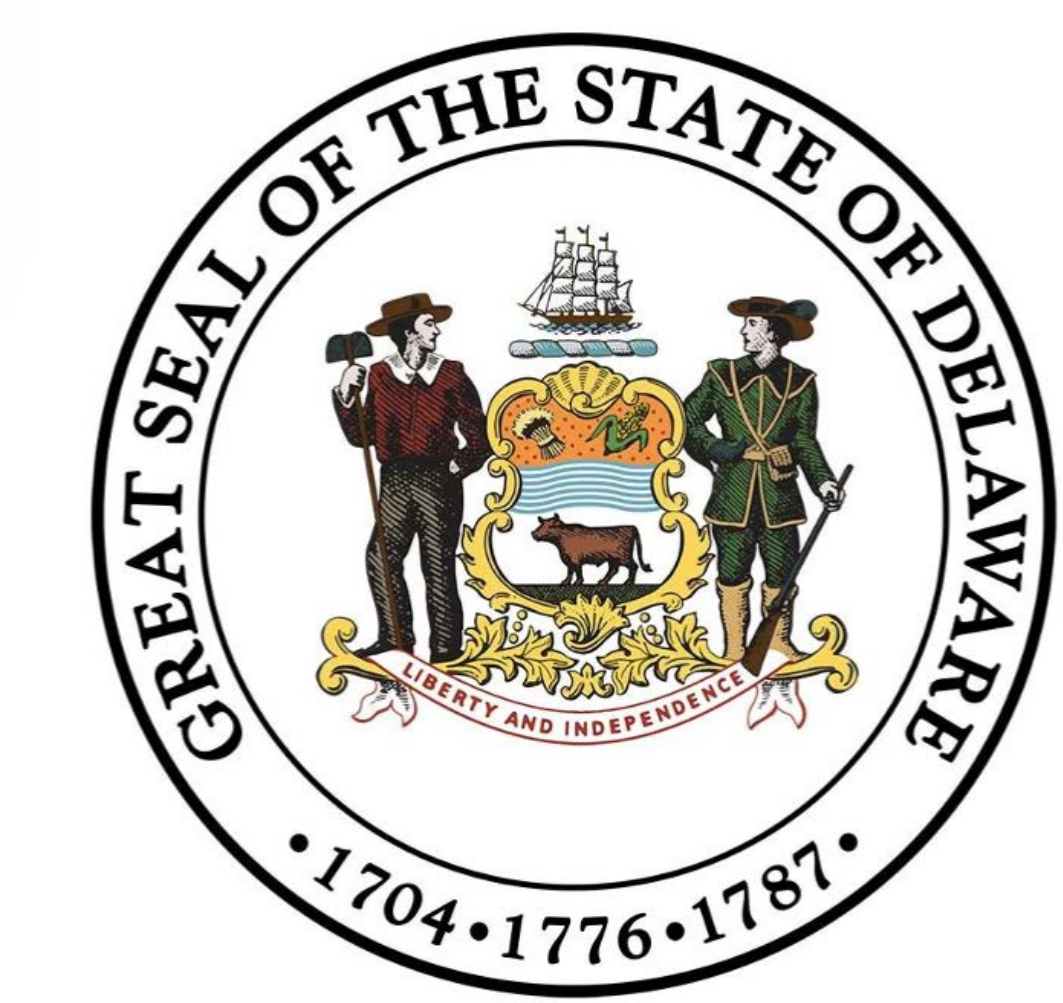
SCR 12: Retail Crime Prevention Task Force Final Report



Senator Bryan Townsend & Representative Cyndie Romer

Table of Contents

Introductory Letter from the Committee Chairs 2

Retail Crime Prevention Task Force Membership 3

Introduction 4

- Background and Charge 4
- Task Force Composition 5
- Scope of Review 5

Findings 6

- Organized Retail Crime 6
- Retail Crime Related to Mental Health and Substance Use 6
- Retail Crime Related to Economic Hardship 7
- Coordination Among Retailers, Law Enforcement, and Prosecutors 7
- Adjudication, Civil Recovery, and System Efficiency 8
- Evidence-Based Resource Allocation 8

Recommendations 9

- Organized Retail Crime 9
- Retail Crime Related to Mental Health and Substance Use 10
- Retail Crime Related to Economic Hardship 10
- Coordination Among Retailers, Law Enforcement, and Prosecutors 11
- Adjudication, Civil Recovery, and System Efficiency 11
- Evidence-Based Resource Allocation 12

Appendix 13

- Appendix 1. Retail Crime Prevention Task Force Meeting Minutes 13

Introductory Letter from the Committee Chairs

May 1, 2026

Members of the Delaware General Assembly:

Pursuant to Senate Concurrent Resolution No. 12 of the 153rd General Assembly, we respectfully submit the Final Report of the Retail Crime Prevention Task Force.

Over the past year and a half, the Task Force conducted a comprehensive review of retail theft and organized retail crime in Delaware. Through public meetings, expert testimony, data analysis, and stakeholder engagement, the Task Force examined the prevalence, causes, and impacts of retail crime, as well as the effectiveness of existing legal, enforcement, judicial, and social service responses.

The Task Force's work was guided by the General Assembly's recognition that retail crime takes multiple forms and is driven by varied underlying factors, including organized criminal activity, mental health and substance use disorders, and economic hardship. As such, the Task Force sought to develop balanced, evidence-based recommendations that enhance public safety, promote fairness, support Delaware workers and businesses, and reduce recidivism.

This report reflects the collective efforts of legislators, law enforcement officials, judicial representatives, executive branch agencies, business leaders, community stakeholders, and subject-matter experts. The Task Force extends its sincere appreciation to all members and participants who contributed their time, expertise, and insight.

We respectfully submit this report for your consideration and stand ready to provide any additional information or technical assistance that may be helpful as the General Assembly considers the Task Force's findings and recommendations.

Sincerely,

Bryan Townsend
State Senator, 11th District
Co-Chair

Cyndie Romer
State Representative, 25th District
Co-Chair

Retail Crime Prevention Task Force Membership

Senator Bryan Townsend (Co-Chair)
Delaware Senate, Majority Caucus

Representative Cyndie Romer (Co-Chair)
Delaware House of Representatives, Majority Caucus

Senator Gerald Hocker
Delaware Senate, Minority Caucus

Representative Ronald Gray
Delaware House of Representatives, Minority Caucus

Abby Rodgers
Designee for the Attorney General

Caitlin Gregory
Designee for the Chief Defender of the Office of Defense Services

Chief Judge Carl C. Danberg
Court of Common Pleas

Commissioner Terra Taylor
Department of Corrections

Major John Andrew Lloyd
Designee for the Colonel of the Delaware State Police

Chief Richard McCabe
Delaware Association of Chiefs of Police

Michael Quaranta
Delaware State Chamber of Commerce

Trisha Moses
Designee of the President of the Delaware Black Chamber of Commerce

Dr. Ronaldo Tello
Delaware Hispanic Chamber of Commerce

Julie Miro Wenger
Delaware Food Industry Council

Palash Gupta
Delaware Asian American Business Association

Dhrupal Patel
Kent County Small-Business Retailer

Eugene Johnson
New Castle County Small-Business Retailer

Susan Kehoe
Sussex County Small-Business Retailer

Kerry Ferriter
Representative of Mental Health Professionals with Experience in the Causes of or Treatment for Retail Theft

Barbie Fischer
Representative of Individuals with Experience in the Development or Implementation of Diversion Programs

Susan Brown
Delaware Association of School Administrators

Introduction

The Retail Crime Prevention Task Force was convened to study retail theft and organized retail crime in Delaware, assess current statutory and operational responses, and develop recommendations to improve prevention, enforcement, prosecution, and victim support. Through a series of public meetings, expert presentations, data reviews, and stakeholder discussions, the Task Force examined trends in retail theft, the effectiveness of existing laws, the impacts on retailers, workers, consumers, and the criminal legal system, and promising practices from Delaware and neighboring states.

Background and Charge

On January 29, 2025, the General Assembly passed Senate Concurrent Resolution 12 (SCR 12), sponsored by Senator Bryan Townsend and Representative Cyndie Romer. The resolution established the Retail Crime Prevention Task Force to examine the causes, impacts, and appropriate responses to retail crime in Delaware, and to develop recommendations for legislative, regulatory, operational, and judicial reform.

In creating the Task Force, the General Assembly recognized that:

- Delaware retail workers deserve to work in safe environments.
- Delawareans deserve to shop in safety and comfort.
- Retailers deserve to operate their businesses against a backdrop of laws and enforcement designed to deter retail crime and ensure effective response when it occurs.
- Retail crime in Delaware takes multiple forms, including organized retail crime, theft driven by mental health or substance use disorders, and theft driven by economic hardship.
- Different forms of retail crime require different policy responses, including coordinated efforts to dismantle organized retail theft networks and evidence-based interventions for individuals involved in lower-level theft.

The resolution directed the Task Force to conduct public, stakeholder-driven discussions and to recommend policy solutions that balance accountability, public safety, fairness, and prevention.

Task Force Composition

As established by SCR 12, the Task Force consisted of legislators, state agency leaders, judicial representatives, law enforcement officials, business and retail stakeholders, and public members, including representatives from the Delaware Department of Justice, Office of Defense Services, Court of Common Pleas, Department of Correction, Delaware State Police, business chambers, retail associations, mental health professionals, and diversion program experts. This broad membership ensured that the Task Force's work reflected diverse perspectives and professional expertise.

Scope of Review

The Task Force met several times between March 2025 and May 2026. Meetings included formal presentations, facilitated discussions, and public comment opportunities. Pursuant to SCR 12, the Task Force examined and developed recommendations related to:

- Organized retail crime, including its prevalence, impact, and strategies to enhance deterrence, prosecution, and restitution.
- Retail crime associated with mental health and substance use disorders, including opportunities to expand diversion and treatment.
- Retail crime related to individual economic hardship, including prevention and diversion strategies.
- Opportunities to strengthen coordination among retailers, law enforcement, and prosecutors, particularly regarding evidence collection, preservation, and information sharing.
- Opportunities to streamline adjudication, including the appropriate role of civil recovery.
- Investments in evidence-based programs that address the root causes of retail theft.

The Task Force found that while Delaware has taken important steps to address retail theft and organized retail crime, significant challenges remain. These include inconsistent prosecution outcomes, difficulties in evidence sharing, retailer participation in court, resource constraints within law enforcement and courts, and limited diversion and restorative options for low-level offenders. At the same time, evidence indicates that most incidents of retail theft are driven by economic hardship, addiction, or mental health challenges, while a smaller subset, though large in economic impact, involves organized criminal enterprises.

Findings

Pursuant to SCR 12, the Retail Crime Prevention Task Force makes the following findings. These conclusions are informed by data analysis, presentations, and testimony from law enforcement, the courts, retailers, workers, executive branch agencies, and community-based organizations.

Retail crime in Delaware presents a multifaceted challenge with impacts that vary across communities and stakeholders. The Task Force's work reflects a shared understanding that effective responses must balance accountability, public safety, and prevention, while recognizing the different factors that contribute to retail theft.

Organized Retail Crime

The Task Force finds that organized retail crime (ORC) presents a significant and evolving challenge in Delaware, particularly for retailers, workers, and law enforcement agencies responding to coordinated theft activity. The Task Force further finds that:

- Organized retail crime can result in substantial financial losses and safety concerns for retail workers and customers.
- Law enforcement agencies report that ORC cases often involve coordinated activity across jurisdictions inside and outside of Delaware, requiring enhanced collaboration and investigative resources.
- Retailers emphasized the operational and safety impacts of repeat and organized theft, including increased security costs and strain on employees.
- Existing legal tools, including aggregation of offenses, can be effective when applied consistently and with appropriate safeguards.
- Investments in technology, intelligence sharing, and interagency coordination can strengthen Delaware's ability to respond to organized retail crime.

Retail Crime Related to Mental Health and Substance Use

The Task Force finds that mental health and substance use challenges are significant contributing factors in many retail theft cases and require coordinated, treatment-oriented responses. The Task Force further finds that:

- Stakeholders across the system recognize that untreated behavioral health needs contribute to repeated involvement in retail theft.

- Retail workers and businesses continue to experience the direct impacts of these incidents, including safety concerns and workplace disruption.
- Delaware's diversion and restorative justice programs have demonstrated strong outcomes, including high completion rates and reduced recidivism.
- Access to treatment and recovery services remains uneven, particularly across different regions and stages of the justice process.
- Strengthening coordination between the criminal legal system and behavioral health providers can improve both public safety and individual outcomes.

Retail Crime Related to Economic Hardship

The Task Force finds that economic instability contributes to certain instances of low-level retail theft and underscores the importance of prevention-oriented strategies. The Task Force further finds that:

- Factors such as unemployment, housing instability, and food insecurity can increase the likelihood of low-dollar retail theft.
- Community organizations and service providers highlighted the importance of addressing underlying economic needs to reduce repeat offenses.
- Retailers and workers emphasized the cumulative impact of frequent low-level theft on store operations and employee well-being.
- Early intervention strategies, particularly for first-time offenders, can reduce the likelihood of continued system involvement.
- Workforce development, employment access, and social service connections are important components of long-term prevention.

Coordination Among Retailers, Law Enforcement, and Prosecutors

The Task Force finds that strong coordination among retailers, law enforcement, and prosecutors is essential to improving outcomes in retail theft cases. The Task Force further finds that:

- Stakeholders identified inconsistencies in evidence collection, documentation, and submission practices across jurisdictions and retailers.
- Delays in receiving surveillance footage and supporting materials can impact charging decisions and case timelines.
- Retail employees often face challenges participating in court proceedings due to scheduling and operational constraints.

- Technology solutions, including digital evidence-sharing platforms, can significantly improve efficiency and consistency.
- Ongoing collaboration, communication, and training among stakeholders can strengthen partnerships and improve case outcomes.

Adjudication, Civil Recovery, and System Efficiency

The Task Force finds that improving system efficiency while maintaining fairness is critical to addressing retail theft effectively. The Task Force further finds:

- The court process can be resource-intensive for retailers, employees, law enforcement, and the judiciary, particularly in lower-level cases.
- Court scheduling innovations, such as designated retail theft calendars, have shown promise in improving participation and efficiency.
- Diversion and restorative justice programs provide effective alternatives to traditional prosecution in appropriate cases.
- Civil recovery tools may play a role in addressing certain cases when applied transparently and fairly.
- Streamlined processes can reduce burdens on all parties while preserving due process and accountability.

Evidence-Based Resource Allocation

The Task Force finds that aligning resources with evidence-based strategies can strengthen Delaware's overall response to retail crime. The Task Force also finds that:

- Delaware has made meaningful investments in both enforcement and prevention strategies addressing retail crime.
- Targeted enforcement of organized retail crime remains an important component of public safety efforts.
- Programs addressing behavioral health and economic stability contribute to reductions in repeat offenses over time.
- Stakeholders expressed broad support for continued investment in diversion, treatment, and workforce-related programs.
- Improved data collection and analysis can support more informed decision-making and ongoing evaluation of policy effectiveness.

Recommendations

Organized Retail Crime

Based on its findings regarding organized retail crime, the Task Force recommends the following:

- **Prioritize enforcement on organized networks and repeat offenders:** Encourage the Department of Justice and Delaware State Police to continue prioritizing investigative and prosecutorial resources on individuals, groups, and online resale operations engaged in coordinated, large-scale theft and resale activity.

- **Refine and clarify case aggregation practices:** Support continued use and refinement of aggregation strategies already employed by the Department of Justice (DOJ) to bundle repeat organized retail theft offenses into single prosecutorial actions when appropriate, while preserving case-by-case discretion and avoiding aggregation of low-level, survival-driven shoplifting by individuals.

- **Enhance intelligence sharing through existing systems:** Expand use of the Delaware Information and Analysis Center (DIAC) and similar tools to facilitate real-time information sharing between retailers, law enforcement, and prosecutors.

- **Improve retailer participation in reporting and investigations:** Strengthen outreach via chambers of commerce, trade associations, and industry groups to increase reporting participation among small and mid-sized retailers. Many smaller businesses lack the capacity or familiarity with reporting tools and would benefit from additional guidance and engagement.

- **Support retailer security infrastructure:** Explore grant programs or public-private partnerships to assist smaller retailers in adopting effective security measures such as surveillance systems and inventory protection technology.

- **Monitor organized retail theft legislation in neighboring states:** Closely monitor recent legislation and enforcement strategies in Pennsylvania and New Jersey related to organized retail theft. These changes may influence organized retail crime patterns and activity in Delaware.

- **Expand specialized retail theft units**: Explore options to implement specialized retail theft investigative units within each of the Delaware State Police criminal investigative sections, recognizing the potential value of dedicated investigative capacity.

Retail Crime Related to Mental Health and Substance Use

Based on its findings regarding retail crime related to mental health and substance use, the Task Force recommends the following:

- **Expand restorative justice and diversion services statewide:** Support continued expansion of community-based mediation, restorative justice programs, and problem-solving court models that divert appropriate cases from prosecution and reduce recidivism.
- **Address barriers to diversion participation:** Work with retailers and corporate entities to identify and reduce policy barriers that prevent eligible cases from being referred to diversion or restorative justice programs.
- **Improve tracking of diversion and civil citation outcomes:** Develop a centralized system to track participation, completion, and restitution outcomes for diversion and civil citation programs.
- **Strengthen coordination with behavioral health services**: Expand connections between diversion programs and mental health and substance use treatment providers to address underlying causes of repeat offenses.
- **Ensure victim involvement in alternative resolutions:** Maintain and strengthen processes that incorporate victim input and restitution into diversion and restorative justice outcomes.

Retail Crime Related to Economic Hardship

Based on its findings regarding retail crime related to economic hardship, the Task Force recommends the following:

- **Integrate employment and support services into diversion programs:** Expand existing diversion models to include connections to employment services, workforce training, and financial support resources.
- **Prioritize early intervention for low-level offenses:** Encourage use of diversion, civil citation, and mediation programs for first-time and low-level offenders to prevent escalation and long-term system involvement.
- **Expand youth-focused prevention strategies:** Support partnerships with schools, after-school programs, and community organizations to address youth retail theft driven by impulsivity and lack of engagement.

- **Review unintended consequences of enforcement tools:** Evaluate store bans and civil recovery practices to ensure they do not create barriers to essential goods or disproportionately impact vulnerable populations.
- **Support community-based prevention efforts:** Invest in local organizations providing mentoring, reentry support, and services to individuals at risk of engaging in retail theft.

Coordination Among Retailers, Law Enforcement, and Prosecutors

Based on its findings regarding coordination among retailers, law enforcement, and prosecutors, the Task Force recommends the following:

- **Standardize digital evidence submission:** Continue expansion and refinement of platforms such as Axon to ensure consistent and timely submission of surveillance footage and associated electronic evidence.
- **Improve notification and communication systems:** Modernize notification processes to ensure that businesses and individual witnesses receive timely court notices, addressing challenges caused by employee turnover, shift changes, and outdated contact practices. Utilize subpoenas where appropriate to ensure witness participation and reduce avoidable case dismissals.
- **Develop retailer-friendly case tracking tools:** Explore options to provide retailers with secure, user-friendly access to case status information without compromising data protections.
- **Provide clear guidance and training for retailers:** Develop resources to be distributed through DIAC and other law enforcement processes to educate retailers on standardized guidance pertaining to evidence collection, documentation, and reporting.
- **Expand outreach communication efforts:** Continue retail industry outreach through DIAC, legislative communications, the chambers of commerce, trade associations, State Division of Small Businesses, and retail industry organizations to improve awareness of reporting processes and available tools.
- **Implement time-tracking for industry-funded DOJ positions:** Develop and implement time-accounting processes for deputy attorneys general funded by retailers modeled on existing attestation practices used for other externally funded positions.

Adjudication, Civil Recovery, and System Efficiency

Based on its findings regarding adjudication, civil recovery, and system efficiency, the Task Force recommends the following:

- **Expand use of dedicated retail theft court calendars:** Support continued implementation of designated retail theft calendars ("theft weeks") to improve efficiency and increase retailer participation.
- **Improve early case triage and resolution:** Encourage earlier review of cases to identify those appropriate for diversion or resolution, reducing unnecessary court involvement and continuances.
- **Address discovery-related delays:** Continue improving timely submission of evidence to reduce dismissals and delays caused by incomplete discovery.
- **Review and clarify civil recovery practices:** Reevaluate Delaware's civil recovery framework to improve usability and fairness, including establishing clear policies to avoid duplicative recovery by confirming whether retailers are pursuing civil remedies prior to prosecution and limiting overlapping criminal charges where appropriate.
- **Assess opportunities for remote participation:** Explore the use of remote tools where feasible, while recognizing constitutional requirements related to witness testimony.

Evidence-Based Resource Allocation

Based on its findings regarding evidence-based resource allocation, the Task Force recommends the following:

- **Invest in justice system technology modernization:** Prioritize upgrades to systems such as the Judicial Information Center and support development of more user-friendly platforms for tracking and communication.
- **Support implementation of new statewide systems:** Monitor and support rollout of emerging systems such as "Cascade" to improve data access and coordination across agencies.
- **Address staffing and capacity constraints:** Provide additional resources to DOJ, courts, law enforcement, and defense services to manage high-volume caseloads more effectively.
- **Expand data collection and transparency:** Improve statewide data tracking on retail theft, diversion outcomes, restitution, and recidivism to inform policy decisions.
- **Align resources with proven outcomes:** Continue investing in strategies that demonstrate effectiveness, including diversion programs, mediation—such as increasing funding and extending eligibility to felony shoplifting cases—to further reduce recidivism.

Appendix

Appendix 1. Retail Crime Prevention Task Force Meeting Minutes

Retail Crime Prevention Task Force
Monday, March 3, 2025
9:30 a.m. – 11:30 a.m.
Senate Hearing Room/Virtual Meeting
Meeting Recording Available at:
https://legis.delaware.gov/TaskForceMeetingDetail?taskForceMeetingId=30803

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Representative Cyndie Romer, Co-Chair
Representative Ron Gray
Chief Judge Carl C. Danberg, Court of Common Pleas
Julie Miro Wenger, Delaware Food Industry Council
Trisha Moses, Delaware Black Chamber of Commerce
Colonel William Crotty, Delaware State Police
Terra Taylor, Delaware Department of Correction
Michael Quaranta, Delaware State Chamber of Commerce
Chief Richard McCabe, Delaware Association of Chiefs of Police
Eugene Johnson, Public Member
Palash Gupta, Delaware Asian American Business Association
Abby Rodgers, Attorney General
Susan Kehoe, Public Member
Kerry Ferriter, Public Member
Alanna Mozeik, Office of Defense Services

Meeting Agenda:

The meeting was called to order at 9:35am. A quorum was met, with 16 out of 20 appointed members in attendance. Task force co-chairs Senator Townsend and Representative Romer delivered opening remarks.

I. Introductions

Members introduced themselves with their names and affiliations:

A. Representative Ron Gray
B. Chief Judge Carl C. Danberg, Court of Common Pleas
C. Julie Mirowenger, Delaware Food Industry Council

D. Trisha Moses, Delaware Black Chamber of Commerce
E. Colonel William Crotty, Delaware State Police
F. Terra Taylor, Delaware Department of Correction
G. Michael Quaranta, Delaware State Chamber of Commerce
H. Chief Richard McCabe, Delaware Association of Chiefs of Police
I. Eugene Johnson, Public Member
J. Palash Gupta, Delaware Asian American Business Association
K. Abby Rodgers, Attorney General
L. Susan Kehoe, Public Member
M. Kerry Ferriter, Public Member
N. Alanna Mozeik, Office of Defense Services

II. Task Force Goals

The following goals were identified through an open dialogue with task force members:

A. Address retail crime through legislative awareness and broader collaboration
B. Separate different drivers of retail crime (organized crime vs. individual theft)
C. Understand root causes of retail theft
D. Explore diversion programs and social services
E. Improve collaboration between retailers, law enforcement, and judicial system
F. Enhance prosecution and prevention strategies

III. Review of Recent Efforts

Recent initiatives include the creation of the Delaware Information and Analysis Center (DIAC), which provides a system for retailers to upload evidence. Some local police departments have developed innovative community outreach programs to address underlying issues. The Department of Justice has been working to aggregate cases and target repeat offenders. However, significant challenges remain, including inconsistent prosecution, staffing shortages, difficulties in getting retailers to appear in court, and complex evidence sharing processes.

IV. Discussion of Timetable

The task force plans to continue holding regular meetings, with a focus on gathering input from participants to develop a comprehensive approach to retail crime prevention. They will work on creating a formal agenda for future meetings and explore technological solutions to improve information sharing and prosecution. The group is committed to continuously assessing and refining their strategies to effectively address retail crime in Delaware.

V. Public Comment

There was no public comment during this meeting.

The meeting was adjourned at 11:30 am.

Retail Crime Prevention Task Force
Monday, June 30, 2025
10:00 a.m. – 12:00 p.m.
Senate Hearing Room/Virtual Meeting
Meeting Recording Available at:
https://legis.delaware.gov/TaskForceMeetingDetail?taskForceMeetingId=30826

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Representative Cyndie Romer, Co-Chair
Senator Gerald Hocker
Representative Ronald Gray
Abby Rodgers, Attorney General
Alanna Mozeik, Office of Defense Services
Terra Taylor, Department of Corrections
Chief Richard McCabe, Delaware Association of Chiefs of Police
Trisha Moses, Delaware Black Chamber of Commerce
Julie Mirowenger, Delaware Food Industry Council
Palash Gupta, Delaware Asian American Business Association
Dhrupal Patel, Kent County Retailer
Susan Kehoe, Sussex County Retailer
Kerry Ferriter

Meeting Agenda:

The meeting was called to order at 10:10am. A quorum was met, with 14 out of 20 appointed members in attendance. Task force co-chair Senator Townsend provided opening remarks.

I. Welcome

Senator Townsend noted that outreach to the Hispanic Chamber of Commerce and New Castle County for participation in the task force is ongoing. The group discussed filling open task force seats, considering both large and small retailers for balanced representation.

II. Group Discussions

The following topics were addressed during the group discussion:

A. Security Technology and Evidence Sharing

Retailers reported that they are using security cameras and license plate readers (LPRs) to deter and investigate theft. The Food Industry Council conducted a survey on security systems, and the results were shared with the State Police. LPRs have proven effective but are expensive, and collaboration with commercial landlords is needed to expand coverage. A new process now allows retailers to upload video evidence directly to the State Police and Department of Justice, which has improved efficiency. Some municipalities are using QR codes to facilitate direct video uploads. The group discussed best practices for camera formats and emphasized the need for clearer communication to retailers, especially small businesses.

B. Challenges for Small Businesses

The task force acknowledged that smaller retailers may lack the resources for advanced security systems. The responsiveness of commercial property owners to tenant security needs varies widely. Chambers of commerce and business associations can help by disseminating best practices and vendor recommendations to their members.

C. Training and Employee Turnover

High employee turnover and seasonal employment make consistent training difficult for many retailers. Retailers are using national online training resources, and chambers are distributing information about training opportunities. The group discussed the need for guidelines for new business owners and for young or seasonal employees.

D. Civil Recovery and Merchant Penalties

Delaware law allows civil recovery for theft, but collecting penalties is difficult and often not pursued by retailers. Civil recovery is sometimes used as a tool to bar offenders from stores rather than to recover money. Concerns were raised about unintended consequences, such as creating food deserts if offenders are banned from stores. The group agreed to revisit and potentially revise the civil recovery statute in the fall.

E. Organized Retail Crime

Organized retail theft remains a primary concern, with most offenders being in-state repeat offenders. The Department of Justice and State Police are tracking cases, but data collection processes are still being improved. There have been few successful prosecutions of organized retail theft cases in recent years. The task force identified a need for additional resources to investigate and prosecute online sales of stolen goods.

III. Public Comment

Kenneth Allen, a member of the public, shared a personal experience witnessing shoplifting and expressed support for a three-strikes policy to prevent repeat offenders from entering stores.

Meryem Dede, representing Tide Shift Justice, noted there is a lack of coordination and tracking between civil demand letters sent by retailers and the criminal justice system, often resulting in confusion about whether payments have been made. She also emphasized that substance use disorder is a primary driver of shoplifting and retail crime, and called for the task force to consider treatment options and support for individuals struggling with addiction.

The meeting was adjourned at 11:42pm.

Appendix

Retail Crime Prevention Task Force Discussion Questions

For Retailers:

Security Practices

- Do you use security cameras?
- How is video shared with law enforcement?

Staffing and Employee Training

- What training do employees receive on managing theft or aggression?
- Would continued education or joint training with law enforcement be helpful?

Court Process and Diversion

- What is your business's policy on participating in mediation or diversion programs?
- Do you typically consent to participate in eligible cases?
- Have you experienced subpoena issues (e.g., wrong address, home vs. workplace delivery)?
- How do you learn when staff are required to appear in court?

Civil Recovery Practices

- Do you send civil demand letters, even during active criminal cases?
- Is this handled internally or via external counsel?
- What percentage of recipients typically pay?

Reporting and Trends

- How many shoplifting incidents did you report in 2022, 2023, and so far in 2024?
- Are there barriers that discourage reporting?

For Law Enforcement:

Evidence Collection and Technology

- How is evidence collected from retailers?
- What is the process for sharing digital evidence with DOJ?
- Would a secure cloud-based system or electronic subpoena process improve efficiency?

Diversion and Youth Intervention

- What is your policy for referring youth to the Juvenile Civil Citation Program?
- What diversion programs exist, including pre-arrest options?
- Have SROs or school-based programs been used for education or prevention?

Coordination and Specialized Units

- What is your experience with specialized units (e.g., Retail Theft Unit at Troop 6)?
- Should these units be expanded statewide?
- Is there a need for more DIAC analysts or cybersecurity personnel to address online resale of stolen goods?

Training and Charging Practices

- Do officers receive ongoing training in retail crime enforcement?
- Are they equipped to aggregate charges or add assault charges when appropriate?

Policy Discussion:

- Would reducing the felony theft threshold (e.g., from $1,500 to $1,000) be appropriate?
- Are there promising practices from other states (e.g., PA's three strikes law, NJ's look-back policy, retail worker protection laws) worth considering?
- What additional resources or policy shifts would improve your ability to prevent and respond to retail crime?

Retail Crime Prevention Task Force
Wednesday, September 3, 2025
1:15 p.m. – 3:30 p.m.
Senate Hearing Room/Virtual Meeting
Meeting Recording Available at:
https://legis.delaware.gov/TaskForceMeetingDetail?taskForceMeetingId=30831

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Representative Cyndie Romer, Co-Chair
Representative Ronald Gray
Abby Rodgers, Attorney General
Kerry Ferriter, Public Member
Alanna Mozeik, Office of Defense Services
Julie Miro Wenger, Delaware Food Industry Council
Trisha Moses, Delaware Black Chamber of Commerce
Barbie Fischer, Public Member
Susan Brown, Delaware Association of School Administrators
Andrew Llyod on behalf of Colonel William Crotty, Delaware State Police
Whitney Frame on behalf of Chief Judge Carl C. Danberg, Court of Common Pleas

Meeting Agenda:

The meeting was called to order at 1:15 p.m. A quorum was met, with 12 out of 20 appointed members in attendance. Task force co-chair Senator Townsend provided opening remarks.

I. Welcome

Senator Townsend welcomed Susan Brown, the new Executive Director of the Delaware Association of School Administrators, to the task force.

II. Presentation by Tide Shift Justice Project

Meryem Dede introduced the Tide Shift Justice Project, a Delaware nonprofit organization that focuses on criminal legal system reform. Their presentation aimed to provide a comprehensive overview of retail crime approaches in Delaware, focusing on rehabilitation and understanding root causes. The following topics were addressed during the presentation:

1. Delaware's Current Laws

   Tiffany Anders from the Office of Defense Services provided an overview of Delaware's laws governing retail crime. They explained that shoplifting in Delaware is classified as a misdemeanor if the value of goods taken is under $1,500, and as a felony if it exceeds that amount. Organized retail crime is similarly defined, with the distinction that it involves taking items not intended for personal use, often for resale. The presenters also clarified that more aggressive acts, such as "smash and grab" incidents, are prosecuted under burglary statutes, which are felonies regardless of the value stolen.

2. Felony Thresholds

   DeRay Mckesson from Campaign Zero discussed how Delaware's felony threshold compares to neighboring states, noting that Delaware's $1,500 threshold is in the middle range nationally. For example, Maryland's threshold is $2,100, Pennsylvania's is $2,000, and New Jersey's is much lower at $200. He referenced Pew Research studies showing that when other states raised their felony theft thresholds, there was no corresponding increase in property crime rates, challenging the notion that higher thresholds encourage more crime.

3. Restorative Justice Programming

   Barbie Fisher described the restorative conferencing program run by the Delaware Center for Justice. The program, which has operated since 1996, offers mediation and alternative case resolution for both youth and adults charged with shoplifting and related offenses. The process involves bringing together offenders and victims to discuss the impact of the crime and agree on steps for accountability and repair, such as restitution, no-contact orders, and completion of a shoplifting prevention course. The program boasts a completion rate of over 95% and is designed to address the root causes of shoplifting, such as financial hardship and mental health challenges. They also shared data indicating that most people who shoplift do so because they lack the money to pay for items, and the program connects participants to employment services and other resources as needed.

   The presentation also addressed the limitations of restorative justice programs, such as corporate policies that sometimes prevent diversion and the challenges of tracking recidivism due to data access restrictions. The presenters emphasized the importance of expanding these programs and ensuring that victims' voices are included in the process.

4. Recommendations

   The presenters encouraged the task force to focus enforcement efforts on organized retail crime networks and those profiting from large-scale theft, rather than individuals who steal out of need or desperation. They highlighted the need for better communication and

notification processes between courts, prosecutors, and victims, and suggested that improvements in these areas could lead to more effective and equitable outcomes in retail crime cases.

III. Group Discussion

The following topics were addressed during the group discussion:

A. Notification and Communication Issues

The task force discussed the dual roles that victims often play, serving as both the victim and a key witness, and explored how this duality complicates communication and notification efforts. The retailers described how notification requirements have evolved from being sent to a corporation's registered address to being sent to the home address of the individual who witnessed the incident. When such witnesses are no longer employed, notification falls back to the business owner, which can undermine the process, especially since employee turnover in retail is high.

B. Civil Citations and Diversion Programs

The task force discussed civil citations and officer communications concerning juvenile shoplifting. It was clarified that youth rehabilitative services are primarily responsible for facilitating the communication, with officers mainly being notified only if a civil citation is incomplete and an arrest becomes necessary. However, officers often struggle to track civil citation outcomes, and there is no centralized system to streamline this process.

They also discussed the nuances in civil citations and diversion programs. It was noted that while successful completion of diversion programs typically results in restitution for victims, tracking whether restitution is actually paid poses significant challenges. Additionally, mental health and substance abuse problems complicate the process, partly due to privacy laws that limit information sharing.

C. Technology and System Improvements

The task force discussed the need for technology improvements to enhance communication and tracking in the criminal justice system. Many problems stem from outdated justice system technology, particularly the Judicial Information Center (JIC), which is difficult to use and was never designed for today's communication and tracking needs. They discussed how incremental upgrades and a more user-friendly platform could make a meaningful difference, but recognized that such changes require significant investment.

D. School-Based Interactions and Prevention Strategies

The task force examined the roles that after-school programs, school resource officers, and community partnerships play in deterring juvenile retail crime. It was noted that offenses committed by school-aged children are typically the result of impulsivity and boredom rather than coordinated trends. The group suggested that enhancing after-school opportunities and youth engagement could be effective preventive measures. They recognized that while instituting broader societal changes such as longer school hours may fall outside their direct purview, their impact on retail crime prevention should not be ignored.

IV. Public Comment

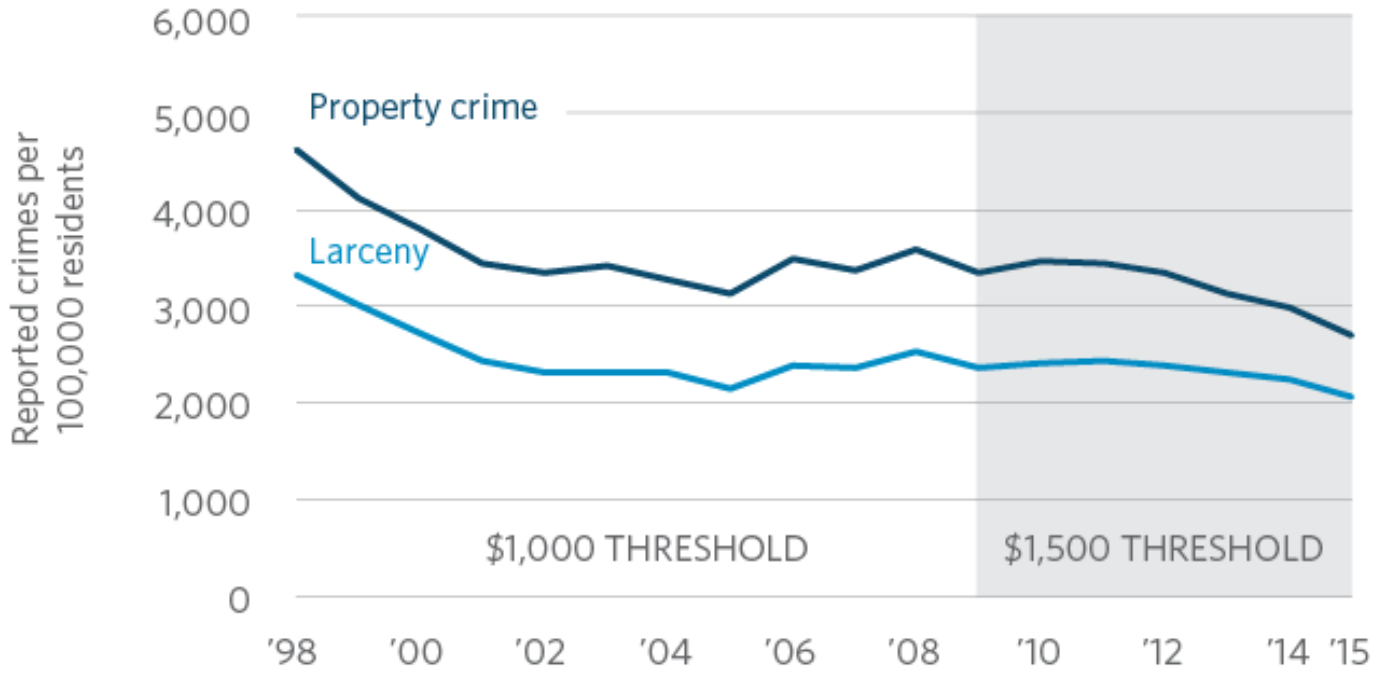
There was no public comment offered during this meeting.

The meeting was adjourned at 3:30 p.m.

Figures 6G

Trends in Property Crime and Larceny Rates in the 30 States That Raised Felony Theft Thresholds Between 2000 and 2012

6G – Delaware



Notes: Shaded areas indicate the period after each state's policy change. Old and new thresholds are shown for each state.

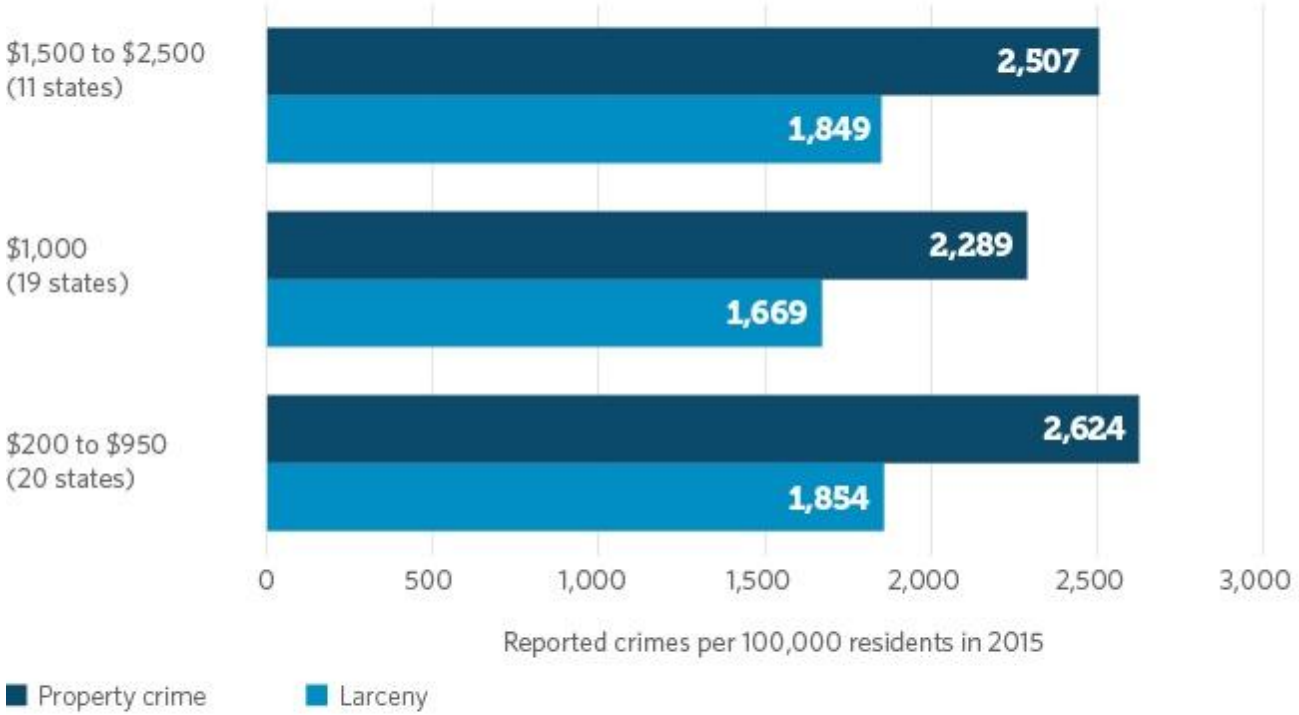
Source: Federal Bureau of Investigation, *Crime in the United States* series, 1998-2015

© 2017 The Pew Charitable Trusts

Figure 5

Felony Theft Values Are Unrelated to Property Crime and Larceny Rates

States report similar crime rates regardless of thresholds



Notes: Pew conducted a linear correlation test to determine whether property crime and larceny rates in 2015 were higher in states with higher felony theft thresholds. The analysis included no control variables and found no statistically significant correlation using the standard threshold of 0.05.

Source: Pew's analysis of data from the Federal Bureau of Investigation, *Crime in the United States*, 2015

© 2017 The Pew Charitable Trusts

AGE RANGES

Total # of Cases

YEAR	YOUTH (Under 18 yo)	YOUNG ADULT (BTW 18-26 yo)	ADULT (Over 26)	TOTAL
2015	68	207	661	936
2016	183	512	1234	1929
2017	135	368	1217	1720
2018	118	322	1250	1690
2019	95	305	1286	1686
2020	48	150	697	895
2021	34	149	794	977
2022	35	223	1133	1391
2023	67	190	1195	1452
2024	95	219	1425	1739
2025	46	153	1072	1271
Yr avg.	84	254	1088	1426

Tide Shift Justice Project - Recommendations to the Retail Crime Prevention Task Force
3.10.2025, updated 9.3.2025

Tide Shift Justice Project is a nonprofit focused on working on issues relevant to Delaware's criminal legal system. We aim to decrease the role and size of Delaware's carceral and criminal legal systems and to innovate for fair and responsive government practices. We respectfully make the following recommendations for speakers and data requests to strengthen and inform the work of Delaware's Retail Crime Prevention Task Force.

Proposed Speakers (confirmed that available and able to present):

- **Kate Burdick, Senior Attorney, Juvenile Law Center**, https://jlc.org/
  - kburdick@jlc.org
  - Presentation to focus on youth crime from a national perspective and trends in shoplifting/theft among youth around the country. Juvenile Law Center was founded in 1975 as the first nonprofit, public interest law firm for children in the country, and they continue to work around the country for rights, dignity, equity and opportunity for youth.
  - *N.B.* Will need to be scheduled for one of the later in the year meetings due to personal schedule.
- **Coley Harris, Mike Bartley, Home Teams Chosen Ones, https://www.facebook.com/hometeamschosenones**
  - coley@dfrsde.org; mlbartley98@gmail.com
  - Presentation on youth mentoring and diversion services and perspective sharing from people who have had direct criminal legal system involvement.
  - *N.B.* There are currently no task force members with lived experience in the criminal legal system. Coley and Mike are both previously-incarcerated, and Home Teams Chosen Ones is run exclusively by men with lived-experience.
- **Abigail Layton, Delaware Department of Justice**
  - Overview of prosecutions, start to finish, including how the DOJ handles discovery and Confrontation Clause requirements for successful prosecutions
- **Liz Jaconi, Assistant Public Defender, New Castle County Court of Common Pleas Unit**
  - CCP is the main court of jurisdiction for the cases this task force is studying. Ms. Jaconi can speak in great detail and expertise on how these cases are handled and the typical needs of clients who are charged with theft and shoplifting-related crimes. She has been a PD in the CCP unit of NCC for around 10 years, and at any time represents several hundred defendants, representing roughly 400-600 cases/year. Of those, a large percentage are theft and shoplifting-related charges.

Proposed Speakers (not confirmed that available):

- Chief Judge Carl Danberg, Court of Common Pleas ("CCP")
  - Overview of the criminal legal system and constitutional rights, including how cases are filed, discovery deadlines, and the process for *nolle prosequis* and Rule 48(b) dismissals. Overview of diversion courts that are handled by CCP, including CCP Mental Health Court (which he previously ran), Drug Diversion, and Community Court.

- Minda Thompson, Statewide Problem-Solving Courts Coordinator, Administrative Office of the Courts
    - Minda previously ran CCP's Community Court during its initial inception and creation and has deep knowledge of that program. In her present position, she is over charge of all the state's "problem-solving courts," which includes Mental Health Court, Drug Diversion, Veteran's Treatment Court, and Community Court.
- Donna Pugh, Statewide Juvenile Civil Citation Coordinator, DSCYF
    - Presentation on DSYCF's Juvenile Civil Citation Program, a pre-arrest diversion program for youth who have committed an eligible misdemeanor offense. In lieu of an arrest, the program offers law enforcement the option of issuing the youth a civil citation and referral to DSYCF for case management and support.

Data requests – to DELJIS:

For shoplifting (11 *Del. C.* §840), theft (11 *Del. C.* §841), theft organized retail crime (11 *Del. C.* §841B), receiving stolen property (11 *Del. C.* §851), selling stolen property (11 *Del. C.* §852A), or possession of shoplifter's tools (11 *Del. C.* §860), we ask for the following data:

- For the time period of 2019, (skipping 2020 as an outlier year), 2021, 2022, 2023, and 2024*:
    - How many arrests were made for each offense (delineating misdemeanors and felonies), broken down by county and police department?
        - What were the race and gender of the arrestees?
        - How many were under 18, 19-25, or over 26?
    - How many convictions for each offense (delineating misdemeanors and felonies) were there?
        - What were the race and gender of the defendants?
        - How many were under 18, 19-25, or over 26?
    - How many cases resulted in the prosecution filing a notice of *nolle prosequi*, and what were the "NP codes" used in each?
    - How many cases were dismissed under Rule 48(b)?
    - How many cases received probation before judgment?
    - How many arrests were a first arrest versus how many people had been previously arrested?
    - How much restitution was ordered in these cases and how much remains to be paid?
    - How many cases were referred to the Court Mediation Program? How many cases successfully completed the Court Mediation Program?
    - How many cases entered CCP's Community Court program? How many cases successfully completed the CCP Community Court Program?
    - How many cases were referred to the Juvenile Civil Citation program? How many cases successfully completed the program? Of the successful completions, how many are later arrested for another crime?
    - How many cases entered Drug Diversion Court? How many cases successfully completed the program?
        - *N.B.* We expect this to be very low.

    - How many cases entered Mental Health Court? How many cases successfully completed the program?
        - *N.B.* We expect this to be even lower.

*If it's necessary to look at a smaller data set, perhaps 2019 and 2024.

Data requests – to retailers/chambers of commerce within the task force:

- Does your business use security cameras? If so, how do you share security footage with police?
- What is your store's policy for participating in the court's mediation program and similar programs? Do you consent to participate when you've had eligible defendants steal from your store?
- How many security personnel do you currently have employed?
- How do you train employees to handle theft incidents?
- Do you send civil settlement demands to defendants, even when they're already being prosecuted? If so, what law firm do you use to send them and how many defendants pay the demands?
- How many shoplifting and theft-related crimes has your store reported to the police in 2022, 2023, and 2024, respectively?
- What is your store's policy for employees attending trial dates for cases resulting from shopliftings and thefts from your store?
- When you have had a shoplifting or theft from your store, how did you know when you/your employee needed to appear for court?

Data requests - to law enforcement:

- How do you collect security footage from victim retailers?
- How do you share discovery/video evidence with the Department of Justice?
- What is your written policy on referring cases to the Juvenile Civil Citation program?
- What diversion programs does your department offer? Are any pre-arrest? Please share.

Restorative Conferencing Shoplifting Cases

Delaware Title 11, Ch. 95 recognizes that resolving felony, misdemeanor, and juvenile offenses in court is costly, complex, and adversarial, while victim-offender alternative case resolutions can provide a more informal, cooperative forum.

The Delaware Center for Justice's Restorative Conferencing (mediation) Program is the state's primary alternative case resolution model under this code. Established in the mid-1990s and continually adapted under the guidance of the Victim-Offender Mediation Program (VOMP) Committee, it is grounded in Restorative Justice values.

The program provides a safe, structured setting where people harmed by crime (victims) can directly address those who caused harm (defendants). With the support of a trained facilitator, participants work toward accountability, healing, and repair by creating an Accountability Agreement. The goal is to hold the responsible party accountable while empowering those harmed to have their needs heard and addressed. If the person who caused harm adheres to their Accountability Agreement their case is dropped (nolle prosed) by the court.

The Victim-Offender Alternative Case Resolution (VOMP) Committee determines what cases are eligible for Restorative Conferencing. The current approved charges for the program are:

Adult Cases
(Per Court of Common Pleas Criteria)
Assault 2nd and 3rd Degree
Attempt to Commit Crime
Conspiracy
Criminal Mischief
Criminal Nuisance/Graffiti
Criminal Trespassing 1st, 2nd, and 3rd
Disorderly Conduct
Domestic Violence—non-intimate partners.
Dog at Large/ Dog Inoculation
Endangering the Welfare of a Child (case by case basis)
Entering a Liquor Store/Tavern Illegally
Forgery
Harassment
Home Improvement Fraud
Issuing a Bad Check
Lewdness
Loitering
Malicious Interference of Emergency Communication
Menacing
Offensive Touching
Receiving or Selling Stolen Property
Reckless Endangering 2nd Degree
Selling Alcohol to Someone <21yrs
Selling Tobacco to a Minor <21 yrs
Shoplifting
Terroristic Threatening
Theft
Theft by False Pretenses
Theft of Services
Unlawful Use of Credit Card
Unlawful Imprisonment 2nd Degree
Unlawful Use of Vehicle
Underage Consumption/ Possession of Alcohol

Youth Cases
Felonies
Assault 2nd Degree
Abuse of Sports Official
Arson 2nd & 3rd Degree
Attempt to commit crime
Burglary 3rd Degree
Conspiracy 2nd Degree
Carry concealed Deadly weapon (nonviolent)
Criminal Mischief ($5000+)
Cruelty to animals
Endangering the Welfare of a child
Forgery 2nd degree
Graffiti if property damage <$1500
Issue bad check ($1500+)
Possess of Burglary Tools
Possess Forgery Device
Possess Shoplifting Tools
Receiving Stolen Firearm
Resisting Arrest with violence
Robbery 1st Degree
Selling Stolen Property(<$1500)
Shoplifting ($1500+)
Terroristic Threatening (nonviolent)
Theft
Unlawful Use of Payment Card person 62+

Misdemeanors & Violations
Assault 3rd Degree
Abuse of Sports Official
Attempt to Commit Crime
Carrying concealed dangerous instrument
Conspiracy 3rd Degree
Criminal Impersonation
Criminal Mischief
Criminal Nuisance
Criminal Trespass 1st, 2nd, & 3rd
Cruelty to animals
Disorderly conduct
Dog at Large/ Dog Inoculation
Endangering the welfare of a child
Entering a Liquor Store/Tavern Illegally
Forgery 3rd Degree
Graffiti if property damage is >$1500 & possession of Graffiti implements
Harassment
Issue bad check (<$1500)
Lewdness
Loitering
Malicious Interference with Emergency Communication
Menacing
Offensive Touching
Possession of a controlled substance
Possession of drug paraphernalia
Possession of Marijuana
Public Intoxication
Receiving Stolen Property (<$1500)
Reckless Burning
Reckless Endangering 2nd Degree
Resisting Arrest without violence
Selling Stolen Property (<$1500)
Shoplifting (<$1500)
Terroristic Threatening
Theft
Unlawful Use of a Payment Card
Unlawful Use of a Vehicle
Underage Consumption/Possession of Alcohol

Victim-Offender Alternative Case Resolution Committee consists of:
- the Attorney General
- Chief Defender
- Chief Judge of the Court of Common Pleas
- Director of the Criminal Justice Council
- Chief Judge of Family Court

or their designees to administer Title 11, chapter 95.

100 W. 10TH STREET. SUITE 905 • WILMINGTON, DE 19801 • PHONE: 302-658-7174 • FAX: 302-658-7170 • www.dcjustice.org

Restorative Conferencing Shoplifting Cases

Shoplifting makes up a large share of cases referred to the Delaware Center for Justice's Restorative Conferencing program. Accountability Agreements in these cases often include:

- no contact with the store (1–2 years),
- restitution if owed, and
- completion of the Shoplifting Prevention Course.

DCJ is licensed by the National Association of Shoplifting Prevention to administer the course, offering separate tracks for adults and youth. The online program costs $50 (licensing fee), takes 3–4 hours, and uses interactive, media-rich lessons with video scenarios and facilitator guidance. Participants complete reflection questions and develop a personal plan to stop shoplifting.

The program helps participants:

- examine the attitudes and choices that led to shoplifting,
- understand legal and social consequences,
- recognize harm caused to others, and
- commit to change.

It also includes a Psychological Profile Analysis and Risk Assessment that gauges the likelihood of reoffending and identifies participants who may benefit from additional support services, with DCJ helping connect them to those resources.

From the Psychological Profile Analysis of participants who have been through the Shoplifting Prevention course with us in the past two year, **the majority of people stated they shoplifted because they were poor/didn't have the money for something they needed or wanted.**

- What are the top five answers to the question "Why do you think you shoplifted?"
  - Youth
    - 54% "I wanted it and did not have the money"
    - 19% "To satisfy friends"
    - 15% "To see if I could get away with it"
    - 12% "Because I was angry and/or depressed"
  - Adults
    - 42% "I wanted it and did not have the money"
    - 35% "I was angry and/or depressed"
    - 20% "I am poor and needed the item"
    - 3% "I wanted to see if I could get away with it"
- How well do people typically plan their shoplifting in Delaware? They don't.
  - 89% of youth = no planning or "not very carefully"
  - 92% of adults = no planning or "not very carefully"

Many stores have corporate policies that do not allow them to accept diversion for shoplifting cases. Therefore, those cases are not able to go to Restorative Conferencing. However, the typical outcomes of punitive justice in shoplifting cases are criminal records, financial hardship, stigma, and high recidivism, with little repair for the harmed party and few opportunities for the person who shoplifted to learn or grow. This is why DCJ offers access to the Shoplifting Prevention course through court order.

Restorative justice works better in shoplifting cases because it shifts the focus from punishment to **accountability**, **repair**, and **skill-building**. It not only addresses the immediate harm but also reduces the likelihood of future offenses by fostering empathy, self-awareness, and stronger community ties.

For more information contact DCJ's Restorative Services Director, Barbie Fischer, at BFischer@DCJustice.org

100 W. 10TH STREET. SUITE 905 • WILMINGTON, DE 19801 • PHONE: 302-658-7174 • FAX: 302-658-7170 • www.dcjustice.org

Clarifying the Numbers:
Delaware's Theft Laws in the National Context

Delaware's $1,500 felony theft threshold, unchanged since 2009, makes low-level thefts a Class G felony punishable by up to 2 years in prison.

Delaware's current felony theft threshold is $1,500. (11 DE CODE § 841)

Penalty: Class G Felony, up to 2 years in prison and mandatory restitution

Carveouts: Theft under $1,500 is also a felony if it involves victims 62+, people with disabilities, motor vehicles or livestock

Aggregation: Shoplifting from 3 or more stores can be aggregated to reach the $1,500 felony theft threshold—no time limit is specified (11 DE CODE § 840)

Increasing the Felony Threshold Did Not Reduce Crime.

Research by The Pew Charitable Trusts found that when states (including Delaware) raised their felony theft thresholds, it did not lead to increases in property crime or larceny. In fact, crime trends in the 30 states that raised their thresholds between 2000 and 2012 mirrored the declines seen in the 20 states that did not change their laws. Moreover, there was no statistical correlation between how high a state's threshold was (whether $500, $1,000, or $2,000+) and its rate of property crime or larceny.

Delaware's outdated threshold means low-level thefts trigger felonies here that would be misdemeanors in nearby states.

Delaware's $1,500 felony theft threshold was last updated in 2009. Neighboring states have both higher thresholds and more recent updates

Delaware: $1,500 (2009)
Maryland: $2,500 (2016)
Pennsylvania: $2,000 (pre-2000)
New Jersey: $200 (1980, unchanged)

Compared to the region, Delaware's threshold is relatively low, meaning thefts that would be treated as misdemeanors in surrounding states can more easily result in felony charges here.

Crime in Delaware was already steadily declining for more than 10 years.

FIGURE 1



Myth	Fact
$1,500 is a fair, modern threshold.	Delaware's $1,500 threshold was last updated in 2009. With inflation, **what cost $1,500 then is worth over $2,100 today**. Keeping the threshold unchanged means more low-level thefts are being treated as felonies, even when they wouldn't have been 15 years ago.
Theft is increasing in Delaware.	A report examining crime trends through Delaware found that the three most common Larceny/Theft offenses—Shoplifting, Theft from a Building, and Theft from a Motor Vehicle—a**ll experienced decreases from 2019 to 2023 (2.9%, 13.2%, and 33.7%,respectively)**. Furthermore, Delaware Online reported that organized retail thefts have been decreasing since 2017.
Increasing sentences decreases crime.	Decades of research, including analysis by The Pew Charitable Trusts, show that **increasing prison sentences does not effectively reduce crime**. Pew found no evidence that states with harsher penalties experienced better public safety outcomes.
Organized retail theft laws help stop professional crime rings.	In practice, most organized retail theft laws are so vague they're often misapplied to low-level shoplifting—and applied unequally. A Texas study found Black people were charged with "organized retail theft" **twice as often** as white people, and Hispanic people **20% more often** for the same conduct.
Theft of merchandise explains why stores are experiencing larger degrees of retail shrinkage.	Retail shrinkage is defined as the loss of inventory by some other manner than sales. Causes of shrink include consumer theft, product damage, accounting errors, broken items, vendor fraud, or employee theft. Importantly, it is impossible to estimate what portion of retail shrink can be attributed to consumer theft over any of the other contributing reasons listed above. In 2023, Walmart even acknowledged that they may have overstated how much of a problem retail theft was in 2021 and 2022 for its bottom line.

General Felony Theft (11 DE CODE § 841): A person is guilty of theft when the person takes, exercises control over or obtains property of another person intending to deprive that person of it or appropriate it. Theft includes the acts described in this section, as well as those described in §§ 841A-846 of this title.

(b) A person is guilty of theft if the person, in any capacity, legally receives, takes, exercises control over or obtains property of another which is the subject of theft, and fraudulently converts same to the person's own use.

(c) (1) Except where a victim is 62 years of age or older, or an "adult who is impaired" as defined in § 3902 of Title 31, or a "person with a disability" as defined in § 3901(a)(2) of Title 12, theft is a class A misdemeanor unless the value of the property received, retained or disposed of is $1,500 or more, in which case it is a class G felony.

Carveouts: Theft under $1,500 is still a Class G felony if it involves: A victim who is 62 years or older, An "adult who is impaired" or a "person with a disability," Motor vehicles,Livestock

Sentence:Class G Felony – Up to 2 years imprisonment. Courts may impose fines as appropriate. Restitution to the victim is mandatory.

Shoplifting (11 DE CODE § 840): Shoplifting is a class G felony when the goods, wares or merchandise shoplifted are of the value of $1,500 or more, or when the goods, wares or merchandise shoplifted are from 3 or more separate mercantile establishments and were shoplifted in the same or continuing course of conduct and the aggregate value of the goods is $1,500 or more. When the goods, wares or merchandise shoplifted are of the value of less than $1,500, it is a class A misdemeanor.

Organized Retail Theft (11 DE CODE § 841B): A person is guilty of "theft: organized retail crime" when the person takes, exercises control over, or obtains retail merchandise of another person intending to deprive that person of it, or receives stolen property in violation of § 851 of this title, in quantities that would not normally be purchased for personal use or consumption, with the intent to appropriate or to resell or reenter the merchandise into commerce.

(b) For purposes of this section, a series of organized retail crime thefts committed by a person or group of persons may be aggregated into 1 count or charge, with the sum of the value of all the retail merchandise being the value considered in determining the degree of theft: organized retail crime.

(c) In addition to the provisions of § 841(c) and (d) of this title, if a defendant has 2 or more times been convicted of theft: organized retail crime, the offense of theft: organized retail crime is a class E felony.

Sentence: Class E Felony – Up to 5 years imprisonment

Aggregation: a series of organized retail crime thefts committed by a person or group of persons can be aggregated into 1 count or charge, with the sum of the value of all the retail merchandise being the value considered in determining the degree of theft.

Youth Educational Shoplifting Program - Test Results

Student ID	101549913
Student Name	[redacted]
Course ID:	YES
Grade	A
Risk Assessment	HIGH
Start Date	2022-07-20
End Date	2022-07-27

Facts & Myths

#	Question	Your Answer	
1	Shoplifting is considered a crime in all states. (CORRECT ANSWER: a) True)	A	✓
2	If you are arrested for shoplifting in a store, that store can legally tell you to never come back. (CORRECT ANSWER: a) True)	A	✓
3	Videotape of a shoplifting incident can be used as evidence in court. (CORRECT ANSWER: a) True)	A	✓
4	If you buy something, it proves you aren't a shoplifter. (CORRECT ANSWER: b) False)	B	✓
5	If you block the view of a saleperson while a friend shoplifts, you are guilty of shoplifting too. (CORRECT ANSWER: a) True)	A	✓
6	In all states you must actually leave the store with stolen merchandise in order to be arrested for shoplifting. (CORRECT ANSWER: b) False)	A	✗

#	Question	Your Answer	
7	The net profit of the average discount store is about 4 cents on every dollar of merchandise sold. (CORRECT ANSWER: a) True)	A	✓
8	Electronic security devices are sometimes hidden inside merchandise. (CORRECT ANSWER: a) True)	A	✓
9	Store owners are hiring fewer security personnel these days. (CORRECT ANSWER: b) False)	B	✓
10	If someone steals a $1 candy bar, the store owner really doesn't care. (CORRECT ANSWER: b) False)	B	✓
11	Special mirrors allow security personnel to see around corners and through walls. (CORRECT ANSWER: a) True)	A	✓
12	If you act as a "lookout" for a shoplifter, but do not actually shoplift yourself, you are not guilty of shoplifting. (CORRECT ANSWER: b) False)	B	✓
13	Shoplifting causes employees to lose their jobs when stores go broke. (CORRECT ANSWER: a) True)	A	✓
14	Shrinkage is a term used by retailers to describe the loss of merchandise by stealing. (CORRECT ANSWER: a) True)	A	✓
15	Shoplifting results in higher prices for everyone. (CORRECT ANSWER: a) True)	A	✓
16	Shoplifting is really not very risky. (CORRECT ANSWER: b) False)	B	✓
17	Today, shoplifting has become a bigger problem than it was years ago. (CORRECT ANSWER: a) True)	A	✓

Jason's Story

#	Question	Your Answer	
1	When did Jason start working for the sporting goods chain? (CORRECT ANSWER: b) During high school)	D	✗
2	Why did Jason begin to have "small-time" shoplifters arrested? (CORRECT ANSWER: c) Because Jason got fed up with the stealing problem.)	C	✓

#	Question	Your Answer	
3	What did the vice president tell Jason? (CORRECT ANSWER: d) That his shrinkage was too high)	D	✓
4	What was Jason's new policy with 'small-time' shoplifters? (CORRECT ANSWER: a) To always call the police)	A	✓
5	What was the main point of this story? (CORRECT ANSWER: a) Shrinkage has gotten so bad that all shoplifters must be arrested.)	A	✓

How Shoplifters See Themselves

#	Question	Your Answer	
1	Most shoplifters have a basic respect for the life and property of others. (CORRECT ANSWER: a) True)	A	✓
2	Most shoplifters don't see themselves as criminals. (CORRECT ANSWER: a) True)	A	✓
3	Shoplifters deliberately try to hurt other people. (CORRECT ANSWER: b) False)	B	✓
4	Shoplifters convince themselves it's okay to shoplift by saying, 'No one will get hurt. (CORRECT ANSWER: a) True)	A	✓

Temptation / David's Story

#	Question	Your Answer	
1	The temptation to shoplift has gone down as the result of self-service merchandise techniques. (CORRECT ANSWER: b) False)	B	✓
2	Most people can control their desire to get something for nothing. (CORRECT ANSWER: a) True)	A	✓
3	It is okay to blame someone else for your shoplifting. (CORRECT ANSWER: b) False)	B	✓

#	Question	Your Answer	
4	In terms of the law, there are many good reasons to steal. (CORRECT ANSWER: b) False)	B	✓
5	If a store charges too much, then it's okay to shoplift. (CORRECT ANSWER: b) False)	B	✓
6	Stress in a person's life can lead to shoplifting. (CORRECT ANSWER: a) True)	A	✓
7	In the story, David and his girlfriend enjoyed a good relationship. (CORRECT ANSWER: b) False)	B	✓
8	At the end of the story, David felt good after his family found out what he had done to his room. (CORRECT ANSWER: b) False)	B	✓
9	The main idea of David's story was that David thought he found a good way to get rid of frustration but only hurt himself in the end. (CORRECT ANSWER: a) True)	A	✓

Risks & Addictions / Jennifer's Story

#	Question	Your Answer	
1	All shoplifters fool themselves with the myth, 'Nobody is watching. (CORRECT ANSWER: a) True)	A	✓
2	Over two million people were caught shoplifting last year. (CORRECT ANSWER: a) True)	A	✓
3	Shoplifting never becomes habit forming. (CORRECT ANSWER: b) False)	B	✓
4	It's hard for people to admit they may be addicted to shoplifting. (CORRECT ANSWER: a) True)	A	✓
5	You can always tell if a store has good security. (CORRECT ANSWER: b) False)	B	✓
6	You don't have to try to break a shoplifting habit because it will probably go away by itself. (CORRECT ANSWER: b) False)	B	✓
7	Many adult shoplifters who are addicted began shoplifting in their teens. (CORRECT ANSWER: a) True)	A	✓

#	Question	Your Answer	
8	When did Jennifer begin shoplifting? (CORRECT ANSWER: d) When she was in high school)	D	✓
9	When Jennifer started shoplifting, what myth did she believe? (CORRECT ANSWER: a) She would never get caught)	A	✓
10	After Jennifer was arrested for shoplifting, how did her husband react? (CORRECT ANSWER: c) He insisted she see a psychiatrist.)	C	✓
11	How does Jennifer feel when she shoplifts today? (CORRECT ANSWER: d) All of the above)	D	✓
12	What did Bill threaten to do if Jennifer continues to shoplift? (CORRECT ANSWER: b) Seek a divorce or separation)	B	✓
13	What was the main idea in this story? (CORRECT ANSWER: d) Jennifer has a serious shoplifting habit that could break up her family)	D	✓

Risk vs Reward

#	Question	Your Answer	
1	The most important question to ask yourself before shoplifting is: (CORRECT ANSWER: d) Is the reward worth the risk?)	D	✓
2	What dollar amount is worth you being arrested and convicted of shoplifting? (CORRECT ANSWER: d) It's not worth it at all)	D	✓
3	According to what you just learned, the personal tragedy of shoplifting is: (CORRECT ANSWER: a) Your own individual suffering and threat to your future.)	A	✓
4	Security personnel disguised as shoppers are called: (CORRECT ANSWER: b) Spotters.)	B	✓
5	It is impossible to tell if someone is a spotter because: (CORRECT ANSWER: c) Both A & B.)	C	✓
6	When you take a gamble what is the one factor you should consider? (CORRECT ANSWER: d) The odds of winning or losing)	D	✓
7	Jumping off a nine-inch curb into an empty street is worth fifty dollars because: (CORRECT ANSWER: c) The reward is worth the risk)	C	✓

#	Question	Your Answer	
8	Jumping off a 40 story building is not worth 50 million dollars because: (CORRECT ANSWER: c) The reward is not worth the risk.)	C	✓
9	A main idea in the story about the 40 story building is: (CORRECT ANSWER: a) A person's life and future is worth more than 50 million dollars.)	A	✓
10	The main idea in the story about the gambling table covered with merchandise was: (CORRECT ANSWER: d) At that table and in a store, you can't be sure if someone is watching or not)	D	✓
11	According to the program, is it possible to be 100% sure that no one is watching you shoplift? (CORRECT ANSWER: b) Absolutely not)	B	✓

Your Personal Experiences and Behavior

#	Question	Your Answer	
1	Age at last birthday?	17 or older	
2	Gender and school attendance:	Male, attending school or graduated	
3	What grades did you get in school?	Mostly A's and B's	
4	Who do you live with?	Both parents	
5	Why do you think you shoplifted?	No Answer	
6	Are you normally a trustworthy person?	Sometimes	
7	What word describes you in general?	Happy or okay	
8	About how often did you shoplift in the last 12 months before getting caught?	Never shoplifted before	
9	What did you do most often with the things you shoplifted?	No Answer	
10	How carefully did you plan your shoplifting on the day you were caught?	Somewhat carefully	
11	How many things do you usually take when you shoplift? (if you shoplifted only once, how many things did you take that one time?)	No Answer	
12	Do you ever try to return things you shoplifted to get a cash refund	Never did	
13	On the day you were caught, what was the total value of the things you shoplifted	No Answer.	

#	Question	Your Answer	
14	On the day you were caught, did you shoplift alone or did a friend (or friends shoplift with you too?	No Answer	
15	If you shoplifted other times in the past, do you usually shoplift alone or with friends?	Never shoplifted in the past.	
16	How often have you shoplifted just because it is a habit?	Never.	
17	How many people do you know who shoplift? One or two people.	None.	
18	Before this time, were you ever caught shoplifting in a store and the store called the police? (Remember, do not include this incident.)	No,Never.	
19	Were you ever caught shoplifting in a store and the store released you without calling the police (Remember, do not include this incident.)	No,Never.	
20	How did you see shoplifting before you were caught? I'll be arrested.	I knew it was wrong	
21	What do you expect will happen if you are caught shoplifting again?	I'll be arrested	
22	Which word best describes how you felt after you were caught shoplifting?	Angry.	
23	What would your friends say if they knew you shoplifted?	They'd be curious.	
24	What did your parents/guardians say when they learned you shoplifted?	They were disapointed in me	
25	Who is to blame for this shoplifting incident? Myself.	Myself	
26	Who will be to blame if you don't stop shoplifting in the future?	My mother or father or other family member	
27	What do you think should happen to someone like you if he or she is caught shoplifting again?	Given counseling or other help	
28	What are the chances that you will never shoplift again?	100%	

Personal Plan

#	Question	Your Answer	
1	Most kids don't think about their future when they shoplift. (CORRECT ANSWER: a) True)	B	
2	Concealing stolen merchandise on yourself is like carrying a time bomb because if you are caught, it's like a bomb exploding in your life. (CORRECT ANSWER: a) True)	A	

#	Question	Your Answer	
3	A person who shoplifts once a month or more often has developed a shoplifting habit... possibly an addiction. (CORRECT ANSWER: a) True)	A	✓
4	To break a shoplifting habit, it is often necessary to admit that you are hooked. (CORRECT ANSWER: a) True)	A	✓
5	A person who is under stress or is using alcohol or drugs should be forgiven for shoplifting. (CORRECT ANSWER: b) False)	B	✓
6	High risk stores mean stores with high prices. (CORRECT ANSWER: b) False)	B	✓
7	An important part of your personal plan is thinking about what you would risk if you were caught again. (CORRECT ANSWER: a) True)	A	✓
8	If you shoplift again, you can blame it on friends. (CORRECT ANSWER: b) False)	B	✓
9	The decision to stop shoplifting is entirely up to you. (CORRECT ANSWER: a) True)	A	✓

By logging in to the NASP Campus Portal, you are acknowledging NASP's Copyright Notice and NASP's Website Conditions of Use (http://www.shopliftingprevention.org/home/conditions-of-use/)

Copyright @ 2022-2023 NASP

Shoplifter's Alternative Program - Transcript

Student ID	101520476
Student Name	[redacted]
Course ID:	SA
Grade	A
Risk Assessment	LOW
Start Date	2022-01-04
End Date	2022-01-05

Facts & Myths

#	Question	Your Answer	
1	A store owner can legally prevent a shoplifter from coming into the store again. (CORRECT ANSWER: a) True)	A	✓
2	Shoplifting is really not very risky. (CORRECT ANSWER: b) False)	B	✓
3	A digital video recording of a shoplifting incident can be used as evidence in court. (CORRECT ANSWER: a) True)	A	✓
4	If you buy something, it proves you aren't a shoplifter. (CORRECT ANSWER: b) False)	B	✓
5	The penalty for shoplifting in most states is a fine of up to $1,000 and a jail sentence of up to one year. (CORRECT ANSWER: a) True)	A	✓
6	In all states you must actually leave the store with stolen merchandise in order to be arrested for shoplifting. (CORRECT ANSWER: b) False)	B	✓
7	The net profit of the average discount store is about 4 cents on every dollar of merchandise sold. (CORRECT ANSWER: a) True)	A	✓

#	Question	Your Answer	
8	In some stores, security personnel pretend to be shoppers. (CORRECT ANSWER: a) True)	A	✓
9	Because of the added expense, more store owners are deciding that increased security is not worth the cost. (CORRECT ANSWER: b) False)	B	✓
10	Electronic security devices are sometimes hidden inside merchandise. (CORRECT ANSWER: a) True)	A	✓
11	It's okay to shoplift if salespeople are nasty or lines are too long. (CORRECT ANSWER: b) False)	B	✓
12	If someone steals a $1 candy bar, the store owner doesn't really care. (CORRECT ANSWER: b) False)	B	✓
13	Special mirrors allow security personnel to see around corners and through walls. (CORRECT ANSWER: a) True)	A	✓
14	If you act as a 'lookout' for a shoplifter, but do not actually shoplift yourself, you are not guilty of shoplifting. (CORRECT ANSWER: b) False)	B	✓
15	Shoplifting causes employees to lose their jobs when stores go broke. (CORRECT ANSWER: a) True)	A	✓
16	In most states you can avoid arrest if you offer to pay for merchandise you have stolen. (CORRECT ANSWER: b) False)	B	✓
17	Shrinkage is the term used by store owners to describe the loss of merchandise by stealing. (CORRECT ANSWER: a) True)	A	✓

Jason's Story

#	Question	Your Answer	
1	When did Jason start working for the sporting goods chain? (CORRECT ANSWER: b) During high school.)	B	✓
2	What did the vice president tell Jason? (CORRECT ANSWER: d) That his shrinkage was too high)	D	✓
3	What was Jason's new policy with 'small-time' shoplifters? (CORRECT ANSWER: a) To always call the police)	A	✓

#	Question	Your Answer	
4	What was the main point of this story? (CORRECT ANSWER: a) Shrinkage has gotten so bad that all shoplifters must be arrested.)	A	✓

How Shoplifters See Themselves

#	Question	Your Answer	
1	Most shoplifters have a basic respect for the life and property of others. (CORRECT ANSWER: a) True)	A	✓
2	Most shoplifters don't see themselves as criminals. (CORRECT ANSWER: a) True)	A	✓
3	Shoplifters deliberately try to hurt other people. (CORRECT ANSWER: b) False)	B	✓
4	Shoplifters convince themselves it's okay to shoplift by saying, 'No one will get hurt.' (CORRECT ANSWER: a) True)	A	✓
5	The smaller the dollar value of an item, the easier it is for a shoplifter to accept that no one gets hurt. (CORRECT ANSWER: a) True)	A	✓

Temptation / Manuel's Story

#	Question	Your Answer	
1	The temptation to shoplift has gone down as the result of self-service merchandise techniques. (CORRECT ANSWER: b) False)	B	✓
2	Most people can control temptation by remembering that the risks to themselves are pretty serious. (CORRECT ANSWER: a) True)	A	✓
3	It is okay to blame someone else for your shoplifting. (CORRECT ANSWER: b) False)	B	✓

#	Question	Your Answer	
4	If a store charges too much, then it's okay to shoplift. (CORRECT ANSWER: b) False)	B	✓
5	Stress in a person's life can lead to shoplifting. (CORRECT ANSWER: a) True)	A	✓
6	In the story, Manuel was not upset when he lost his job. (CORRECT ANSWER: b) False)	B	✓
7	At the end of the story, Manuel felt good about what he had done to his room. (CORRECT ANSWER: b) False)	B	✓
8	The main idea of Manuel's story was that Manuel thought he found a good way to get rid of frustration but only hurt himself in the end. (CORRECT ANSWER: a) True)	A	✓

Risks & Addictions / Jennifer's Story

#	Question	Your Answer	
1	All shoplifters fool themselves with the myth,'Nobody is watching.' (CORRECT ANSWER: a) True)	A	✓
2	Over two million people were caught shoplifting last year. (CORRECT ANSWER: a) True)	A	✓
3	Shoplifting never becomes habit forming. (CORRECT ANSWER: b) False)	B	✓
4	It's hard for people to admit they may be addicted to shoplifting. (CORRECT ANSWER: a) True)	A	✓
5	You can always tell if a store has good security. (CORRECT ANSWER: b) False)	B	✓
6	You don't have to try to break a shoplifting habit because it will probably go away by itself. (CORRECT ANSWER: b) False)	B	✓
7	Many adult shoplifters who are addicted began shoplifting in their teens. (CORRECT ANSWER: a) True)	A	✓
8	When did Jennifer begin shoplifting? (CORRECT ANSWER: d) When she was in high school)	D	✓

#	Question	Your Answer	
9	When Jennifer started shoplifting, what myth did she believe? (CORRECT ANSWER: a) She would never get caught)	A	✓
10	How does Jennifer feel when she shoplifts today? (CORRECT ANSWER: d) All of the above)	D	✓
11	What was the main idea in this story? (CORRECT ANSWER: d) Jennifer has a serious shoplifting habit that could break up her family)	D	✓
12	What did Bill threaten to do if Jennifer continues to shoplift? (CORRECT ANSWER: d) Seek a divorce or separation)	D	✓
13	Based on what you've learned so far, why did Jennifer have a shoplifting habit? (CORRECT ANSWER: d) She had some kind of stress or problem in her life.)	D	✓

Risk vs Reward

#	Question	Your Answer	
1	The most important question to ask yourself before shoplifting is: (CORRECT ANSWER: d) Is the reward worth the risk?)	D	✓
2	According to what you just learned, the personal tragedy of shoplifting is: (CORRECT ANSWER: a) Your own individual suffering and threat to your future.)	A	✓
3	What dollar value is worth you being arrested and convicted of shoplifting? (CORRECT ANSWER: c) It's not worth it at all)	C	✓
4	Spotters: (CORRECT ANSWER: a) Roam the stores disguised as shoppers)	A	✓
5	Television cameras are effective in catching shoplifters because: (CORRECT ANSWER: a) It's impossible to tell if you're being watched)	A	✓
6	If a shoplifter has a good 'system,' he or she' (CORRECT ANSWER: d) Will get caught just the same if someone is watching)	D	✓
7	When you take a gamble what is the one factor you should consider? (CORRECT ANSWER: d) The odds of winning or losing)	D	✓
8	Jumping off a nine-inch curb into an empty street is worth fifty dollars because: (CORRECT ANSWER: c) The reward is worth the risk)	C	✓

#	Question	Your Answer	
9	Jumping off a 40 story building is not worth 50 million dollars because: (CORRECT ANSWER: c) The reward is not worth the risk.)	C	✓
10	A main idea in the story about the 40 story building is: (CORRECT ANSWER: a) A person's life and future is worth more than 50 million dollars.)	A	✓
11	The main idea in the story about the gambling table covered with merchandise was: (CORRECT ANSWER: d) At that table and in a store, you can't be sure if someone is watching or not)	D	✓
12	According to the program, is it possible to be 100% sure that no one is watching you shoplift? (CORRECT ANSWER: b) Absolutely not)	B	✓

Your Personal Experiences and Behavior

#	Question	Your Answer	
1	Age at last birthday?	31 to 44	
2	Gender and marital status:	Married Female	
3	Highest education level achieved:	College/trade school graduate	
4	Weekly job earnings when caught?	Was not working when caught	
5	Were you ever in trouble with the law before?	Never in trouble with the law before	
6	Why do you think you shoplifted?	No Answer	
7	Are you normally a trustworthy person?	Almost always	
8	What words best describes you?	Happy or okay	
9	How many people do you know who shoplift?	No one	
10	On the day you were caught, what was the total value of the things you shoplifted?	No Answer	
11	How long have you been shoplifting?	No Answer	
12	About how often did you shoplift in the last 12 months before getting caught this time?	Never shoplifted before	

#	Question	Your Answer	
13	How many items did you take when you shoplifted? (if you shoplifted more than once, indicate how many items you usually take	No Answer	
14	When you shoplifted, did you ever take things from a store that you could not use?	Never shoplifted before	
15	What did you do most often with the things you shoplifted?	Never used things	
16	Did you ever try to return items you shoplifted to get a cash refund?	Never did	
17	How often did you have the money (or credit card	No Answer	
18	On the day you were caught, how carefully did you plan to shoplift the specific items you stole?	Didn't plan it	
19	Before this incident, how often did you shoplift to make yourself feel better?	Never shoplifte before incident	
20	How did you see shoplifting before you were caught?	I knew it was wrong	
21	Were you ever caught shoplifting in the past and the store released you without calling the police? ' DO NOT include this incident.	No,Never.	
22	Before this time, were you ever caught shoplifting in a store and the store called the police? (Remember, do not include this incident.)	No,Never.	
23	How would you describe your life right now?	Pretty much OK,except for this shoplifting incident	
24	How difficult will it be for you to stop shoplifting forever?	No problem	
25	What do you expect will happen if you are caught shoplifting again?	I have no idea	
26	What do you think should happen to someone like you if he or she is caught shoplifting again?	Asked to pay for things shoplifted	
27	Who is to blame for your shoplifting incident?	Myself	
28	Who will be to blame if you don't stop shoplifting in the future?	Myself	
29	What are the chances that you will never shoplift again?	100%	
30	If you could get free counseling to help you stop shoplifting, would you want it?	No,because I don't need it	

Personal Plan

#	Question	Your Answer	

#	Question	Your Answer	
1	Concealing stolen merchandise on yourself is like carrying a time bomb because if you are caught, it's like a bomb exploding in your life. (CORRECT ANSWER: A) True)	A	✓
2	A person who shoplifts once a month or more often has developed a shoplifting habit'possibly an addiction. (CORRECT ANSWER: A) True)	A	✓
3	A person who is under stress or is using alcohol or drugs should be forgiven for shoplifting. (CORRECT ANSWER: B) False)	B	✓
4	High risk stores mean stores with good security. (CORRECT ANSWER: B) False)	B	✓
5	An important part of your personal plan is thinking about what you would risk if you were caught again. (CORRECT ANSWER: A) True)	A	✓
6	Personal danger signals are stresses and feelings that make you want to shoplift. (CORRECT ANSWER: A) True)	A	✓
7	The decision to stop shoplifting is entirely up to you. (CORRECT ANSWER: A) True)	A	✓

By logging in to the NASP Campus Portal, you are acknowledging NASP's Copyright Notice and NASP's Website Conditions of Use (http://www.shopliftingprevention.org/home/conditions-of-use/)

Copyright @ 2022-2023 NASP

delaware online

CRIME

Former Wilmington pawn shop operator pleads guilty in multimillion-dollar conspiracy



Xerxes Wilson
Delaware News Journal

Sept. 1, 2025, 4:20 a.m. ET

A man who ran a now-defunct pawn shop on Market Street in Wilmington has pleaded guilty to using the shop as part of a scheme to sell millions of dollars in stolen goods.

Nathaniel Leonard of Philadelphia pleaded guilty to conspiracy to sell and transport stolen property in federal court in late August.

He ran the now-closed Lou's Jewelry and Pawn in Wilmington, as well as two others shops in Philadelphia, and used the businesses to purchase and then resell merchandise stolen from retailers like Target, Walmart and Best Buy, according to federal prosecutors.

From November 2019 through the end of 2023, Leonard and a family member who was also indicted by the feds are accused of selling more than $19 million in stolen merchandise.

The duo would transfer stolen goods to the Delaware pawn shop, as well as one in the Kensington area of Philadelphia, and then sell the goods on an eBay site for

their shop in Philadelphia's Society Hill neighborhood.

They received their stolen wares from two groups, which prosecutors referred to as boosters. One group traded stolen goods from retailers in the local area. The other stole in bulk from around the country, according to court documents.

Leonard is scheduled to be sentenced in December. The family member indicted alongside him has pleaded not guilty.

Contact Xerxes Wilson at (302) 324-2787 or xwilson@delawareonline.com.

Retail Crime Prevention Task Force
Tuesday, November 4, 2025
4:00 p.m. – 5:30 p.m.
House Hearing Room/Virtual Meeting
Meeting Recording Available at:
https://legis.delaware.gov/TaskForceMeetingDetail?taskForceMeetingId=30853

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Senator Gerald Hocker
Representative Ronald Gray
Abby Rodgers, Attorney General
Caitlin Gregory, Office of Defense Services
Paul Shavack, Department of Corrections
Major John Andrew Lloyd, Delaware State Police
Michael Quaranta, Delaware State Chamber of Commerce
Kerry Ferriter, Public Member
Susan Brown, Delaware Association of School Administrators
Trisha Moses, Delaware Black Chamber of Commerce

Meeting Agenda:

The meeting was called to order at 4:00 p.m.

I. Welcome

Task force co-chair Senator Townsend provided opening remarks. He apologized for being unable to attend the meeting in person.

II. Presentation on Civil Recovery by National Conference of State Legislatures

Jessica Guarino from the National Conference of State Legislatures presented an overview of civil recovery statutes nationwide. She explained that civil recovery is a civil mechanism that allows retailers to recover losses from theft, separate from criminal penalties. She described how states define and handle actual damages, treble damages, court costs, and additional penalties, and she highlighted substantial variation among states. She also explained the role and statutory requirements of demand letters and

outlined prerequisites such as convictions or posted notices that some states require before civil recovery is available.

Amanda Essex then presented on organized retail theft statutes. She explained that at least 40 states, including Delaware, treat organized retail theft as a criminal offense, often as a low-level felony, and that some statutes require actors to work in concert while others allow a single actor. She provided examples from several states and described how neighboring states increase penalties for second and subsequent offenses. NCSL committed to sending Delaware an updated 50-state survey of relevant laws.

III. Open Discussion

Task force members discussed how Delaware's civil recovery statute, enacted about twenty years ago, has not been widely used and should receive renewed attention given the recent increase in retail theft. Law enforcement representatives reported that in the early 2000s some retailers made use of the statute, but usage declined when retailers had difficulty collecting money and when selecting the civil process seemed to foreclose criminal prosecution. The group concluded that the statute lacked meaningful enforcement mechanisms and was often used primarily to ban individuals from stores rather than to recover losses.

The group reviewed a California law that allows large chains to ban shoplifters from all of their locations statewide after certain convictions. They also addressed growing concerns about gift card fraud in Delaware, noting that draft legislation on this topic had been shared with the Attorney General's office. Task force members shared several recent incidents of check interception and alteration affecting local businesses and suggested inviting a bank representative to brief the task force on this emerging problem

The task force discussed developing a flowchart that will map the entire path of a retail theft case from the initial report by a retailer through law enforcement response, prosecution, court processing, and possible civil recovery. The goal of the project is to identify where communication breaks down and where non-statutory operational changes could improve outcomes. Law enforcement and defense representatives provided detailed descriptions of current practices, including decisions about summons versus arrest, felony screening, plea negotiation, and evidence handling.

Participants also noted recurring problems with obtaining and transmitting surveillance video, high turnover among loss-prevention staff, and limited capacity within the Department of Justice to prioritize misdemeanor shoplifting cases. They emphasized that these issues frequently lead to weak cases, dismissed charges, or lenient pleas.

The group also contrasted large chains with standardized systems and small retailers with limited staff and resources. Participants observed that civil demand letters are often misunderstood by defendants, who may confuse them with criminal proceedings and ignore them. They suggested that civil mechanisms might work better if their relationship to criminal prosecution were clearer and if the communications were more accessible and explicit.

IV. Public Comment

There was no public comment offered during this meeting.

The meeting was adjourned at 5:30 p.m.

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
CRIMINAL JUSTICE COUNCIL

STATISTICAL ANALYSIS CENTER
410 FEDERAL STREET, SUITE # 6
DOVER, DELAWARE 19901

Telephone: (302) 739-4626
Fax: (302) 739-4630
SLC: D380B
Web: sac.delaware.gov/

October 3, 2025

MEMORANDUM

To: Wyatt Patterson, Legislative Assistant for Senator Bryan Townsend

From: Philisa Weidlein-Crist, Director; Statistical Analysis Center

Subject: Retail Crime Prevention Task Force Data Request

Per your data request, the Center is providing arrest and disposition information for the Retail Crime Prevention Task Force. The request includes arrest and disposition information for crimes the task force identified as important: 11§840 (Shoplifting); 11§841 (Theft); 11§841B (Theft Organized Retail Crime); 11§851 (Receiving Stolen Property); 11§852A (Selling Stolen Property); and 11§860 (Possession of Shoplifter's Tools).

The Center looked at arrests for calendar years 2019, 2020, 2021, 2022, 2023, 2024 and the first half of 2025 (January 1 to June 30, 2025). Arrests for this analysis involve all the charges in a case. There can be charges in a case other than the requested charges (11§840; 11§841; 11§841B; 11§851; 11§852A; 11§860), and there can also be multiple cases per person per calendar year.

The data collection for this request extracted all arrests from the Delaware Criminal Justice Information System (CJIS) per calendar year involving at least one of the following statutes: 11§840; 11§841; 11§841B; 11§851; 11§852A; and 11§860. Complaint numbers tied to each arrest were then evaluated to determine if a "Business" was listed as the victim to narrow down arrests involving businesses instead of individuals. The following information includes any arrest during calendar years 2019, 2020, 2021, 2022, 2023, 2024 and 2025 (first half-italicized) involving the above-mentioned statutes and "Business" listed as the victim of the crime.

Tables 1, 2 and 3 give an overview of charges and arrest for each calendar year.

Table 1: Charges by Calendar Year

	11§840	11§841B	11§860	11§841	11§851	11§852A	Total Charges	Cases
2019	3,794	182	121	2,454	191	351	7,093	5,175
2020	2,848	98	92	1,818	148	174	5,178	3,828
2021	2,560	129	48	1,788	176	182	4,883	3,596
2022	2,837	150	93	1,802	157	170	5,209	3,801
2023	3,353	104	81	1,791	300	105	5,734	4,260
2024	3,853	330	161	1,695	167	121	6,327	4,714
2025	2,048	99	96	802	98	72	3,215	2,337

Table 2: Race and Sex of Arrestees by Calendar Year

	Black		White		Other		Unknown	Total
	Male	Female	Male	Female	Male	Female		
2019	1,717	957	1,502	955	12	8	24	5,175
2020	1,245	611	1,205	729	6	3	29	3,828
2021	1,029	600	1,192	734	9	6	26	3,596
2022	1,181	593	1,191	767	20	3	46	3,801
2023	1,325	762	1,236	856	13	20	48	4,260
2024	1,558	787	1,466	834	10	8	51	4,714
2025	789	406	737	391	5	4	5	2,337

Table 3: Age at Arrest of Arrestees by Calendar Year

Age at Arrest	2019	2020	2021	2022	2023	2024	*2025*
<18	343	238	180	202	380	300	161
18-20	316	238	188	217	290	241	85
21-23	398	289	210	183	207	217	125
24-25	277	175	177	204	153	197	75
26-30	931	654	630	507	606	632	279
31-35	786	641	575	681	760	889	447
36-40	700	499	566	542	555	719	389
41-45	429	337	359	488	453	533	262
46-50	332	244	232	242	263	295	162
51-55	315	233	242	222	266	305	136
56-60	193	155	130	166	149	184	108
61-65	83	62	57	74	80	92	81
66-70	26	21	17	22	35	46	14
71-75	11	6	5	10	8	7	6
76-80	7	8	4	0	6	3	1
>80	4	0	1	1	1	3	2
Unknown	24	28	23	40	48	51	4
Total	5,175	3,828	3,596	3,801	4,260	4,714	2,337

Table 5, 6, 7, 8, 9 and 10 display the number and type of charges for each calendar year.

Table 5: Shoplifting

Arrest Year	11§840_F	11§840_M	Total
2019	108	3,686	3,794
2020	92	2,756	2,848
2021	105	2,455	2,560
2022	154	2,683	2,837
2023	190	3,163	3,353
2024	228	3,625	3,853
2025	122	1,926	2,048

Table 6: Theft Organized Retail Theft

Arrest Year	11§841B_F	11§841B_M	Total
2019	87	95	182
2020	28	70	98
2021	48	81	129
2022	63	87	150
2023	73	31	104
2024	187	143	330
2025	45	54	99

Table 7: Possession of Shoplifter's Tools

Arrest Year	11§860_F
2019	121
2020	92
2021	48
2022	93
2023	81
2024	161
2025	96

Table 8: Theft

Arrest Year	11§841_F	11§841_M	Total
2019	847	1607	2,454
2020	655	1,163	1,818
2021	648	1,140	1,788
2022	698	1,104	1,802
2023	689	1,102	1,791
2024	736	959	1,695
2025	324	478	802

Table 9: Receiving Stolen Property

Arrest Year	11§851_F	11§851_M	Total
2019	83	108	191
2020	85	63	148
2021	108	68	176
2022	87	70	157
2023	142	158	300
2024	107	60	167
2025	40	58	98

Table 10: Selling Stolen Property

Arrest Year	11§852A_F	11§852A_M	Total
2019	45	306	351
2020	31	143	174
2021	24	158	182
2022	41	129	170
2023	29	76	105
2024	14	107	121
2025	37	35	72

Tables 11 through 21 display disposition information for requested charges by arrest calendar year. Disposition tables do not include known expunged charges and/or cases.

Table 11: Dispositions for Felony Shoplifting by Arrest Year

Disposition	11§840_F						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	31	23	22	31	46	29	15
PBJ	3	0	0	0	2	2	2
PBJD	4	1	0	0	2	1	0
PEND	1	2	0	0	1	1	1
TRAN	12	16	23	26	27	96	46
DISM	1	0	1	1	6	5	8
NOLP	51	39	51	74	94	83	43
Blank	3	2	1	3	8	11	7
Total	106	83	98	135	186	228	122

Table 12: Dispositions for Misdemeanor Shoplifting by Arrest Year

Disposition	11§840_M						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	875	583	490	539	618	576	221
JDEL	6	1	1	3	3	4	1
CMCT	7	2	4	0	2	0	0
PBJ	7	1	3	2	4	22	21
DIV	0	0	0	0	0	0	1
PBJD	105	45	80	71	142	111	23
DSWP	5	1	0	0	2	0	0
DWOP	1	1	0	0	1	0	0
NG	8	2	7	1	8	7	3
PARD	3	0	0	0	0	0	0
PEND	50	42	43	55	68	100	105
TRAN	262	247	236	259	272	587	549
DISM	349	121	170	239	293	303	160
NOLP	1,832	1,527	1,323	1,351	1,497	1,764	792
Blank	30	13	13	28	19	29	34
Total	3,540	2,586	2,370	2,548	2,929	3,503	1,910

Table 13: Dispositions for Felony Theft Organized Retail Crime by Arrest Year

Disposition	11§841B_F						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	16	3	7	15	17	21	6
PBJD	0	1	0	0	1	0	0
PEND	1	0	0	0	0	0	0
TRAN	10	4	14	15	20	73	12
DISM	4	1	1	1		7	1
NOLP	50	15	22	25	33	70	20
Blank	1	1	2		2	16	6
Total	82	25	46	56	73	187	45

Table 14: Dispositions for Misdemeanor Theft Organized Retail Crime by Arrest Year

Disposition	11§841B_M						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	10	7	5	4	4	8	2
PBJD	1	0	1	0	0	0	0
TRAN	4	4	16	17	5	19	22
DISM	18	0	3	15	1	12	3
NOLP	59	57	56	43	19	94	13
Blank	2	2	0	8	2	10	14
Total	94	70	81	87	31	143	54

Table 15: Dispositions for Felony Possession of Shoplifters Tools by Arrest Year

Disposition	11§860_F						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	4	2	4	4	5	4	0
PEND	0	0	0	0	0	0	1
TRAN	6	6	2	9	10	41	19
DISM	1	0	0	1	0	1	0
NOLP	107	77	42	75	64	109	76
Blank	0	0	0	1	1	6	0
Total	118	85	48	90	80	161	96

Table 16: Dispositions for Felony Theft by Arrest Year

Disposition	11§841_F						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	120	104	92	114	88	79	30
JDEL	20	12	8	2	10	8	3
GBMI	1	1	0	0	0	0	0
PBJ	3	4	0	5	3	8	1
DIV	0	1	0	0	0	0	0
PBJD	7	11	4	11	10	3	1
NG	0	0	1	0	0	2	0
PEND	0	2	4	0	11	11	9
TRAN	102	90	108	140	140	159	135
DISM	29	6	7	11	15	18	7
NOLP	485	391	392	366	355	409	119
Blank	13	5	10	20	26	24	13
Total	780	627	626	669	658	721	318

Table 17: Dispositions for Misdemeanor Theft by Arrest Year

Disposition	11§841_M						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	233	130	135	140	125	94	43
JDEL	11	2	1	3	3	1	2
CMCT	1	0	8	0	0	0	0
PBJ	1	1	3	2	4	14	6
DIV	2	0	0	0	0	0	0
PBJD	58	27	15	31	25	13	5
NG	2	0	1	0	4	1	0
DSWP	2	0	2	2	1	0	0
PEND	2	5	4	4	3	17	28
TRAN	96	123	161	142	118	193	167
DISM	100	34	47	70	79	85	30
NOLP	912	735	673	579	660	466	166
Blank	63	31	24	27	40	43	30
Total	1,483	1,088	1,074	1,000	1,062	927	477

Table 18: Dispositions for Felony Receiving Stolen Property by Arrest Year

Disposition	11§851_F						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	6	10	13	4	11	2	1
JDEL	12	10	8	3	2	8	1
PBJ	0	0	0	0	2	2	1
PBJD	1	0	0	0	3	0	0
PEND	1	1	1	0	2	6	6
TRAN	5	6	16	20	23	23	14
DISM	3	0	0	5	3	4	0
NOLP	43	42	62	35	51	52	15
Blank	6	0	2	10	9	0	2
Total	77	69	102	77	106	97	40

Table 19: Dispositions for Misdemeanor Receiving Stolen Property by Arrest Year

Disposition	11§851_M						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	5	3	4	4	2	6	0
PBJ	1	2	0	0	0	0	0
PBJD	1	0	1	1	0	1	0
TRAN	7	14	9	10	2	10	42
DISM	13	2	8	7	7	5	5
NOLP	75	39	41	43	118	34	9
Blank	6	0	1	3	22	4	2
Total	108	60	64	68	151	60	58

Table 20: Dispositions for Felony Selling Stolen Property by Arrest Year

Disposition	11§852a_F						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	5	3	2	2	4	1	4
PBJD	0	0	0	0	0	1	0
PEND	1	0	0	0	1	1	0
TRAN	9	7	5	9	8	3	9
DISM	2	1	0	0	0	3	0
NOLP	25	20	15	29	15	5	24
Blank	1	0	2	0	1	0	0
Total	43	31	24	40	29	14	37

Table 21: Dispositions for Misdemeanor Selling Stolen Property by Arrest Year

Disposition	11§852a_M						
	2019	2020	2021	2022	2023	2024	*2025*
GLTY	19	18	9	8	7	4	2
CMCT	0	0	0	0	0	1	0
PBJ	0	0	0	0	0	1	0
PBJD	2	0	0	1	0	0	0
DSWP	0	0	1	1	0	0	0
NG	0	0	1	0	0	0	0
PEND	0	0	0	2	0	1	1
TRAN	26	8	36	6	17	28	16
DISM	21	2	9	15	6	3	2
NOLP	226	115	100	93	43	69	11
Blank	6	0	0	1	3	0	3
Total	300	143	156	127	76	107	35

Tables 22 and 23 display the Dismissed and Nol-prossed reason codes, respectively, used at final disposition by arrest year.

Table 22: Reasons for Dismissed Dispositions

Final Dispositions of Dismissed									
Final Disp	Reason Code	Meaning	2019	2020	2021	2022	2023	2024	*2025*
DISM	05	Disposition Other Court		2					
DISM	11	Police Problem				2			
DISM	12	Availability-Victim or Witness	60	9	32	87	116	99	13
DISM	13	Attitude-Victim or Witness			1				
DISM	15	Attorney General Probation			1				
DISM	18	Insufficient Evidence	1		2		7	2	
DISM	28	Without Prejudice					2	6	1
DISM	29	Pled to Other Charges (same IND)		1			1	2	
DISM	32	Interest of Justice	2	10	11	10	6	9	3
DISM	33	Defendant Incompetent to Stand Trial					1		
DISM	35	Lack of Prosecution or Jurisdiction	5	8	15	3	8	2	1
DISM	67	Mental Health Court Diversion			4		3	2	
DISM	79	Wrong Person Arrested		1					
DISM	81	Deceased Defendant	4	9	3	1	3	1	
DISM	83	Nolle Prosse AG				3			12
DISM	86	Judge Ordered	14	6	14	7	5		1
DISM	87	Prosecution (Police) Request	1	1		1		1	
DISM	88	With Prejudice	2		2		1	1	
DISM	89	Data Error				3		3	
DISM	91	Police Office Failed to Show	11	25	37	21	49	24	13
DISM	97	First Offender		1					
DISM	No Reason Code		441	193	291	484	459	582	309
Total			*541*	*266*	*413*	*622*	*661*	*734*	*353*

Table 23: Reasons for Nolle Prosse Dispositions

Final Dispositions of Nolle Prosse									
Final Disp	Reason Code	Meaning	2019	2020	2021	2022	2023	2024	*2025*
NOLP	00	Community Court	83	58	28	37	7		
NOLP	01	Plea (Defendant, Different)	14	9	9	31	4		3
NOLP	02	Plea-(Co-Defendant)		32		5			
NOLP	03	Plea (Pled Guilty By)		6	6		14	9	
NOLP	05	Disposition Other Court	153	199	250	297	291	317	207
NOLP	06	Reindicted	3	11	29	4	29	129	8
NOLP	08	Mistrial				1	1		
NOLP	09	Defense Valid					2	8	
NOLP	10	Prosecutive Merit	17	25	98	40	9	5	11
NOLP	11	Police Problem	1	2	1		3	1	
NOLP	12	Availability-Victim or Witness	47	93	63	49	62	58	33
NOLP	13	Attitude-Victim or Witness	25	128	101	67	68	52	24
NOLP	14	Credibility-Victim or Witness					10	3	
NOLP	15	Attorney General Probation				2		5	3
NOLP	16	Deceased (refer to Victim)	2	4	8	7	1		
NOLP	17	Search			4				
NOLP	18	Insufficient Evidence	67	110	104	63	135	132	24
NOLP	19	Physical Evidence	3	1					1
NOLP	20	Evidence Suppressed		1				4	
NOLP	21	Restitution	9	33	7	1	11	15	5
NOLP	22	Custody (Other Jurisdiction)	1				2		
NOLP	23	Other Numbers Assigned	18	29	17		5	17	
NOLP	24	Charges Reduced to Lesser	77	189	104	157	274	306	43
NOLP	25	Combined with Other Charge	19	3	2	4	3	18	7
NOLP	26	Indicted on Other Charges	1	12	5	11	6	5	4
NOLP	27	Wrong Person Indicted	2	12	1	2	2		
NOLP	28	Without Prejudice	299	531	398	473	698	992	345
NOLP	29	Pled to Other Charges (same IND)	918	1,738	1,865	2,089	2,593	2,791	1,150
NOLP	30	Ignored by Grand Jury			3				
NOLP	31	Pled to Other Charges By	372	766	595	601	401	242	94
NOLP	32	Interest of Justice-Defendant Incompetent to Stand Trial	10	18	15	10	18	26	17
NOLP	33	Trial	4	6		8		16	
NOLP	35	Lack of Prosecution or Jurisdiction	2	2	23	1		4	7
NOLP	38	Diversion	66	85	102	88	91	95	37
NOLP	39	Pled Guilty Subsequent Offense DUI						4	
NOLP	67	Mental Health Court Diversion		7		6		16	
NOLP	71	Mediation (People's Place)	2	1					
NOLP	79	Wrong Person Arrested	3	6	10	4	11	16	4

Table 23: Reasons for Nolle Prosse Dispositions (Con't)

Final Disp	Reason Code	Meaning	2019	2020	2021	2022	2023	2024	*2025*
NOLP	80	Rule 9 Warrant Issued	3	1			2		
NOLP	81	Deceased Defendant	50	127	58	32	63	27	4
NOLP	82	Showed Proof	8	3	5	7	14	7	1
NOLP	83	Nolle Pros AG	905	1,572	1,385	1,269	778	534	205
NOLP	86	Judge Ordered			1	1	1		1
NOLP	87	Prosecution (Police) Request	23	20	19	18	28	28	10
NOLP	88	With Prejudice	47	23	15	19	80	53	8
NOLP	89	Data Error			2				
NOLP	90	Statute of Limitations Expired			1		18		
NOLP	91	Police Officer Failed to Show	1	2	9	1	1	2	
NOLP	99	Administration Action (File Clean-Up)	11		1	3	7		
NOLP	No Reason Code			736	546	425	439	622	240
Total			3,266	6,601	5,890	5,833	6,182	6,559	2,496

Arrestees from each calendar year under the age of 18 at the time of arrest, and having only misdemeanor charges involving no Title 21 and no sex offense misdemeanors are eligibility for the Juvenile Civil Citation Program. The following tables show information for those juveniles eligible for the Civil Citation Program.

Table 24 shows the age breakout of arrestees per calendar year, and Table 25 shows the charges of interest involved in the arrests by calendar year.

Table 24: Age at Arrest for Juveniles Eligible for Civil Citation by Arrest Year

Age at Arrest for Civil Citation Eligible Juveniles							
Age at Arrest	2019	2020	2021	2022	2023	2024	*2025*
11	3	1	3	1	0	0	0
12	0	3	0	4	2	8	2
13	8	13	5	11	18	9	13
14	25	22	5	9	24	13	15
15	33	16	12	18	39	29	25
16	42	24	12	21	42	23	21
17	38	20	22	26	53	37	17
Total	149	99	59	90	178	119	93

Table 25: Charges by Year for Juvenile Civil Citation Eligible Arrests

Juvenile Civil Citation Eligible Charges by Year				
Arrest Year	11§840	11§841	11§851	Total Charges
2019	116	41	4	161
2020	98	28	4	130
2021	40	19	5	64
2022	59	57	2	118
2023	163	24	9	196
2024	114	11	0	125
2025	85	23	0	108

Table 26, 27 and 28 show the final disposition outcomes of the charges of interest for juveniles eligible for Civil Citation. Charges and/or cases that are known to be expunged are not included in these tables.

Table 26: Final Disposition of Charges for juvenile arrests eligible for Civil Citation by Arrest Year for 11§840_M

11§840_M							
Final Disposition	2019	2020	2021	2022	2023	2024	*2025*
JDEL	4	1	1	3	2	4	1
GLTY	1						
PBJ						1	3
DIV							1
DSWP	5	1			1		
DWOP	1						
PBJD	2			1	1		
PEND	12	1	2	5	14	25	42
TRAN	0	4	1	5	3	13	5
NOLP	31	26	14	11	18	18	20
DISM	2	1		4	2		
Blank	2	2			3	2	5
Total	60	36	18	29	44	63	77

Table 27: Final Disposition of Charges for juvenile arrests eligible for Civil Citation by Arrest Year for 11§841_M

11§841_M							
Final Disposition	2019	2020	2021	2022	2023	2024	*2025*
JDEL	6			1			
PBJ		1				1	
PBJD	1				1	1	
PEND		1		1	1	3	13
TRAN		2	2	8	5	1	1
NOLP	17	9	8	8	8	3	7
DISM		1			2		
Blank		1					2
Total	24	15	10	18	17	9	23

Table 28: Final Disposition of Charges for juvenile arrests eligible for Civil Citation by Arrest Year for 11§851_M

11§851_M					
Final Disposition	2019	2020	2021	2022	2023
PBJ	1	2			
TRAN	1		2	1	
NOLP	1	1	1		1
DISM	1				
Blank					2
Total	4	3	3	1	3

Tables 29 and 30 display the reason codes for the Dismissed and Nolle Prosse dispositions, respectively, for Juvenile eligible for Civil Citation by year of arrest.

Table 29: Reasons for Dismissed Dispositions

Final Disp	Reason Code	Meaning	2019	2020	2021	2022	2023	2024	*2025*
DISM	29	Pled to Other Charges (same IND)		1					
DISM	35	Lack of Prosecution or Jurisdiction					1		
DISM	67	Mental Health Court Diversion					1		
DISM	86	Judge Ordered					1		
DISM	87	Prosecution (Police) Request				1			
DISM	No Reason Code		3	1		3	1		
Total			3	2	0	4	4	0	0

Table 30: Reasons for Nolle Prosse Dispositions

Final Dispositions of Nolle Prosse									
Final Disp	Reason Code	Meaning	2019	2020	2021	2022	2023	2024	*2025*
NOLP	01	Plea (Defendant, Different)	4						
NOLP	03	Plea (Pled Guilty By)			1				
NOLP	10	Prosecutive Merit	2						
NOLP	13	Attitude-Victim or Witness	1	2				1	
NOLP	18	Insufficient Evidence			3				
NOLP	21	Restitution				1			
NOLP	23	Other Numbers Assigned		1					
NOLP	25	Combined with Other Charge							1
NOLP	28	Without Prejudice	9	2	4	1	3	5	7
NOLP	29	Pled to Other Charges (same IND)	14	14	5	4	5	4	8
NOLP	31	Pled to Other Charges By	1		2		3		
NOLP	32	Interest of Justice-Defendant Incompetent to Stand Trial	1	1	1	2	3	1	5
NOLP	33	Trial	1						
NOLP	35	Lack of Prosecution or Jurisdiction							1
NOLP	38	Diversion		2				1	1
NOLP	67	Mental Health Court Diversion						1	
NOLP	80	Rule 9 Warrant Issued					1		
NOLP	81	Deceased Defendant	1						
NOLP	83	Nolle Pros AG	3		2	4	7	1	1
NOLP	88	With Prejudice					1		
NOLP	No Reason Code		12	14	5	7	4	7	3
Total			49	36	23	19	27	21	27

Civil Recovery for Retail Theft and Organized Retail Theft

Jessica Guarino and Amanda Essex

Delaware Retail Crime Prevention Task Force Meeting

November 4, 2025







Who is NCSL?

- Non-profit, bi-partisan organization.
- Members are all 7,386 legislators and 30,000 legislative staff in 50 states, D.C. and U.S. territories.
- Offices in Denver and D.C.
- Among our goals– to provide legislatures with information and research about policy issues, both state and federal.
- NCSL tracks state policy in all public policy areas.



Key Terms

Civil recovery:

- The legal process by which businesses or retailers can recover losses incurred due to theft through civil action

Organized retail theft:

- Large-scale theft of retail merchandise with the intent to resell the stolen items for financial gain
- Criminal conduct and penalty

Graduated penalties for theft:

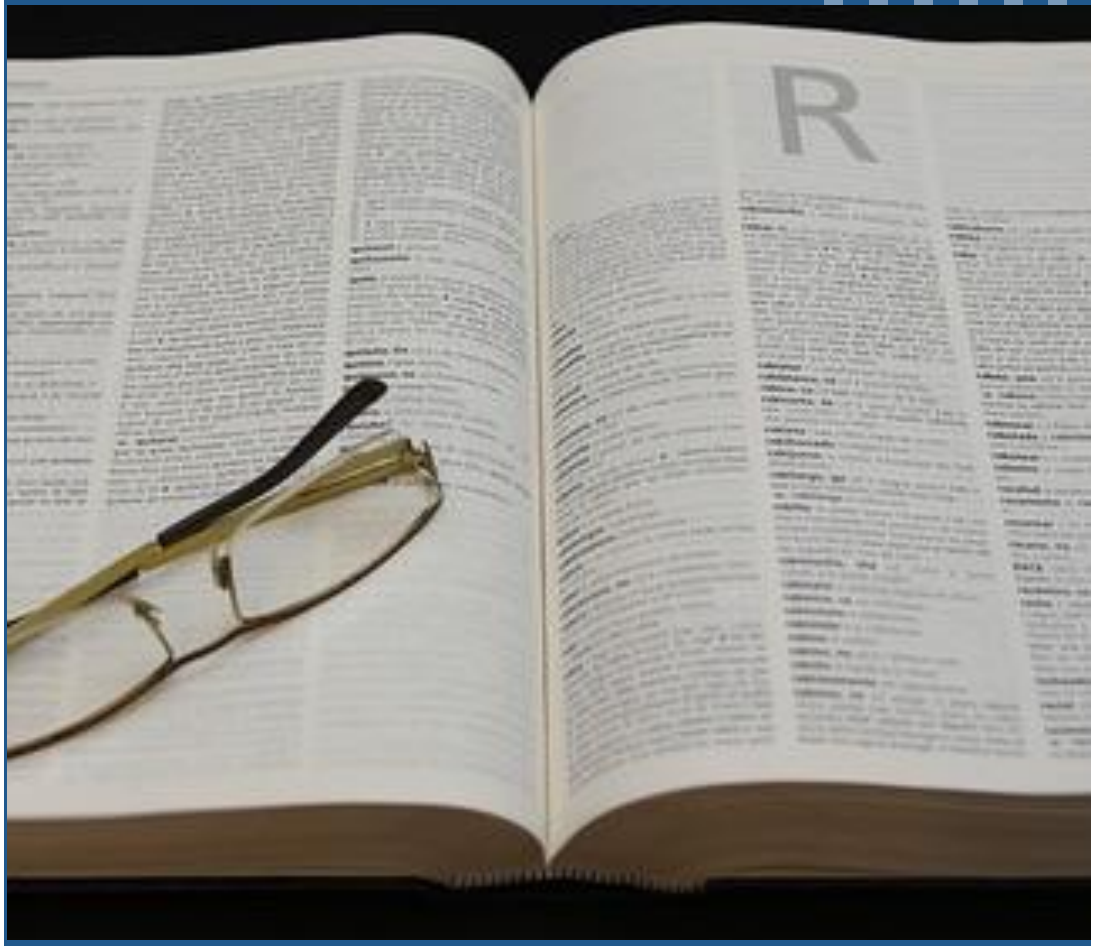
- Subsequent offenses can lead to a heightened charge

Actual damages:

- Primarily economic damages in the amount of the retail value of the merchandise

Treble damages:

- Three times the amount of actual damages



by Unknown Author is licensed under

Civil Recovery Ranges

Actual Damages:

- Undefined in some states and defined in others
- Can include:
  - travel expenses related to court proceedings for the recovery of the judgement
  - a reasonable amount to compensate lost time filing papers and attending court proceedings
  - expenses incurred suffering loss to compensate employees and agents for time spent on recovery matters, including all other reasonable costs of collection

Additional Penalties (range across states):

- Maximum recovery: $3,000 (North Carolina)
- Minimum recovery: not less than $50 (Ohio)



Statutory Right to Demand Letter

Allows for handling matters outside of formal court process

Some states limit the contents of the demand letter and require that demands be sent a certain amount of time before filing the action

Maryland

- First demand letter must be sent at least 125 days before filing of action and second demand letter must be sent at least 20 days before filing of action

Kansas

- If a demand letter includes a threat of criminal prosecution, the retailer is precluded from civil recovery

Hawaii

- Lack of demand letter can reduce amount recoverable

NCSL

Prerequisites to Recovery



Ohio	New Mexico	Wyoming	Minnesota
Demand letter sent	Conviction for shoplifting	Notice to law enforcement	Conspicuous notice of civil liability

Organized Retail Theft As A Criminal Offense

- At least 40 states
- Acting in concert or association with others
- Grading of offense based on value or stolen property
- Knowingly or with intent

Graduated Penalties

Maryland § 7-104

Theft between $100 and $1500

First offense: misdemeanor, 6 months imprisonment, fine up to $500

Second or subsequent offense: misdemeanor, up to 1 year imprisonment, fine up to $1000

Four or more prior convictions: misdemeanor, up to 5 years imprisonment, fine up to $5000

New Jersey § 2C:20-11.3

Prosecutor may request extended term of imprisonment if the person has been previously convicted on two or more prior and separate occasions.

Pennsylvania 18 Pa.C.S. § 3929

Merchandise less than $150, first offense: summary offense

Merchandise less than $150, second offense: misdemeanor of the second degree

Merchandise more than $150, first or second offense: misdemeanor of the first degree

Third or subsequent offense regardless of value: felony of the third degree

Merchandise over $1000 or firearm or motor vehicle: felony of the third degree



Thank you for joining today!

Amanda Essex
Program Principal
amanda.essex@ncsl.org

Jessica Guarino
Policy Associate
jessica.guarino@ncsl.org

www.ncsl.org

@NCSLorg

Denver
7700 East First Place,
Denver CO 80230

Washington, D.C.

444 North Capitol Street, N.W.
Suite 515,
Washington, D.C. 20001

NATIONAL CONFERENCE OF STATE LEGISLATURES

Organized Retail Theft Laws by State

October 2025

State	Citation	Summary
Alabama	§ 13A-8-226	**(a)** A person commits the crime of organized retail theft when the person, in association with one or more other persons, knowingly does any of the following: **(1)** Organizes, supervises, finances, participates, directs, solicits, or otherwise manages or assists another person in committing organized retail theft. **(2)** Removes, destroys, deactivates, or knowingly evades any component of an antishoplifting or inventory control device to prevent the activation of that device or to facilitate another person in committing organized retail theft. **(3)** Attempts, solicits, or conspires with another person to commit organized retail theft. **(4)** Receives, purchases, or possesses retail merchandise for sale or resale knowing or believing the retail merchandise to be stolen is from a retail merchant. **(5)** Uses any fraud, artifice, instrument, container, device, or other article to facilitate the commission of organized retail theft. **(6)** Remains unlawfully inside a retail establishment after business hours, with the intent to commit a retail theft therein. **(7)** Uses a wireless telecommunication device or other digital or electronic device to facilitate the theft of retail merchandise. **(8)** Uses a rental or stolen motor vehicle or vehicle of another In the course of committing retail theft for the purposes of the concealment of his or her Identity. **(9)** Receives, retains, or disposes of retail merchandise knowing that It has been stolen or having reasonable grounds to believe It has been stolen. **(b)**

		(1) Theft of one or more Items of retail merchandise, the aggregate value of which exceeds two thousand five hundred dollars ($2,500) In retail value during a one-year or longer period, constitutes organized retail theft. **(2)** Theft of retail merchandise consisting of one or more Items of retail merchandise during a 180-day period, the aggregate value of which Is one thousand dollars ($1,000) or more, constitutes organized retail theft. **(3)** Theft or retail merchandise consisting of one or more Items of retail merchandise during a 30-day period, the aggregate value of which Is five hundred dollars ($500) or more, constitutes organized retail theft.
Arizona	§ 13-1819	**A.** A person commits organized retail theft if the person acting alone or in conjunction with another person does any of the following: **1.** Removes merchandise from a retail establishment without paying the purchase price with the intent to resell or trade the merchandise for money or for other value. **2.** Uses an artifice, instrument, container, device or other article to facilitate the removal of merchandise from a retail establishment without paying the purchase price. **B.** Organized retail theft is a class 4 felony.
Arkansas	§ 5-36-127	**(b)** A person commits the offense of organized retail theft if: **(1)** The person, acting in concert with one (1) or more other persons, knowingly: **(A)** Commits theft of property under § 5-36-103(a) and the property is consumer goods; **(B)** Organizes, supervises, finances, directs, solicits, or otherwise aids in the commission of theft of property under § 5-36-103(a) and the property is consumer goods; **(C)** Removes, destroys, deactivates, or evades any component of an antishoplifting or inventory control device to prevent the activation of that device to facilitate the commission of theft of property under § 5-36-103(a) and the property is consumer goods; **(D)** Remains unlawfully inside a retail establishment after business hours to facilitate the commission of theft of property under § 5-36-103(a) and the property is consumer goods; **(E)** Uses a wireless telecommunication device or other digital or electronic device to facilitate the commission of theft of property under § 5-36-103(a) and the property is consumer goods; or **(F)** Uses a rental or stolen motor vehicle or vehicle of another in the course of committing theft of property under § 5-36-103(a) and the property is consumer goods; and **(2)** **(A)** The value of the property or aggregate value of property stolen within 120 days is more than $1,000. **(B)** The unaltered price tag or other marking on property, or identified photographs thereof, or bills of lading or shipping manifests, is prima facie evidence of value and ownership of the property. **(c)** Organized retail theft is a: **(1)** Class B felony if: **(A)** The value of the property is $25,000 or more; or **(B)** The aggregate value of property stolen within 120 days is $25,000 or more;

		(2) Class C felony if: **(A)** The value of the property is less than $25,000 but more than $5,000; or **(B)** The aggregate value of property stolen within 120 days is less than $25,000 but more than $5,000; or **(3)** Class D felony if: **(A)** The value of the property is less than $5,000 but more than $1,000; or **(B)** The aggregate value of property stolen within 120 days is less than $5,000 but more than $1,000. **(d)** If an organized retail theft takes place in more than one (1) judicial district, the instances of organized retail theft may be aggregated and charged in the circuit court of any judicial district in which one (1) or more instances occurred and each judicial district shall have concurrent jurisdiction.
California	Penal Code § 490.4	Organized retail theft includes: **(1)** Acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplace with the intent to sell, exchange, or return the merchandise for value. **(2)** Acts in concert with two or more persons to receive, purchase, or possess merchandise described in paragraph (1), knowing or believing it to have been stolen. **(3)** Acts as an agent of another individual or group of individuals to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft. **(4)** Recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake any of the acts described in paragraph (1) or (2) or any other statute defining theft of merchandise. **(b)** Organized retail theft is punishable as follows: **(1)** If violations of paragraph (1), (2), or (3) of subdivision (a) are committed on two or more separate occasions within a 12-month period, and if the aggregated value of the merchandise stolen, received, purchased, or possessed within that 12-month period exceeds $950, the offense is punishable by imprisonment in a county jail not exceeding 1 year or pursuant to subdivision (h) of Section 1170. **(2)** Any other violation of paragraph (1), (2), or (3) of subdivision (a) that is not described in paragraph (1) of this subdivision is punishable by imprisonment in a county jail not exceeding 1 year. **(3)** A violation of paragraph (4) of subdivision (a) is punishable by imprisonment in a county jail not exceeding 1 year or pursuant to subdivision (h) of Section 1170.
Connecticut	§ 53-142k	Defines “Retail property fence” as a person who buys retail property when such person knows or should know the property is stolen and with the intent to unlawfully distribute the property or to promote, manage, carry on or facilitate a violation of subsection (b) of this section. **(b)** Any person who, for financial gain and in conjunction with one or more other persons, commits larceny by shoplifting, as defined in section 53a-119, of retail property having an aggregate value exceeding $2,000 and **(1)** wrongfully takes such property during a period of 180 days, or **(2)** sells, delivers or otherwise transfers such property to a retail property fence, shall have committed the offense of organized retail theft.

		(c) Any person who receives, possesses, conceals, stores, barters, sells or disposes of any retail property acquired in violation of subsection (b) of this section, with the intent to distribute the proceeds or otherwise promote, manage, carry on or facilitate a violation of said subsection, shall have committed the offense of accessory to organized retail theft. **(d)** It shall not be a defense to a charge of accessory to organized retail theft in violation of subsection (c) of this section that the retail property was obtained by means other than through a violation of said subsection if the property was explicitly represented to the person charged under said subsection (c) as being obtained through the commission of organized retail theft. **(e)** Any person who violates subsection (b) or (c) of this section shall be guilty of a class D felony, except that, if such person derives a financial benefit of ten thousand dollars or more as a result of such violation, such person shall be guilty of a class C felony.
Delaware	11 Del. C. § 841B	**(a)** A person is guilty of ''theft: organized retail crime'' when the person takes, exercises control over, or obtains retail merchandise of another person intending to deprive that person of it, or receives stolen property in violation of § 851 of this title, in quantities that would not normally be purchased for personal use or consumption, with the intent to appropriate or to resell or reenter the merchandise into commerce. **(b)** For purposes of this section, a series of organized retail crime thefts committed by a person or group of persons may be aggregated into 1 count or charge, with the sum of the value of all the retail merchandise being the value considered in determining the degree of theft: organized retail crime. **(c)** In addition to the provisions of § 841(c) and (d) of this title, if a defendant has 2 or more times been convicted of theft: organized retail crime, the offense of theft: organized retail crime is a class E felony.
Florida	§ 812.015	Defines retail theft as "the taking possession of or carrying away of merchandise, property, money, or negotiable documents; altering or removing a label, universal product code, or price tag; transferring merchandise from one container to another; or removing a shopping cart, with intent to deprive the merchant of possession, use, benefit, or full retail value." Provides that a person who commits retail theft commits a felony of the third degree if the property stolen is valued at $750 or more, and the person: **(a)** Individually commits retail theft, or in concert with one or more other persons, coordinates the activities of one or more individuals in committing the offense, which may occur through multiple acts of retail theft, in which the amount of each individual theft is aggregated within a 120-day period to determine the value of the property stolen; **(b)** Conspires with another person to commit retail theft with the intent to sell the stolen property for monetary or other gain, and subsequently takes or causes such property to be placed in the control of another person in exchange for consideration, in which the stolen property taken or placed within a 120-day period is aggregated to determine the value of the stolen property;

		(c) Individually, or in concert with one or more other persons, commits theft from more than one location within a 120-day period, in which the amount of each individual theft is aggregated to determine the value of the property stolen; **(d)** Acts in concert with one or more other individuals within one or more establishments to distract the merchant, merchant's employee, or law enforcement officer in order to carry out the offense, or acts in other ways to coordinate efforts to carry out the offense; or **(e)** Commits the offense through the purchase of merchandise in a package or box that contains merchandise other than, or in addition to, the merchandise purported to be contained in the package or box. **(f)** Individually, or in concert with one or more other persons, commits three or more retail thefts within a 120-day period and in committing such thefts obtains or uses 10 or more items of merchandise, and the number of items stolen during each theft is aggregated within the 120-day period to determine the total number of items stolen, regardless of the value of such merchandise, and two or more of the thefts occur at different physical merchant locations; or **(g)** Acts in concert with five or more other persons within one or more establishments for the purpose of overwhelming the response of a merchant, merchant's employee, or law enforcement officer in order to carry out the offense or avoid detection or apprehension for the offense. It is felony of the second degree if the value of the stolen property is in excess of $3,000.
Georgia	§ 16-8-14.2	**(a)** A person commits the offense of organized retail theft when such person intentionally organizes, plans, finances, directs, manages, or supervises one or more other persons to appropriate property of a store or retail establishment to his or her own use without paying for such property or to deprive the owner of the property of the value thereof, in whole or in part, and when such property is taken from one or more stores or retail establishments over a period of 180 days with the intent to sell such property for monetary or other gain and when the aggregate value of the property which was the subject of the theft has a value exceeding $24,999.99 and is placed or is to be placed in the control of a retail property fence as defined in Code Section 16-8-5.2 or other person in exchange for consideration. **(b)** In all cases involving organized retail theft, the term "value" means the actual retail price of the property at the time and place of the offense. The unaltered price tag or other marking on property, or duly identified photographs thereof, shall be prima-facie evidence of value and ownership of the property. **(c)** In any criminal proceeding pursuant to this Code section, the crime shall be considered to have been committed in any county in which an incident of organized retail theft occurred. **(d)** A person convicted of a violation of this Code section shall be guilty of a felony and shall be punished by imprisonment for not less than three nor more than 20 years, a fine not to exceed $50,000.00, or both.
Illinois	720 ILCS 5/16-25.1	**(a)** An individual is guilty of organized retail crime when that individual, in concert with another individual or any group of individuals, knowingly commits the act of retail theft from one or more retail mercantile establishments, and in the course of or in furtherance of such crime or flight therefrom**: (1)** assault someone, **(2)** commit battery, or **(3)** intentionally damage store property.

		(b) An individual is guilty of being a manager of the organized retail crime when that individual knowingly recruits, organizes, supervises, finances, or otherwise manages or directs any other individual or individuals to: **(1)** commit the act of retail theft from one or more retail mercantile establishments, if the aggregate value of the merchandise exceeds $300, and the manager or the individual has the intent to resell the merchandise or otherwise have the merchandise reenter the stream of commerce; **(2)** commit theft of merchandise, the aggregate retail value of which exceeds $300, while the merchandise is in transit from the manufacturer to the retail mercantile establishment, and the manager or the individual has the intent to resell the merchandise; **(3)** obtain control over property for sale or resale, the aggregate retail value of which exceeds $300, knowing the property to have been stolen or under such circumstances as would reasonably induce the individual to believe that the property was stolen; or **(4)** receive, possess, or purchase any merchandise or stored value cards, the aggregate retail value of which exceeds $300, obtained from a fraudulent return with the knowledge that the property was obtained in violation of this Section or Section 16-25 [720 ILCS 5/16–25]. **(d)** Sentence. A violation of paragraph (1) or (3) of subsection (a) is a Class 3 felony. A violation of paragraph (2) of subsection (a) is a Class 2 felony. A violation of subsection (b) is a Class 2 felony.
Indiana	§ 35-43-4-2.2	**(b)** A person who exercises unauthorized control over the property of a retail merchant with the intent to directly or indirectly distribute the property for resale commits organized retail theft, a Level 6 felony. **(c)** The offense committed under subsection (b) is a Level 5 felony if: **(1)** the value of the property is at least $50,000; **(2)** the property is a firearm; or **(3)** the person has a prior unrelated conviction for: organized retail theft under this section; theft under section 2 of this chapter; or criminal conversion under section 3 of this chapter.
Iowa	§ 714.2B	**2.** A person commits organized retail theft when all of the following occur: **(a)** The person is employed by or associated with a retail theft enterprise. **(b)** The person has previously engaged in a pattern of retail theft and intentionally commits an act or directs another member of the retail theft enterprise to commit an act involving retail merchandise that is a violation of section 713.1, section 714.1, subsection 1, 3, 4, or 6, section 714.7B, or section 714.7C. **(c)** The person or another member of the retail theft enterprise sells or intends to sell the stolen retail merchandise, advertises or displays any item of the stolen retail merchandise for sale, or returns any item of the stolen retail merchandise to a retailer for anything of value. **3.** A person who commits organized retail theft is guilty of the following: **(a)** A class "C" felony if the value of the property stolen exceeds $5000. **(b)** A class "D" felony if either of the following circumstances exists:

		(1) The value of the property stolen is more than $1000 but not more than $5000. **(2)** The value of the property is more than $500 but not more than $1000 and the person has been convicted at least twice before for a violation of this section. **(c)** An aggravated misdemeanor if either of the following circumstances exist: **(1)** The value of the property stolen is more than $500 but not more than $1000. **(2)** The value of the property is $500 or less and the person commits the offense within 10 years of a previous conviction under this section. **(d)** A serious misdemeanor if the value of the property stolen is $500 or less.
Kansas	§ 21-5841	**(a)** Organized retail crime is any of the following acts done with intent to permanently deprive the owner of the possession, use or benefit of the owner's property or services: **(1)** Acting in concert with one or more other persons to: **(A)** Receive, purchase, sell or possess merchandise with an aggregate retail market value of $5,000 or more within a 12-month period, knowing or believing such merchandise to have been stolen; or **(B)** take merchandise with an aggregate retail market value of $5,000 or more from one or more retailers within a 12-month period, as part of an organized plan to commit theft; or **(2) r**ecruiting, coordinating, organizing, supervising, directing, managing or financing one or more other persons to undertake any of the acts described in paragraph (1). **(b)** Organized retail crime: **(1)** Involving merchandise with an aggregate retail market value of at least $5,000 but less than $25,000 is a severity level 6, nonperson felony; **(2)** involving merchandise with an aggregate retail market value of at least $25,000 but less than $100,000 is a severity level 5, nonperson felony; and **(3)** involving merchandise with an aggregate retail market value of $100,000 or more is a severity level 4, nonperson felony. **(c)** In addition to the venue provided for under any other provision of law, a prosecution for organized retail crime may be brought in any county where at least $1 in aggregate retail market value of merchandise is taken, received, sold or purchased.
Kentucky	§ 506.120	**(1)** A person, with the purpose to establish or maintain a criminal syndicate or to facilitate any of its activities, shall not do any of the following: **(h)** Commit, or conspire or attempt to commit, or act as an accomplice in the commission of more than one theft of retail merchandise with the intent to resell the stolen merchandise; or **(i)** Acquire stolen retail merchandise for the purpose of reselling it where the person knew or should have known that the merchandise had been stolen.

		(2) Whoever violates this section is guilty of engaging in organized crime, which shall be a Class B felony, unless the offense involves only the theft or acquisition of retail merchandise for the purpose of reselling it, in which case it shall be a Class C felony.
Louisiana	LA R.S. 14:67.25	Defines organized retail theft as "the intentional procuring, receiving, or concealing of stolen retail property with the intent to sell, deliver, or distribute that property." Provides penalties as follows: **(1)** When the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any 180 day period amounts to a value of $25,000 or more, the person shall be imprisoned at hard labor for not more than 20 years, or may be fined not more than $50,000, or both. **(2)** When the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any 180 day period amounts to a value of $5,000 or more, but less than a value of $25,000, the person shall be imprisoned with or without hard labor for not more than 10 years, or may be fined not more than $10,000, or both. **(3)** When the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any 180 day period amounts to a value of $1,000 or more but less than a value of $5,000 shall be imprisoned, with or without hard labor, for not more than 5 years, or may be fined not more than $3,000, or both. **(4)** When the misappropriation or taking amounts to less than a value of $1,000, the offender shall be imprisoned for not more than 6 months, or may be fined not more than $1,000, or both. If the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction the offender shall be imprisoned, with or without hard labor, for not more than 2 years, or fined not more than $2,000, or both.
Maine	Title 17-A § 363	A person is guilty of organized retail theft if the person commits 2 or more thefts of retail merchandise under this chapter, either as a principal or an accomplice, pursuant to a scheme or course of conduct engaged in by 2 or more persons involving thefts from 2 or more retail stores for the purpose of selling the stolen merchandise or conducting fraudulent returns of the stolen merchandise. Violation of this section is a Class C crime.
Maryland	§ 7-104.1	**(2)** "Organized retail theft" means the commission, either alone or in concert with one or more other persons, of a series of thefts of retail merchandise from one or more retail merchants over a 90-day period with the intent to: **(i)** permanently deprive the merchant of the merchandise; **(ii)** return the merchandise to the merchant for monetary or other gain; or **(iii)** resell, trade, or barter the merchandise for monetary or other gain. **(b)** A person may not commit organized retail theft of property with an aggregate value exceeding $1,500. **(c)** A person who violates subsection (b) of this section with a value of: **(1)** at least $1,500 but less than $25,000 is guilty of a felony and: **(i)** is subject to imprisonment not exceeding 5 years or a fine not exceeding $10,000 or both; and **(ii)** shall restore the property taken to the owner or pay the owner the value of the property or services;

		(2) at least $25,000 but less than $100,000 is guilty of a felony and: **(i)** is subject to imprisonment not exceeding 10 years or a fine not exceeding $15,000 or both; and **(ii)** shall restore the property taken to the owner or pay the owner the value of the property or services; or **(3)** $100,000 or more is guilty of a felony and: **(i)** is subject to imprisonment not exceeding 20 years or a fine not exceeding $25,000 or both; and **(ii)** shall restore the property taken to the owner or pay the owner the value of the property or services.
Massachusetts	266 § 30D	**(b)** A person commits an organized retail crime if the person, acting in concert with 2 or more persons and within a 180 day period steals, embezzles or obtains by fraud, false pretense or other illegal means retail merchandise valued at more than $2,500 to resell or otherwise reenter such retail merchandise into commerce… a violation shall be punished by imprisonment in a state prison for not more than 10 years. **(c)** A person commits an aggravated organized retail crime if the person, acting in concert with 2 or more persons and within a 180 day period, steals, embezzles or obtains by fraud, false pretense or other illegal means retail merchandise valued at more than $10,000 to resell or otherwise reenter such retail merchandise into commerce… a violation shall be punished by imprisonment in a state prison for not more than 15 years. **(d)** A person shall be a leader of an organized retail theft enterprise if the person conspires with others as an organizer, supervisor, financier or manager, to commit an organized retail crime or an aggravated organized retail crime. A leader of organized retail crime may be punished by a fine of not more than $250,000 or 5 times the retail value of the merchandise seized at the time of the arrest, whichever is greater, or imprisonment in state prison for not more than 20 years, or both fine and imprisonment.
Michigan	§ 752.1083 *et seq.*	Defines organized retail crime as "the theft of retail merchandise from a retail merchant with the intent or purpose of reselling, distributing, or otherwise reentering the retail merchandise in commerce, including the transfer of the stolen retail merchandise to another retail merchant or to any other person personally, through the mail, or through any electronic medium, including the internet, in exchange for anything of value." Per § 752.1084, organized retail crime is a felony punishable by imprisonment for not more than 5 years or a fine of $5,000.00, or both; restitution is available to a retail merchant victim.
Minnesota	§ 609.522	A person is guilty of organized retail theft if: **(1)** The person is employed by or associated with a retail theft enterprise; **(2)** The person has previously engaged in a pattern of retail theft and intentionally commits an act or directs another member of the retail theft enterprise to commit an act involving retail merchandise that would constitute a violation; and **(3)** the person or another member of the retail theft enterprise: **(a)** resells or intends to resell the stolen retail merchandise; **(b)** advertises or displays any item of the stolen retail merchandise for sale; or **(c)** returns any time of the stolen retail merchandise to a retailer for anything of value.

		Whoever commits organized retail theft may be sentenced as follows: **(1)** to imprisonment for not more than 15 years or to payment of a fine of not more than $35,000, or both, if the value of the property stolen exceeds $5,000; **(2)** to imprisonment for not more than 7 years or to payment of a fine of not more than $14,000, or both, if either of the following circumstances exist: **(a)** the value of the property stolen is more than $1,000 but not more than $5,000; or **(b)** the value of the property is more than $500 but not more than $1,000 and the person commits the offense within ten years of the first of two or more convictions under this section; **(3)** to imprisonment for not more than two years or to payment of a fine of not more than $5,000, or both, if either of the following circumstances exist: **(a)** the value of the property stolen is more than $500 but not more than $1,000; or **(b)** the value of the property is $500 or less and the person commits the offense within ten years of a previous conviction under this section; or **(4)** to imprisonment of not more than 364 days or to payment of a fine of not more than $3,000, or both, if the value of the property stolen is $500 or less.
Mississippi	§ 97-43-3.1	**(1)** It shall be unlawful for any person to conduct, organize, supervise or manage, directly or indirectly, an organized theft or fraud enterprise… **(2)** It shall be unlawful for any person who has, with criminal intent, received any proceeds or services derived, directly or indirectly, from an organized theft or fraud enterprise. **(3)** For the purposes of this section, an "organized theft or fraud enterprise" means any association of two or more persons who engage in the conduct of or are associated for the purpose of effectuating the transfer or sale of merchandise, services or information that has a pecuniary value that causes a loss to the victim. **(4)** The value of the merchandise or services or the pecuniary loss involved in a violation of this section may be aggregated in determining the grade of the offense where the acts or conduct constituting a violation were committed pursuant to one scheme or course of conduct, whether from the same person or several persons, or were committed in furtherance of or in conjunction with an organized theft or fraud enterprise. **(5)** Any person convicted under this section shall be, upon conviction, guilty of a felony and punished by a term of imprisonment of not more than 20 years or fined not more than $25,000, or both.
Missouri	§ 570.030	**3.** The offense of stealing is a class B felony if: **(6)** The person appropriates property, the person's course of conduct is part of an organized retail theft, and the value of the property taken, combined with any property damage inflicted in such theft, is ten thousand dollars or more. **4.** The offense of stealing is a class C felony if: **(3)** The person appropriates property, the person's course of conduct is part of an organized retail theft, and the value of the property taken, combined with any property damage inflicted in such theft, is **$750** or more but less than **$10,000**.

		12. As used in this section, the term "organized retail theft" means: **(1)** Any act of stealing committed by one or more persons, as part of any agreement to steal property from any business, and separate acts of stealing that are part of any ongoing agreement to steal may be aggregated for the purpose of determining value regardless of whether such acts are committed in the same jurisdiction or at the same time; **(2)** Any act of receiving or possessing any property that has been taken or stolen in violation of subdivision (1) of this subsection while knowing or having reasonable grounds to believe the property is stolen from any business in violation of this section, and separate acts of receiving or possessing such stolen property that are part of any ongoing agreement to receive or possess such stolen property may be aggregated for the purpose of determining value regardless of whether such acts are committed in the same jurisdiction or at the same time; or **(3)** Any act of organizing, supervising, financing, leading, or managing between one or more persons to engage for profit in a scheme or course of conduct to effectuate or intend to effectuate the transfer or sale of property stolen from any business in violation of this section, and separate acts of organizing, supervising, financing, leading, or managing between one or more persons to engage for profit in a scheme or course of conduct to effectuate or intend to effectuate the transfer or sale of such stolen property that are part of any ongoing agreement to organize, supervise, finance, lead, or manage between one or more persons to engage for profit in a scheme or course of conduct to effectuate or intend to effectuate the transfer or sale of such stolen property may be aggregated for the purpose of determining the value regardless of whether such acts are committed in the same jurisdiction or at the same time.
Montana	45-6-301, MCA	**(1), (2), and (3)** A person commits the offense of theft when the person purposely or knowingly: obtains or exerts unauthorized control over property of the owner (1), obtains by threat or deception control over property of the owner (2), or obtains control over stolen property knowing it was stolen by another (3); and in each case: **(a)** has the purpose of depriving the owner of the property; **(b)** purposely or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or **(c)** uses, conceals, or abandons the property knowing that the use, concealment, or abandonment probably will deprive the owner of the property. … **(7)** **(a)** Except as provided in subsections (7)(b) and (7)(d), a person convicted of a first or second offense of the offense of theft of property not exceeding $1,500 in value shall be fined an amount not to exceed $1,500 or be imprisoned in the county jail for a term not to exceed 6 months, or both.

		(b) A person convicted of a third or subsequent offense shall be fined $1,500 and be imprisoned in the county jail for a term of not less than 30 days or more than 6 months. **(8) Amounts involved in thefts committed pursuant to a common scheme or the same transaction, whether from the same person or several persons, may be aggregated in determining the value of the property.**
Nebraska	§§ 28-526, 28-527	A person commits the offense of organized retail crime when that person, acting alone or in association with another person, does any of the following: **(1)** Knowingly commits an organized retail crime; **(2)** Organizes, supervises, finances, or otherwise manages or assists another person in committing an organized retail crime; **(3)** Removes, destroys, deactivates, or knowingly evades any component of an antishoplifting or inventory-control device to prevent the activation of that device or to facilitate another person in committing an organized retail crime; **(4)** Conspires with another person to commit an organized retail crime; **(5)** Receives, purchases, or possesses retail merchandise for sale or resale if a reasonable person would know such retail merchandise to be stolen; **(6)** Uses any artifice, instrument, container, device, or other article to facilitate the commission of an organized retail crime; or **(7)** Knowingly causes a fire exit alarm to sound or otherwise activate, or deactivates or prevents a fire exit alarm from sounding, in the commission of an organized retail crime or to facilitate the commission of an organized retail crime by another person. **(1)** A violation of section 28-526 shall be a: **(a)** Class IIA felony when the aggregated retail market value of the retail merchandise involved is five thousand dollars or more; **(b)** Class IV felony when the aggregated retail market value of the retail merchandise involved is one thousand five hundred dollars or more but less than five thousand dollars; and **(c)** Class I misdemeanor when the aggregated retail market value of the retail merchandise involved is more than five hundred dollars but less than one thousand five hundred dollars. **(2)** A second or subsequent conviction under subdivision (1)(c) of this section shall be a Class IV felony. **(3)** For a prior conviction to be used to enhance the penalty under subsection (2) of this section, the prior conviction must have occurred no more than ten years prior to the date of commission of the current offense. **(4)** The aggregated retail market value of amounts taken pursuant to one organized retail crime scheme from one or more persons may be aggregated in the same indictment, information, or complaint in determining the classification of the offense, except that amounts shall not be aggregated into more than one offense.
New Mexico	§ 30-16-20.1	**A.** A person who commits any of the following acts is guilty of organized retail crime:

		(1) acts in concert with one or more persons to steal merchandise with an aggregated retail market value of two thousand five hundred dollars ($2,500) or more from one or more retailers over the span of one year with the intent to sell, exchange or return the merchandise for value; **(2)** acts in concert with one or more persons to receive, purchase or possess merchandise with an aggregated retail market value of two thousand five hundred dollars ($2,500) or more over the span of one year, knowing or believing it to have been stolen; **(3)** acts as an agent of another individual or group of individuals to steal merchandise with an aggregated retail market value of two thousand five hundred dollars ($2,500) or more from one or more retailers over the span of one year as part of an organized plan to commit theft; or **(4)** recruits, coordinates, organizes, supervises, directs, manages or finances another to undertake any of the acts described in this section or any other statute defining theft of merchandise. **C.** Whoever commits organized retail crime is guilty of a second degree felony.
Nevada	§ 205.08345	**1.** A person who knowingly participates directly or indirectly in or engages in conduct with the intent to further an organized retail theft is guilty of a category B felony and shall be punished by imprisonment in the state prison for: **(a)** If the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 120 days is at least $3,500 but less than $10,000, a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than $10,000. **(b)** If the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 120 days is $10,000 or more, a minimum term of not less than 2 years and a maximum term of not more than 15 years, and by a fine of not more than $20,000. **2.** In addition to any other penalty, the court shall order a person who violates this section to pay restitution. **3.** For the purposes of this section, in determining the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 120 days: **(a)** The amount involved in a single theft shall be deemed to be the highest value, by any reasonable standard, of the property or services which are obtained; and **(b)** The amounts involved in all thefts committed by all participants in the organized retail theft must be aggregated. **4.** In any prosecution for a violation of this section, the violation shall be deemed to have been committed and may be prosecuted in any jurisdiction in this State in which any theft committed by any participant in the organized retail theft was committed, regardless of whether the defendant was ever physically present in that jurisdiction… **5. (c)** "Organized retail theft" means committing, either alone or with any other person or persons, a series of thefts of retail merchandise against one or more merchants, either on the premises of a merchant or through the use of an Internet or network site, in this State with the intent to: **(1)** Return the merchandise to the merchant for value; or

		(2) Resell, trade or barter the merchandise for value in any manner, including, without limitation, through the use of an Internet or network site.
New Hampshire	§§ 637:10-c, 637:3-a, 637:10-b	§ 637:10-c states, "A person is guilty of a class B felony, and a class A felony for a second or subsequent offense, if he or she conspires with one or more persons to engage for profit in a scheme or course of conduct of theft as defined in RSA 637:3-a, II or RSA 637:10-b. A conviction under this section shall not merge with the conviction for any offense that is the object of the conspiracy." § 637:3-a provides "A person commits theft if, with the purpose to deprive a merchant of goods or merchandise, he or she knowingly: **(a)** Removes goods or merchandise from the premises of a merchant; or **(b)** Alters, transfers, or removes any price marking affixed to goods or merchandise; or **(c)** Causes the cash register or other sales recording device to reflect less than the merchant's stated or advertised price for the goods or merchandise; or **(d)** Transfers goods or merchandise from the container in which such goods or merchandise were intended to be sold to another container." Per § 637:10-b, "I. A person shall be guilty of a misdemeanor if such person possesses, uses, transfers, manufactures, alters, counterfeits, or reproduces a retail sales receipt or universal product code label with the purpose to deprive a merchant of goods or merchandise. II. A person shall be guilty of a class B felony if such person possesses, uses, transfers, manufactures, alters, counterfeits, or reproduces 5 or more retail sales receipts or universal product code labels, or any combination of 5 or more sales receipts or universal product code labels, or possesses a device designed or adapted to manufacture counterfeit retail sales receipts or universal product code labels with the purpose to deprive a merchant of goods or merchandise."
New Jersey	§ 2C:20-11	Defines organized retail theft enterprise as "any association of two or more persons who engage in the conduct of or are associated for the purpose of effectuating the transfer or sale of shoplifted merchandise." Provides penalties as follows: **(1)** Shoplifting constitutes a crime of the second degree under subsection b. of this section if the full retail value of the merchandise is $75,000 or more, or the offense is committed in the furtherance of or in conjunction with an organized retail theft enterprise and the full retail value of the merchandise is $1,000 or more; **(2)** Shoplifting constitutes a crime of the third degree under subsection b. of this section if the full retail value of the merchandise exceeds $500 but is less than $75,000, or the offense is committed in furtherance of or in conjunction with an organized retail theft enterprise and the full retail value of the merchandise is less than $1,000… The value of the merchandise involved in a violation of this section may be aggregated in determining the grade of the offense where the acts or conduct constituting a violation were committed pursuant to one scheme or course of conduct, whether from the same person or several persons, or were committed in furtherance of or in conjunction with an organized retail theft enterprise.
New York	Criminal Procedure § 20.40	Defines organized retail theft crime as "the crime of larceny, including by trick, fraud, embezzlement, stealing or false pretenses, of retail merchandise in quantities that would not normally be purchased for personal use or consumption, for the purposes of reselling, trading, or otherwise reentering such retail merchandise in commerce." An organized retail theft crime, where the defendant knows that such crime is a part of a

		coordinated plan, scheme or venture of organized retail theft crimes committed by two or more persons, may be prosecuted in any county in which such defendant committed at least one such organized retail theft crime; provided, however, that the county of prosecution is contiguous to another county in which one or more of such other organized retail theft crimes was committed. Multiple organized retail theft crimes committed by the same defendant may be joined in one indictment if authorized and appropriate in accordance with the provisions of section 200.20 of this chapter, provided, however, that notwithstanding section 200.40 of this chapter, no more than one defendant may be charged in the same indictment or prosecuted as part of the same trial under this paragraph. For purposes of this paragraph, the five counties that comprise New York city shall be deemed contiguous with each other.
North Carolina	§ 14-86.6	**(a)** A person commits the offense of organized retail theft if the person does any of the following" **(1)** conspires with another person to commit theft of retail property from retail establishments with the intent to sell, transfer, or possess that retail property for monetary or other gain. **(2)** receives or possesses any retail property that has been taken or stolen in violation of subdivision (1) of this subsection while knowing or having reasonable grounds to believe the property is stolen. **(3)** conspires with two or more other persons as an organizer, supervisor, financier, leader, or manager to engage for profit in a scheme or course of conduct to effectuate or intend to effectuate the transfer or sale of property stolen from a merchant in violation of this section. **(a2)** The following classifications apply to the offense of organized retail theft: **(1)** an offense when the retail property has a value exceeding $1500 aggregated over a 90-day period is a Class H felony. **(2)** An offense when the retail property has a value exceeding $20,000 aggregated over a 90-day period is a Class G felony. **(3)** An offense when the retail property has a value exceeding $50,000 aggregated over a 90-day period is a Class F felony. **(4)** An offense when the retail property has a value exceeding $100,000 aggregated over a 90-day period is a Class C felony.
Ohio	§ 2923.31	Defines organized retail theft as "the theft of retail property with a retail value of one thousand dollars or more from one or more retail establishments with the intent to sell, deliver, or transfer that property to a retail property fence." Retail property fence is defined as "person who possesses, procures, receives, or conceals retail property that was represented to the person as being stolen or that the person knows or believes to be stolen." Provides that organized retail theft or "conduct that constitutes one or more violations of any law of any state other than this state, that is substantially similar to organized retail theft, and that if committed in this state would be organized retail theft, if the defendant was convicted of or pleaded guilty to the conduct in a criminal proceeding in the other state," constitutes corrupt activity that can, but is not limited to, prosecution for a violation(s) under §§ 2913.02, 2913.51, and/or 2923.32.
Oregon	§ 164.098	**(1)** A person commits the crime of organized retail theft if, acting in concert with another person: **(a)** The person violates ORS 164.015 or aids or abets the other person to violate ORS 164.015;

		(b) The subject of the theft is merchandise and the merchandise is taken from a mercantile establishment; and **(c)** The aggregate value of the merchandise taken within any 180-day period exceeds $5,000. **(2)** As used in this section: **(a)** "Merchandise" has the meaning given that term in ORS 30.870. **(b)** "Mercantile establishment" has the meaning given that term in ORS 30.870. **(3)** Organized retail theft is a Class B felony.
Pennsylvania	Title 18 § 3929.3	**(a)** Offense defined.-- A person commits organized retail theft if the person organizes, coordinates, controls, supervises, finances or manages any of the activities of an organized retail theft enterprise. **(b)** Grading.— **(1)** If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft enterprise is at least $5,000, but not more than $19,999, the offense is a felony of the third degree. **(2)** If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft enterprise is at least $10,000, but not more than $49,999, the offense is a felony of the second degree. **(3)** If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft enterprise is at least $50,000, the offense is a felony of the first degree. **(c)** Definitions.-- … "Organized retail theft enterprise." A corporation, partnership or any other type of association, whether or not legally formed, operated for the purpose of engaging in violations of the provisions of § 3925 (relating to receiving stolen property) or 3929 (relating to retail theft).
South Carolina	§ 16-13-135	"Organized retail crime" means two or more people conspiring to commit theft of retail property from a retail establishment with the intent to sell, barter, exchange, or reenter such retail property into commerce for monetary or other gain. **(B)** It is unlawful for a person to: (**1)** commit organized retail crime, with a value exceeding $2,000 aggregated over a ninety-day period, with the intent to cause the retail property to be placed in the control of a retail property fence or other person in exchange for consideration; **(2)** receive, possess, or sell retail property that has been taken or stolen in violation of item (1) while knowing or having reasonable grounds to believe the property is stolen. A person is guilty of this offense whether or not anyone is convicted of the property theft. **(C)** Acts committed in different counties that have been aggregated in one count may be indicted and prosecuted in any one of the counties in which the acts occurred. In a prosecution for a violation of this section, the State is not required to establish and it is not a defense that some of the acts constituting the crime did not occur within one city, county, or local jurisdiction… **(E)** A person who violates this section: **(1)** for a first offense:

		(a) is guilty of a misdemeanor and, upon conviction, must be fined not more than $5,000 or imprisoned for not more than 3 years, or both, if the value of the retail property is more than $2,000 but less than $10,000; **(b)** is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned for not more than 5 years, or both, if the value of the retail property is more than $10,000 but less than $20,000; **(c)** is guilty of a felony and, upon conviction, must be fined not more than $20,000 or imprisoned for not more than 10 years, or both, if the value of the retail property is more than $20,000 but less than $50,000; (d) is guilty of a felony and, upon conviction, must be fined not more than $50,000 or imprisoned for not more than 20 years, or both, if the value of the retail property is more than $50,000; **(2)** for a second or subsequent offense, is guilty of a felony and, upon conviction, regardless of the value of the retail property in any offense, must be fined not more than $50,000 or imprisoned for not more than 20 years, or both. **(3)** for purposes of this section, multiple offenses occurring within a ninety-day period may be aggregated into a single count with the aggregated value used to determine the total value of the property; **(4)** organized retail crime is a lesser-included offense of organized retail crime of an aggravated nature as provided in subsection (F).
South Dakota	§§ 37-24-1; 37-24-52; 37-24-53	§ 37-24-1 defines organized retail crime as "the theft of retail merchandise from a retail seller with the intent or purpose of reselling, distributing, or otherwise reentering the retail merchandise in commerce, including the transfer of the stolen retail merchandise to another retail seller or to any other person personally, through the mail, or through any electronic medium, including the internet, in exchange for anything of value." Per § 37-24-52, A person is guilty of organized retail crime if that person, alone or in association with another person, does any of the following: **(1)** Knowingly commits an organized retail crime; **(2)** Organizes, supervises, conspires, finances, or otherwise manages or assists another person in committing an organized retail crime; **(3)** Removes, destroys, deactivates, or knowingly evades any component of an anti-shoplifting or inventory control device to prevent the activation of that device or to facilitate another person in committing an organized retail crime; or **(4)** Knowingly causes a fire exit alarm to sound or otherwise activate, or deactivates or prevents a fire exit alarm from sounding, in the commission of an organized retail crime by another person. Each act in violation of this section under $1,000 is a Class 1 misdemeanor. Each act in violation of this section over $1,000 but under $100,000 is a Class 6 felony. Each act in violation of this section over $100,000 is a Class 5 felony. § 37-24-53 states that the court shall order a person who is found guilty of organized retail crime to make restitution to any retail seller victim and to reimburse the governmental entity for its expenses incurred as a result of the violation of § 37-24-52.
Tennessee	§ 39-14-113	**(c)** A person commits the offense of organized retail crime when the person:

		(1) Acts in concert with one (1) or more individuals to commit theft of any merchandise with a value greater than one thousand dollars ($1,000) aggregated over a ninety-day period with the intent to: **(A)** Sell, barter, or trade the merchandise for monetary or other gain; or **(B)** Fraudulently return the merchandise to a retail merchant; or **(2)** Receives, possesses, sells, or purchases, by physical or electronic means, any merchandise or stored value cards obtained from a fraudulent return with the knowledge that the property was obtained in violation of § 39-14-103 or § 39-14-146. knowledge that the property was obtained in violation of § 39-14-103 or § 39-14-146; **(3)** Knowingly removes, destroys, deactivates, or evades any component of an anti-shoplifting or inventory control device to prevent the activation of that device or to facilitate the commission of an offense under this subsection (c); **(4)** Knowingly activates or interferes with a fire alarm system during the commission of an offense under this subsection (c) or to facilitate the commission of an offense under this subsection (c); **(5)** Knowingly uses an online marketplace or a social media platform to coordinate a meeting with one (1) or more individuals to sell, barter, or trade stolen merchandise for monetary or other gain; **(6)** Knowingly returns stolen merchandise or counterfeit merchandise to a retail merchant; **(7)** Receives, purchases, or possesses retail merchandise for the purpose of sale or resale knowing or believing the merchandise to be stolen from a merchant; **(8)** Knowingly uses any artifice, instrument, container, device, or other article to facilitate the commission of an offense under this subsection (c); **(9)** Knowingly uses a device or apparatus, including, but not limited to, a device or apparatus that can be affixed to point-of-sale terminals, automated teller machines, fuel pumps, and other payment processing devices, unlawfully to capture, record, or transmit the electronic information contained on the magnetic strip or embedded chip of a credit card, debit card, or other payment device with the intent to defraud another; or **(10)** Knowingly possesses, controls, or has custody of ten (10) or more fraudulently obtained access devices, including gift cards, with the intent to defraud another. As used in this subdivision (c)(10), "access devices" means any card, plate, code, account number, electronic serial number, mobile identification number, personal identification number, or other means of account access that can be used, alone or in conjunction with another access device, to obtain money, goods, services, or other thing of value, whether the device is physical or digital. **(d)** **(1)** A violation of subsection (c) is punished as theft pursuant to § 39-14-105. **(2)** A violation of subsection (c) is punished one (1) classification higher than provided in § 39-14-105 if the defendant exercised organizational, supervisory, financial, or management authority over the activity of one (1) or more other persons in furtherance of a violation of this section. **(3)** A violation of subsection (c) is punished one (1) classification higher than provided in § 39-14-105 if the defendant engages in the destruction of property or uses a weapon during the commission of the offense.

		(e) Any interest in property acquired or maintained in violation of this section shall be subject to forfeiture as provided by chapter 11, part 7 of this title.
Texas	Penal Code § 31.16	**(a)** A person commits an offense if the person: **(1)** acting in concert with one or more other persons, unlawfully appropriates retail merchandise, money, or other property from a merchant with the intent to deprive the merchant of the property; **(2)** on two or more occasions within a 180-day period, unlawfully appropriates retail merchandise, money, or other property from a merchant with the intent to deprive the merchant of the property; **(3)** knowingly obtains a benefit from conduct constituting an offense under Subdivision (1) or (2) that was committed by another person; or **(4)** knowingly acts in concert with one or more other persons to overwhelm the security response of a merchant or a peace officer for the purpose of committing an offense under Subdivision (1) or (2) or avoiding detection or apprehension for the offense. **(b)** In the prosecution of an offense under this section: **(2)** a person is presumed to have acted with the intent to deprive a merchant of retail merchandise if the person: **(A)** altered or removed a label, universal product code, price tag, or retail theft detector for retail merchandise; or **(B)** transferred retail merchandise from the merchandise's packaging into other packaging. **(c)** An offense under this section is: **(1)** a Class B misdemeanor if the total value of the property involved in the offense is less than $100; **(2)** a Class A misdemeanor if the total value of the property involved in the offense is $100 or more but less than $750; **(3)** a state jail felony if the total value of the property involved in the offense is $750 or more but less than $2,500; **(4)** a felony of the third degree if the total value of the property involved in the offense is $2,500 or more but less than $30,000; **(5)** a felony of the second degree if the total value of the property involved in the offense is $30,000 or more but less than $150,000; **(6)** a felony of the first degree if the total value of the property involved in the offense is $150,000 or more. **(e)** For purposes of enhancement of penalties under Subchapter D, Chapter 12, a person is considered to have been convicted of an offense under this section if the person was adjudged guilty of the offense or entered a plea of guilty or nolo contendere in return for a grant of deferred adjudication community supervision, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the person was subsequently discharged from community supervision
Utah	§ 67-5-37	Establishes the Joint Organized Retail Crime Unit which is responsible for:

		(a) investigating, apprehending, and prosecuting individuals or entities that participate in the purchase, sale, or distribution of stolen property; and **(b)** targeting individuals or entities that commit theft and other property crimes for financial gain. Additionally, the Office of the Attorney General and the Department of Public Safety shall create and coordinate the operation of a multi-agency joint strike force to combat criminal activity that may have a negative impact on the state's economy; the joint strike force shall provide an annual report to the Law Enforcement and Criminal Justice Interim Committee before December 1 that describes the joint strike force's activities and any recommendations for modifications to this section.
Virginia	§ 18.2-103.1	**B.** Any person who conspires or acts in concert with another person to commit simple larceny of retail property from one or more retail mercantile establishments, with a value exceeding $5,000 aggregated over a 90-day period, with the intent to sell such retail property for monetary or other gain, and who takes or causes such retail property to be placed in the control of a retail property fence or other person and either **(i)** receives or possesses any retail property that has been obtained by simple larceny from one or more retail mercantile establishments while knowing or having reasonable grounds to believe the property was unlawfully obtained or **(ii)** conspires or acts in concert with two or more other persons as an organizer, supervisor, financier, leader, or manager to engage for profit in a scheme or course of conduct to effectuate the transfer or sale of property obtained by simple larceny from one or more retail mercantile establishments is guilty of organized retail theft. **C.** A violation of this section is punishable as a Class 3 felony.
Washington	§ 9A.56.350	**(1)** A person is guilty of organized retail theft if he or she: **(a)** Commits theft of property with a value of at least $750 from a mercantile establishment with an accomplice; **(b)** Possesses stolen property, as defined in RCW 9A.56.140, with a value of at least $750 from a mercantile establishment with an accomplice; **(c)** Commits theft of property with a cumulative value of at least $750 from one or more mercantile establishments within a period of up to one hundred eighty days; or **(d)** Commits theft of property with a cumulative value of at least $750 from a mercantile establishment with no less than six accomplices and makes or sends at least one electronic communication seeking participation in the theft in the course of planning or commission of the theft. For the purposes of this subsection, “electronic communication” has the same meaning as defined in RCW 9.61.260(5). **(2)** A person is guilty of organized retail theft in the first degree if the property stolen or possessed has a value of $5,000 or more. Organized retail theft in the first degree is a class B felony. **(3)** A person is guilty of organized retail theft in the second degree if the property stolen or possessed has a value of at least $750, but less than $5,000. Organized retail theft in the second degree is a class C felony. **(4)** For purposes of this section, a series of thefts committed by the same person from one or more mercantile establishments over a period of 180 days may be aggregated in one count and the sum of the value of all the property shall be the value considered in determining the degree of the organized retail theft involved. Thefts

		committed by the same person in different counties that have been aggregated in one county may be prosecuted in any county in which any one of the thefts occurred. For purposes of subsection (1)(d) of this section, thefts committed by the principal and accomplices may be aggregated into one count and the value of all the property shall be the value considered in determining the degree of organized retail theft involved. **(5)** The mercantile establishment or establishments whose property is alleged to have been stolen may request that the charge be aggregated with other thefts of property about which the mercantile establishment or establishments is aware. In the event a request to aggregate the prosecution is declined, the mercantile establishment or establishments shall be promptly advised by the prosecuting jurisdiction making the decision to decline aggregating the prosecution of the decision and the reasons for such decision.
West Virginia	§ 61-3A-7	**(a)** Any person who enters into a common scheme or plan with two or more other persons to violate the provisions of section one of this article involving merchandise of a cumulative value of $2,000 or more with the intent to sell, trade or otherwise distribute the merchandise shall be guilty of a felony, and, upon conviction, shall be imprisoned in a state correctional facility for a determinate term of not less than 1 or more than 10 years or be fined not less than $1,000 or more than $10,000, or both imprisoned and fined. **(b)** Notwithstanding the provisions of subsection (a) of this section any person who enters into a common scheme or plan with two or more other persons to violate the provisions of section one of this article involving merchandise of a cumulative value of $10,000 or more with the intent to sell, trade or otherwise distribute the merchandise shall be guilty of a felony, and, upon conviction, shall be imprisoned in a state correctional facility for a determinate term of not less than 2 or more than 20 years fined not less than $2,000 or more than $25,000, or both imprisoned and fined. **(c)** Any person who purchases, trades or barters for, or otherwise obtains with any form of consideration, merchandise from persons he knows or has reason to believe was obtained by three or more persons engaged in a common scheme or plan to violate the provisions of section one of this article shall be guilty of a felony. **(d)** Any person who violates the provisions of subsection (c) of this section by purchasing, trading or bartering for merchandise with a cumulative value of $2,000 or more shall, upon conviction, be imprisoned in a state correctional facility for a determinate term of not less than 1 year, nor more than 10 years or fined not less than $1,000 or more than $10,000, or both imprisoned and fined. **(e)** Notwithstanding the provisions of subsection (d) of this section, any person who violates the provisions of subsection (c) of this section by purchasing, trading or bartering for merchandise with a cumulative value of $10,000 or more shall, upon conviction, be imprisoned in a state correctional facility for a determinate term of not less than 2 years, or more than 20 years or fined not less than $2,000 or more than $25,000, or both imprisoned and fined. **(f)** In determining the value of merchandise in a prosecution under this section, it is permissible to cumulate the value of merchandise obtained as part of a common scheme or plan.

NCSL Criminal and Civil Justice Program
Denver, Colorado
Ph.: (303) 364-7700 || E-mail: cj-info@ncsl.org

NATIONAL CONFERENCE OF STATE LEGISLATURES

7700 EAST FIRST PLACE | DENVER, COLORADO | 80230
OFFICE: 303-364-7700 | FAX: 303-364-7800

Gift Card Scam/Fraud Notice Statutes
April 27, 2023

State:	Statutory Citation:
New Jersey	N.J. Rev. Stat. §56:8-110.1 Gift card fraud; detection, prevention; employee training; definitions. a. Every retail mercantile establishment in this State that displays gift cards for sale shall train employees on how to identify and respond to gift card fraud. A retail mercantile establishment shall conduct the training in accordance with guidelines issued pursuant to section 2 [C.56:8-110.2] of this act. b. A retail mercantile establishment that violates the provisions of this section shall be subject to a civil penalty of $1,000, which may be collected and enforced by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety in a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court shall have jurisdiction of proceedings for the enforcement of the penalty provided by this section. A violation of this section shall not be considered an unlawful practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.). N.J. Rev. Stat. §56:8-110.2 Guidelines from the Division of Consumer Affairs. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety, in consultation with the Attorney General, shall issue guidelines concerning the detection and prevention of gift card fraud. The guidelines shall include, but not be limited to: (1) information raising public awareness of the prevalence of gift card fraud; (2) information concerning common gift card fraud schemes; and (3) best practices for retail mercantile establishments to prevent gift card fraud. The guidelines shall be published on the Internet websites of the Department of Law and Public Safety and the Division of Consumer Affairs, and updated periodically, as necessary.
New York	N.Y. General Business Law §396-i [effective June 20, 2023] Acceptance of unexpired gift certificates. 2-b. (a) No person, firm, partnership, association or corporation shall sell a gift certificate to a purchaser unless the seller displays a conspicuous notice at or near where the gift certificate is displayed or at or near the physical location where the sale occurs, that (i) cautions the purchaser about prepaid card scams, and (ii)

	instructs the purchaser on what to do if they suspect they might be a potential victim of such a scam. (b) The consumer protection division, as established in section ninety-four-a of the executive law, shall create a model notice which sellers may use to comply with the requirements of this section and shall make such notice accessible to sellers including, but not limited to, posting such notice on the consumer protection division's website in a format available for sellers to print and display.

NATIONAL CONFERENCE OF STATE LEGISLATURES
7700 EAST FIRST PLACE DENVER, COLORADO 80230
303-364-7700 FAX: 303-364-7800

2020-2023 Gift Card Scam/Fraud Warning Legislation
April 26, 2023

Year:	Bill:	Status:	Summary:
2023	ME H 273	Failed	(Concept Draft) Proposes to require retailers selling gift cards and businesses providing financial wire transfers to provide printed or oral information to customers at the transaction site indicating potential signs of financial scams.
2023	NY A 1009 NY S 1329	**Enacted**	Requires the consumer protection division to establish a model notice of potential scams when selling gift cards.
2023	RI H 5732	Pending	Requires retail mercantile establishments in the state that display gift cards for sale to post a notice warning of gift card fraud and instructions on what to do if a customer suspects being a victim of fraud, requires employees to be trained on how to identify and respond to gift card fraud, provides that the Attorney General's Office would be required to disseminate suggested training materials, provides for civil penalties for violations.
2023	RI S 759	Pending	Requires retail mercantile establishments in the state that display gift cards for sale to post a notice warning of gift card fraud and instructions on what to do if a customer suspects being a victim of fraud, requires employees to be trained on how to identify and respond to gift card fraud, requires the attorney general's office to disseminate suggested training materials, provides that any violations of this act would be subject to a civil penalty in the amount of five hundred dollars.

2022 Legislation

Year:	Bill:	Status:	Summary:
2022	NJ A 654	Failed	Requires certain retailers to train employees on gift card fraud.

2021 Legislation

Year:	Bill:	Status:	Summary:
2021	NY S 145	Failed-Adjourned	Provides that no person, firm, partnership, association or corporation shall sell a gift certificate to a purchaser unless the seller displays a conspicuous notice at or near where the gift certificate is displayed or at or near the physical location where the sale occurs, that cautions the purchaser about prepaid card scams and instructs the purchaser on what to do if they suspect they might be a potential victim of such a scam.
2021	NY A 266	**Enacted**	Relates to providing notice of certain scams when selling gift cards.

2020 Legislation

Year:	Bill:	Status:	Summary:
2020	NJ S 3498	Failed-Adjourned	Requires gift card issuer provide certain protections to consumer.
2020	NJ S 1352	Failed-Adjourned	Requires certain retailers to train employees on gift card fraud.
2020	NJ A 802	**Enacted**	Requires certain retailers to train employees on gift card fraud.

Powered by
LexisNexis® State Net®

LexisNexis Terms and Conditions

Retail Crime Prevention Task Force
Tuesday, December 16, 2025
1:00 p.m. – 3:00 p.m.
Senate Hearing Room/Virtual Meeting
Meeting Recording Available at:
https://legis.delaware.gov/TaskForceMeetingDetail?taskForceMeetingId=30863

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Representative Cyndie Romer, Co-Chair
Representative Ronald Gray
Abby Rodgers, Attorney General
Caitlin Gregory, Office of Defense Services
Paul Shavack, Department of Corrections
Major John Andrew Lloyd, Delaware State Police
Michael Quaranta, Delaware State Chamber of Commerce
Susan Brown, Delaware Association of School Administrators
Kerry Ferriter, Public Member
Barbie Fischer, Public Member

Meeting Agenda:

The meeting was called to order at 1:00 p.m.

I. Welcome

Task force co-chair Senator Townsend provided opening remarks.

II. Presentation on Organized Retail Crime Legislation

Julie Mirowenger presented on organized retail crime legislation and enforcement models in Pennsylvania, New Jersey, and Philadelphia, using materials developed by those jurisdictions. Pennsylvania enacted a specific organized retail theft statute in 2023, effective July 1, 2024, that defines organized retail theft, clarifies valuation of stolen merchandise, and creates felony-level penalties for certain conduct. The law also grants the Attorney General multi-county jurisdiction and funds a dedicated team of prosecutors and investigators. In its first year, Pennsylvania reported dozens of organized retail crime cases and active investigations in most counties, crediting strong collaboration with

retailers, a standardized toolkit for evidence and documentation, and an online platform for sharing and managing evidence.

New Jersey's bipartisan organized retail crime law, passed unanimously in April 2025, targets non-opportunistic organized theft, including cross-jurisdictional conduct and resale of stolen goods through online marketplaces. It includes provisions intended to protect retail workers in response to increased verbal and physical assaults, establishes a retail theft task force, allows aggregation of theft amounts across products and locations, and creates secondary penalties such as tax-related charges and enhanced penalties for organizers. She said that the categories of targeted goods described in New Jersey mirror what Delaware retailers have seen.

She also summarized Philadelphia's earlier focus on habitual retail theft offenders. Philadelphia police reported that a small group of repeat offenders caused a disproportionate share of harm to retailers, particularly in Center City. Following implementation of habitual-offender-focused measures and improved information-sharing among merchants, DOJ, and police, officers reported a significant reduction in such offenders and an improvement in conditions for downtown retailers.

III. Open Discussion

Task force members discussed aggregation of charges and penalty levels. It was clarified that, although many retailers believe aggregation in Delaware is limited to "like product," prosecutors already try to interpret aggregation more broadly. There was agreement that the statutory language should be reviewed and potentially revised so that it clearly supports broad aggregation of related theft incidents. Several participants raised doubts that simply increasing penalties reliably deters crime, especially in organized settings, and emphasized that policy should distinguish between organized fencing operations and individuals committing one-off or need-driven theft.

The group then considered who should own a Delaware organized retail crime toolkit. The consensus was that the task force can help shape and recommend the toolkit, but ongoing ownership and updating should rest with operational agencies such as state law enforcement and the attorney general's office, possibly with input from the courts. It was noted that retailers are more likely to adopt and follow guidance if it comes directly from those agencies. Posting a current version on a state law-enforcement website was raised as a way to ensure easy access.

Law enforcement representatives outlined current Delaware practices, stressing that the state already uses strong analytics and shared databases to identify repeat locations and repeat offenders. Commanders receive regular reports of repeat-hit businesses, and

statewide bulletins highlight repeat suspects and high-risk locations such as pawn shops. The main gap identified was investigative staffing, not tools or data: dedicating a relatively small number of investigators statewide to focus on organized retail crime and chronic offenders could substantially reduce overall incidents, since a small group of individuals accounts for a large share of crime.

The discussion also revisited evidence sharing and court processes. Participants described a recent shift to the Axon digital platform that allows retailers to upload video and other digital evidence directly, which has reduced delays and case dismissals tied to missing or late video. There was interest in learning more about neighboring states' use of electronic subpoenas and remote testimony and whether similar approaches might be feasible in Delaware. Some members reported that retailers and law enforcement perceive organized retail crime activity as increasing in Delaware as surrounding states strengthen their own laws.

A major concern was low engagement from small and "mom and pop" retailers who see reporting as burdensome. Current outreach includes trooper-led community meetings and a public-facing shoplifting bulletin to help identify suspects. The group discussed increasing communication through chambers of commerce, task force member networks, and legislators' newsletters to highlight that reporting is now easier and more worthwhile.

Court process and case management were another focus. The court of common pleas is moving toward dedicated "retail theft weeks," which is already helping improve retailer appearance. Participants stressed that better early triage of cases and stronger use of diversion and mediation programs can reduce volume and improve outcomes. The mediation program has a very high success rate and low recidivism.

The task force also flagged retailers' difficulty tracking case status in Delaware's largely closed criminal information environment. While a new statewide "Cascade" system is being developed, details on future public access are unclear. Members expressed interest in more user-friendly, remote ways for retailers to follow their cases without compromising data protections.

Finally, resource constraints across DOJ, defense, courts, and law enforcement were identified as a core barrier to efficient handling of high-volume misdemeanor dockets. Additional staffing and smarter front-end processes were framed as key to giving each case appropriate attention, increasing diversion where appropriate, reducing repeated continuances, and improving the overall experience for retailers and communities.

IV. Public Comment

There was no public comment offered during this meeting.

The meeting was adjourned at 3:00 p.m.

Organized Retail Crime Unit

CHANGES IN PENNSYLVANIA LAW

ACT 42 OF 2023

- Amended Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, for the crime of Organized Retail Theft.
- Established the Pennsylvania Office of Attorney General- Organized Retail Crime Unit.
- Bi-Partisan bill signed by Governor Josh Shapiro
- Bill went into effect July 01, 2024

Organized Retail Crime Unit

CHANGES TO LAW
TITLE 18 SECTION 3929.3 ORGANIZED RETAIL THEFT

- Organized Retail Theft. § 3929.3 Organized Retail Theft.
  - (a) Offense defined. --A person commits organized retail theft if the person organizes, coordinates, controls, supervises, finances or manages any of the activities of an organized retail theft enterprise.

Organized Retail Crime Unit

CHANGES TO LAW
TITLE 18 SECTION 3929.3 ORGANIZED RETAIL THEFT

Organized Retail Theft- Grading of Offenses:

- If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft enterprise is **at least $2,500, but not more than $9,999**, the offense is a **Felony of the Third Degree**.
  Previous range was $5,000 to $9,999.
- If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft enterprise is **at least $10,000, but not more than $49,999**, the offense is a **Felony of the Second Degree**.
  Previous range was $20,000 to $49,000.
- If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft enterprise is **at least $50,000**, the offense is a **Felony of the First Degree**.
  Bill establishes a First Degree Felony Charge.

Organized Retail Crime Unit

CHANGES TO LAW
TITLE 18 SECTION 3929.3 ORGANIZED RETAIL THEFT

OAG Jurisdiction

- Organized Retail Theft occurring in more than one (1) Pennsylvania county.
- Organized Retail Theft occurring in one (or more) Pennsylvania county and in another state.

Organized Retail Crime Unit

PA OAG

Bill provides for the following personnel within the PA Office of Attorney General:

- 1 Supervisory Special Agent
- 10 Special Agents
- 5 Deputy Attorneys General

Organized Retail Crime Unit

TYPES OF INVESTIGATIONS OAG WILL INVESTIGATE

- Account Takeovers
- Traditional Retail Theft Organizations
- Counterfeit Cases
- Supply Chain Theft

Organized Retail Crime Unit

WHAT'S HAPPENED SO FAR

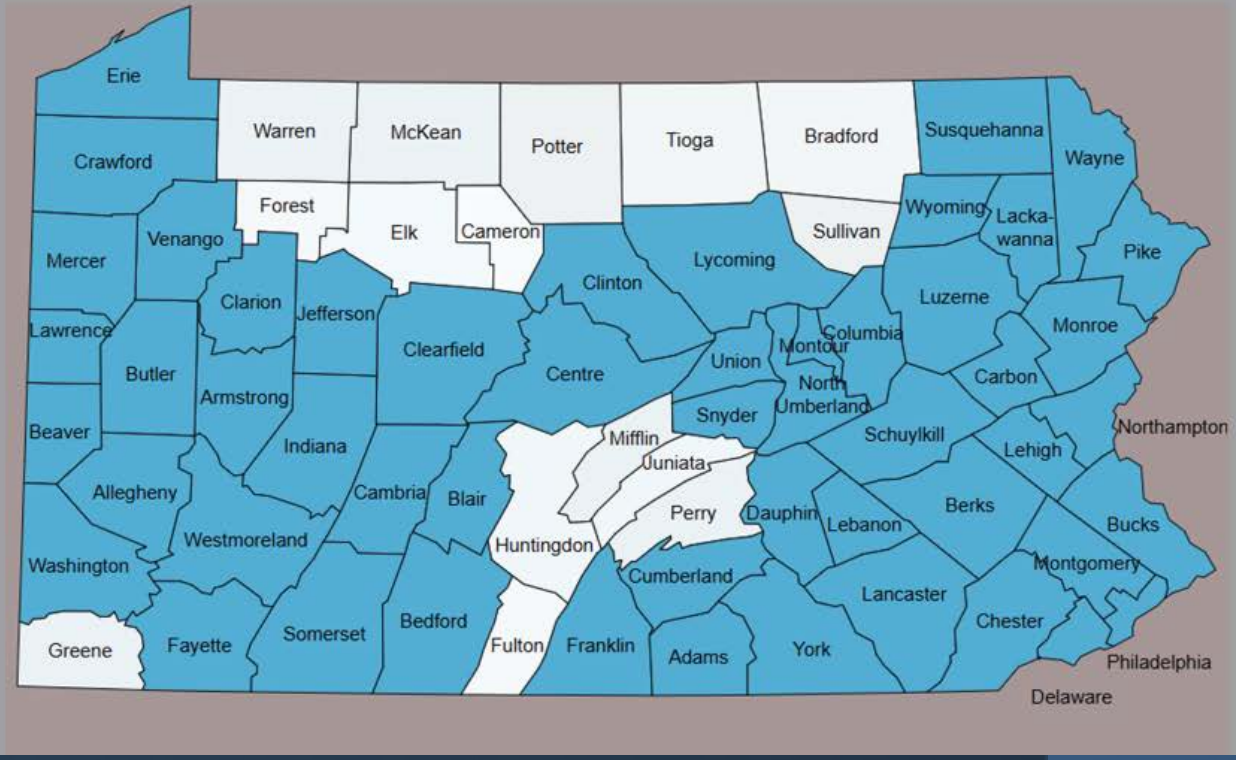
- Over 70 ORC Cases
- Over 40 Arrests
- Several Million Worth of Stolen Items Recovered
- OAG Currently has active investigations in 46 Pennsylvania Counties

Organized Retail Crime Unit

HAPPENED SO FAR

46 Counties with Active Investigations

**Highlighted Counties Denote Active Investigations*



Organized Retail Crime Unit

WORKING WITH OUR PARTNERS

Multi-Disciplinary Team Meetings:

Information & Intelligence Sharing

- Retailers and law enforcement hold complementary pieces of the puzzle to these investigations.
- MDTs provide a secure environment for sharing:
  - Surveillance footage Patterns of theft (e.g., same group hitting multiple locations)
  - Known offender information (e.g., repeat suspects)
  - Vehicle descriptions, license plates, or modus operandi

Helps build stronger cases and identify broader networks or trends that may not be visible from isolated incidents.

Organized Retail Crime Unit

WORKING WITH OUR PARTNERS

Being Flexible and Available

- Rapid response to incidents, even outside of normal hours, builds trust and strengthens partnerships.
- Willingness to travel and learn from other ORC units promotes innovation and effectiveness.
- Thinking outside the box leads to creative solutions in complex investigations, especially when dealing with organized networks.

Organized Retail Crime Unit

WORKING WITH OUR PARTNERS

Getting Involved as Early as Possible

- Early involvement allows for better case consolidation, ensuring multiple offenses and jurisdictions are handled together, maximizing sentencing and restitution.
- Reduces logistical headaches like inmate transport or fragmented prosecutions.
- Makes more efficient use of time, manpower, and resources, allowing teams to focus on case strategy instead of fixing procedural issues.
- PA OAG Agents frequently responds to local and state law enforcement requests for assistance on ORC investigations in real time to conduct early interviews, evidence reviews and strategizing the next steps in the investigation.

Organized Retail Crime Unit

WORKING WITH OUR PARTNERS

Multi-Disciplinary Team Meetings:

- PA OAG hosts quarterly Multi-Disciplinary Team Meetings (MDT) across Pennsylvania.
- During each of these meetings, we collaborate with a retail partner to host and discuss trends they are seeing.
- They are open to area law enforcement and retail professionals.
- These meetings have boosted collaboration, improved intelligence sharing, and developing coordinated responses to complex organized retail theft investigations.

Organized Retail Crime Unit

WORKING WITH OUR PARTNERS

Multi-Disciplinary Team Meetings:

Information & Intelligence Sharing

- Retailers and law enforcement hold complementary pieces of the puzzle to these investigations.
- MDTs provide a secure environment for sharing:
  - Surveillance footage Patterns of theft (e.g., same group hitting multiple locations)
  - Known offender information (e.g., repeat suspects)
  - Vehicle descriptions, license plates, or modus operandi

Helps build stronger cases and identify broader networks or trends that may not be visible from isolated incidents.

Organized Retail Crime Unit

WORKING WITH OUR PARTNERS

Multi-Disciplinary Team Meetings:

Trend and Pattern Analysis

- Review recent incidents to identify:
  - Geographic hotspots
  - Emerging tactics (e.g., flash mobs, use of boosters or fences)
  - Shifts in target merchandise (e.g., electronics, cosmetics, pharmaceuticals)

Enables proactive policing and loss prevention strategies instead of reactive responses.

Organized Retail Crime Unit

WORKING WITH OUR PARTNERS

Multi-Disciplinary Team Meetings:

Case Coordination and Open Lines of Communication

- Align efforts across multiple jurisdictions and retail chains when dealing with:
  - Serial offenders
  - Cross-state crime rings
  - Large-scale fencing operations
  - Real-time Networking

Streamlines investigations, avoids duplication, and ensures stronger prosecution with a consolidated case file.

Organized Retail Crime Unit

WORKING WITH OUR PARTNERS

Multi-Disciplinary Team Meetings:

Training and Education

- Provide cross-training for law enforcement and retail personnel on:
  - Legal boundaries (e.g., what constitutes ORC vs petty theft)
  - Evidence preservation
  - Testifying in court

Enhances professionalism and increases the likelihood of successful prosecutions



Organized Retail Crime Unit

2025
Organized Retail Crime Protocol & Tool Kit

Organized Retail Crime Unit

ORC TOOL KIT

Purpose

- Equip law enforcement and LP/AP professionals with practical tools for ORC investigations
- Support, not replace, professional training and legal standards
- Respect constitutional rights (e.g., Miranda v. Arizona)
- Encourage statewide consistency and success in ORC prosecutions
- Support effective first-contact responses to ORC activities

Organized Retail Crime Unit

ORC TOOL KIT

Initial Suspect Engagement

- Document:
  - Suspect name, DOB, address, contact info
  - Physical/emotional condition
  - Spontaneous statements
- Collect:
  - Audio/video/written statement (prefer audio/video)
  - Photos of tools/paraphernalia (e.g., phones, counterfeit gear)
- Miranda rights issued if detained
- Ask for consent to search devices (document password or observe entry)

Organized Retail Crime Unit

ORC TOOL KIT

Suspect Interview – Key Questions

- Co-conspirator info
  (names, phones, addresses, social media handles)
- Target destination of stolen goods
- Financial beneficiaries of the theft
- Details of:
  - Return schemes
  - Counterfeiting sources and networks
  - Other targeted stores
- Motivation for targeting specific goods/stores
- Suspected Retail employee involvement?

Organized Retail Crime Unit

ORC TOOL KIT

Digital & Financial Evidence

- Ask about:
  - Social media or messaging apps used to coordinate (usernames)
  - Use of mobile cash apps (CashApp, Venmo, PayPal, etc.)
  - Use of online marketplaces (Facebook Marketplace, eBay, Amazon)
- Record:
  - Marketplace usernames
  - Co-conspirator usernames
  - Any relevant e-commerce app activity

Organized Retail Crime Unit

ORC TOOL KIT

Witness Interview Best Practices

- Document eyewitness observations:
  - Suspect behavior and coordination with others
  - Use of tools or paraphernalia
  - Vehicle details (make, model, plate)
  - Discarded items
  - Any recorded video or audio
- Ask if witness noted store vulnerabilities exploited

Organized Retail Crime Unit

ORC TOOL KIT

Evidence Collection & Preservation

- Photograph:
  - Crime scene (entry/exit/damage)
  - All stolen or dropped items
  - Tools used (e.g., magnet keys, tag removers)
- Collect:
  - Video surveillance (interior and exterior)
  - Suspect transaction receipts
  - Any recovered suspect devices or counterfeit items
  - Suspect vehicle data

Organized Retail Crime Unit

ORC TOOL KIT

Evidence Collection & Preservation

- Photograph:
  - Crime scene (entry/exit/damage)
  - All stolen or dropped items
  - Tools used (e.g., magnet keys, tag removers)
- Collect:
  - Video surveillance (interior and exterior)
  - Suspect transaction receipts
  - Any recovered suspect devices or counterfeit items
  - Suspect vehicle data

Organized Retail Crime Unit

ORC TOOL KIT

Preservation Requests

- Submit for:
  - Social media platforms used by suspects
  - Online marketplace accounts (e.g., eBay, Amazon)
  - Mobile cash apps (e.g., Venmo, PayPal)
  - Any financial instruments (e.g., credit cards, cash exchanges

Organized Retail Crime Unit

USE OF Auror.

- Auror has been a game changer for identifying trends and data for the PA OAG.
- Allows for evidence collection quickly and securely.
- Helps us network with other law enforcement and retailers when connecting the dots on these cases.
- Decreases the time it takes to bring these cases to court.

Organized Retail Crime in New Jersey

Policy briefing for legislators and government stakeholders

Organized Retail Crime (ORC) is a growing public safety and economic issue

New Jersey enacted comprehensive reforms in April 2025

Defining Organized Retail Crime (ORC)

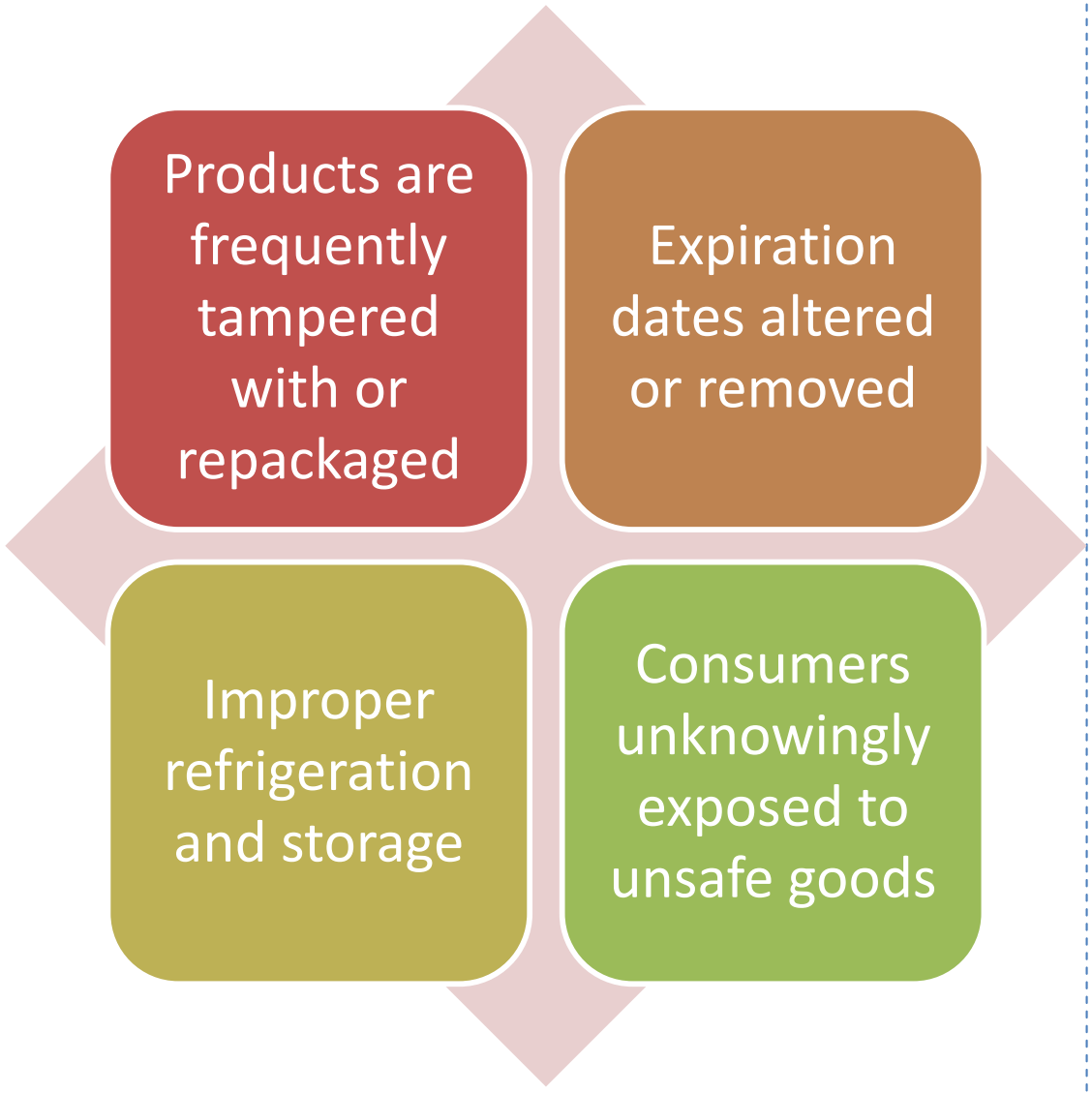
- Not isolated or opportunistic shoplifting
- Highly organized professional theft operations
- Operate across municipalities and state lines
- Resell stolen goods through gray and online markets

Products Commonly Targeted by ORC Rings

- Baby formula and over-the-counter medications
- Energy drinks, razors, deodorant, laundry detergent
- High-value meat and seafood
- Gift cards and personal care products



Public Health and Consumer Safety Risks



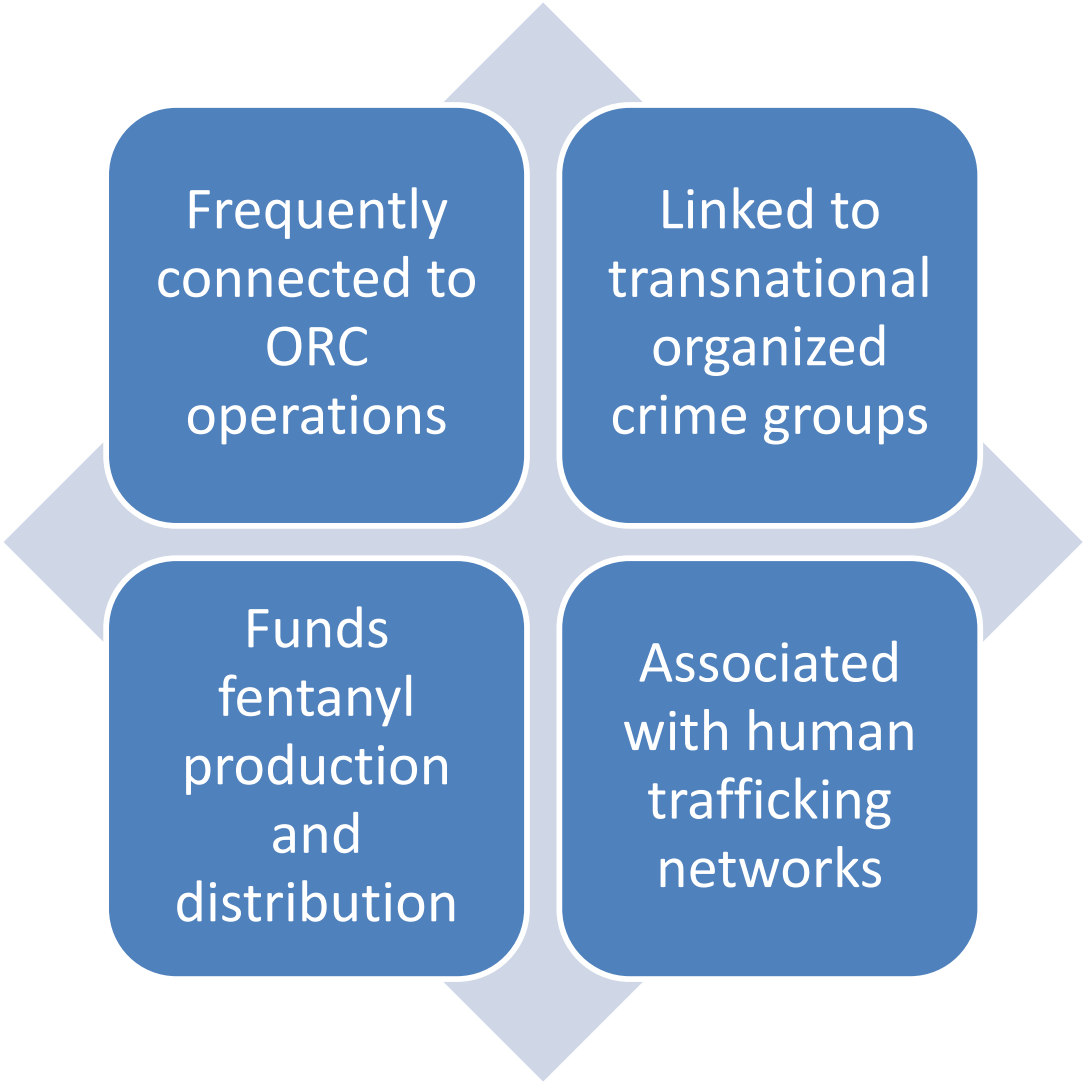
Impact on Retail Workers



Economic Impact of ORC

- $112.1 billion in nationwide retail shrink (2023)
- $201 million in lost New Jersey sales tax revenue
- Average family pays $500+ annually in added costs
- Higher prices and increased security spending

Gift Card Fraud and Organized Crime



Regional Comparison: New Jersey and Neighboring States

New York, Pennsylvania, Maryland, Illinois, and California enacted ORC laws earlier

Stronger penalties reduced criminal activity in those states

Criminal networks shifted activity into New Jersey

NJ law aligns penalties with regional standards

Bipartisan Legislative Response



A-4755 / S-3587 passed with unanimous legislative support



Sponsored by bipartisan leadership in both chambers

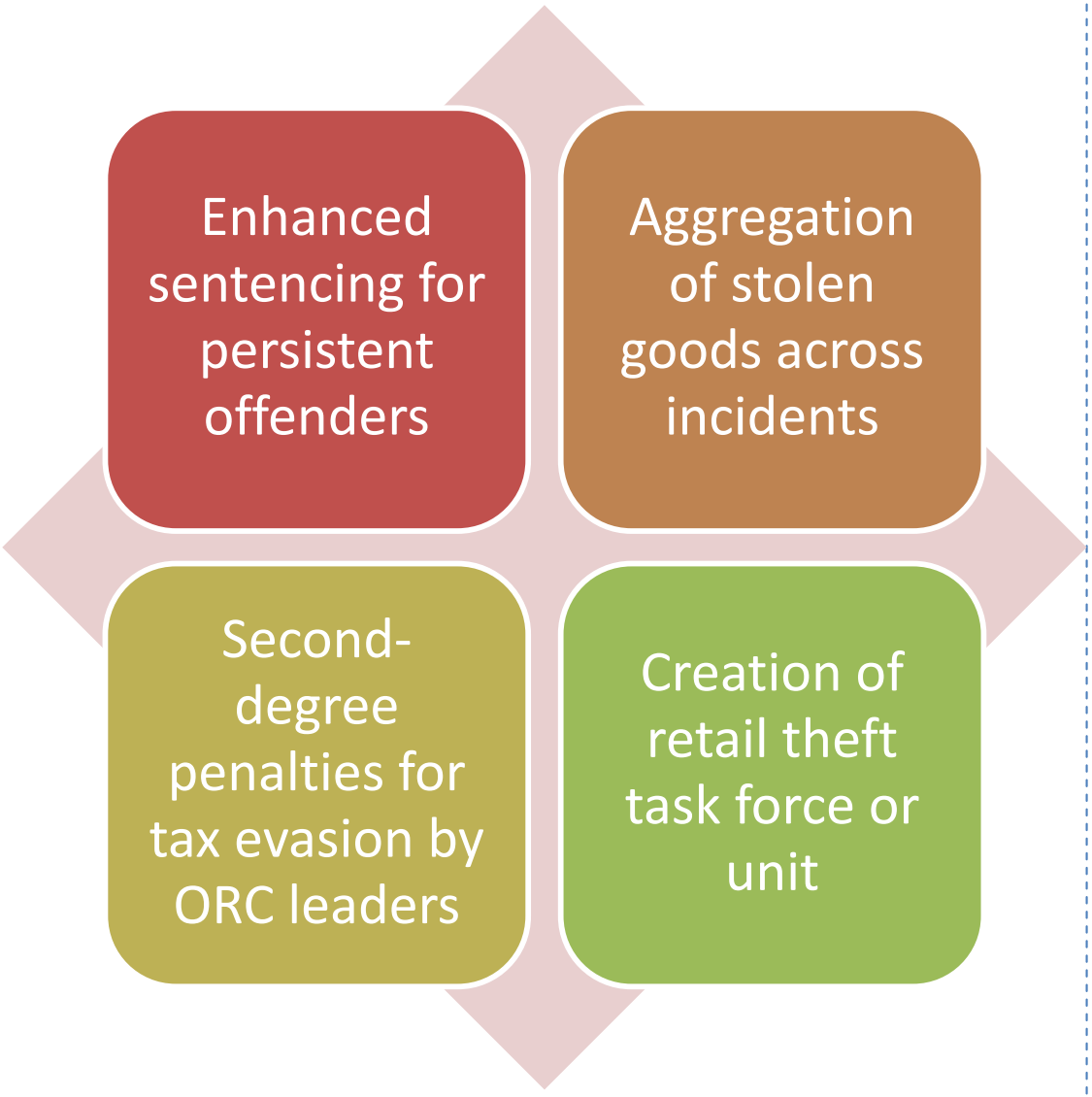


Supported by retailers, law enforcement, and business groups



Signed into law April 2025

Key Provisions of P.L. 2025 c.39



Additional Enforcement and Worker Protections

- Creates offense of fostering sale of stolen property
- Clarifies online fencing statutes
- Strengthens gift card fraud prevention requirements
- Creates crime of aggravated assault of a retail worker

Why This Law Matters for New Jersey

- Protects workers, consumers, and businesses
- Preserves public health and safety
- Safeguards state tax revenue
- Signals zero tolerance for organized retail crime

Conclusion

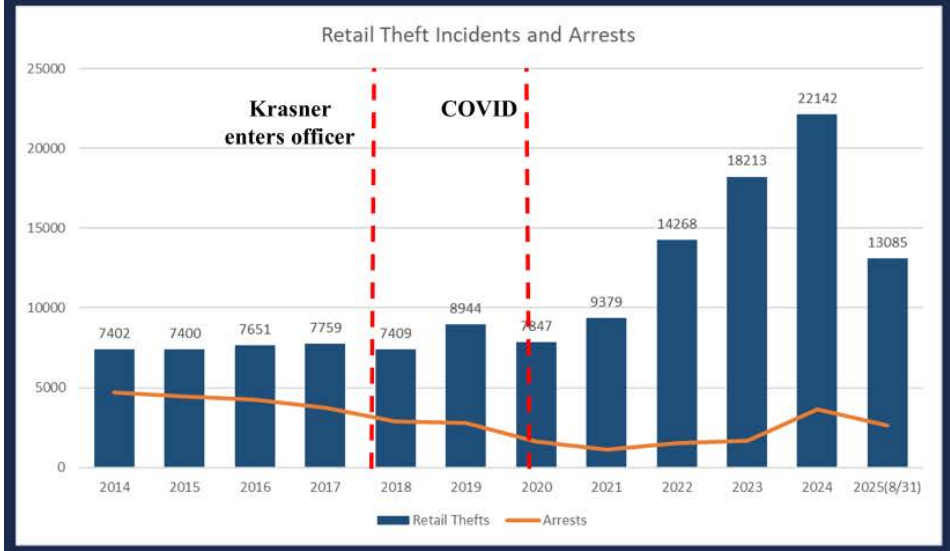
- Organized retail crime affects all New Jerseyans
- The 2025 law provides meaningful enforcement tools
- Bipartisan action strengthens public trust
- Continued coordination will be essential

Philadelphia Police Department

Retail Theft Initiative Model

Analysis 2014-2025

Annual Trends: Incidents/Arrests

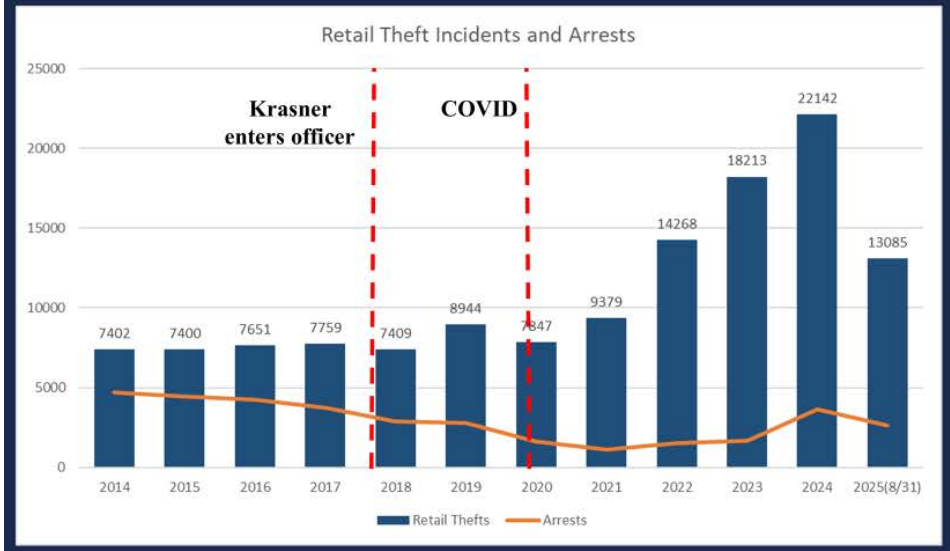


- Possible reasons for these changes include increased reporting, better technology for capturing theft incidents, increased price of goods, police assisted diversion, and the Retail Theft Initiative.

- Retail Thefts **remained steady between 2014 and 2020.**
- The **increase** in Retail Theft incidents **began in 2021** and the number of incidents continued to rise through 2024.
- There was a 21.6% increase in retail thefts from 2023 to 2024.

- Arrest counts fell from 2014 to 2021.
- **The lowest rate of clearance by arrest was in 2023.**
- The rate of arrest **increased in 2024** but is still much lower than in previous years. However, the count of arrests returned to a similar amount as 2017.

Annual Trends: Incidents/Arrests

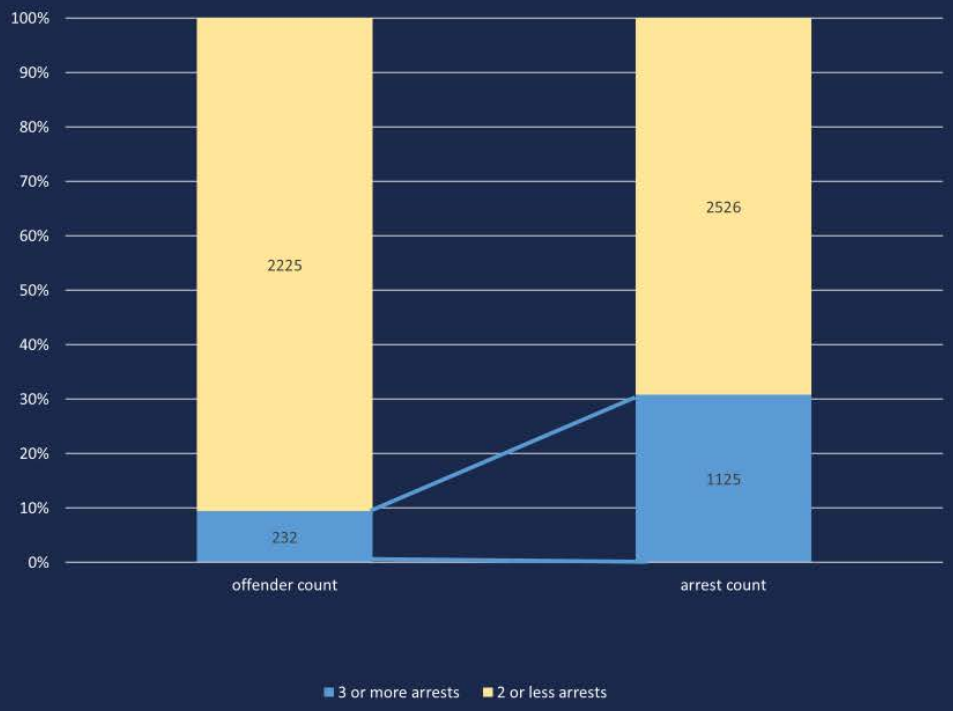


- Possible reasons for these changes include increased reporting, better technology for capturing theft incidents, increased price of goods, police assisted diversion, and the Retail Theft Initiative.

- Retail Thefts **remained steady between 2014 and 2020.**
- The **increase** in Retail Theft incidents **began in 2021** and the number of incidents continued to rise through 2024.
- There was a 21.6% increase in retail thefts from 2023 to 2024.

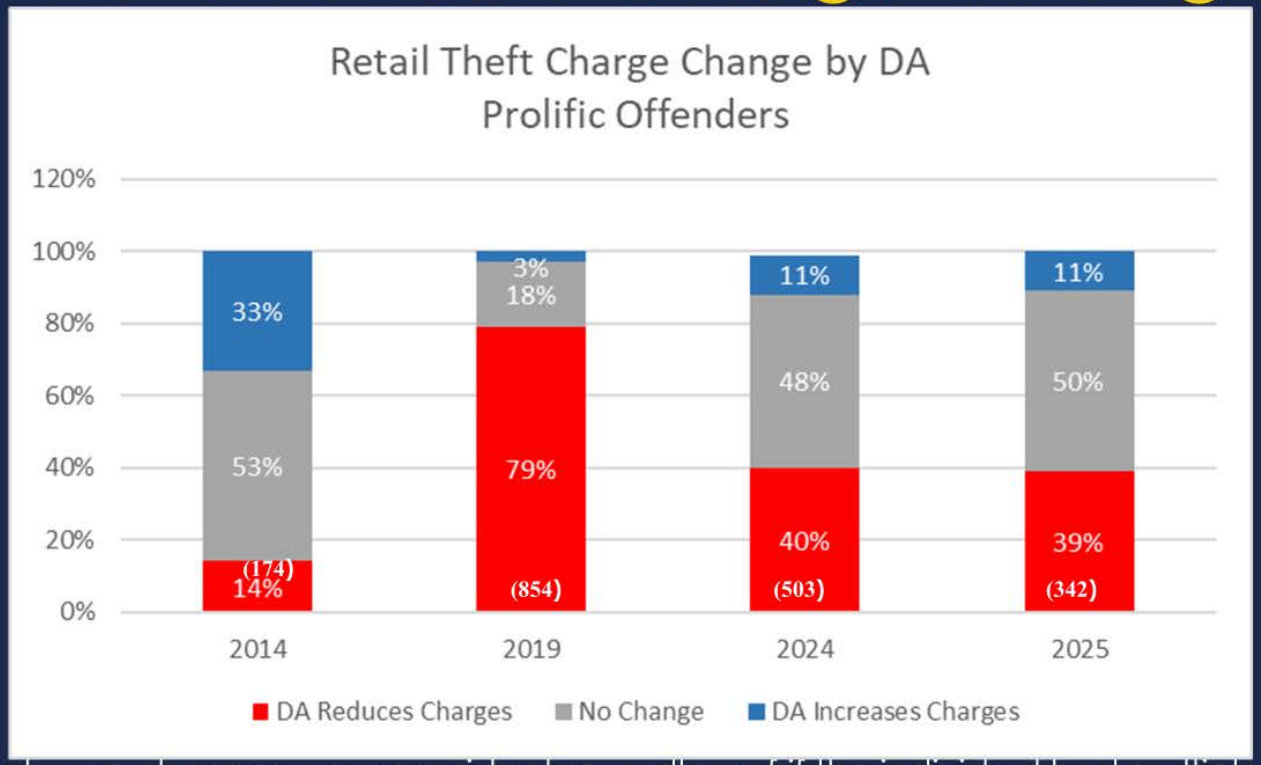
- Arrest counts fell from 2014 to 2021.
- **The lowest rate of clearance by arrest was in 2023.**
- The rate of arrest **increased in 2024** but is still much lower than in previous years. However, the count of arrests returned to a similar amount as 2017.

2024 Repeat Offenders



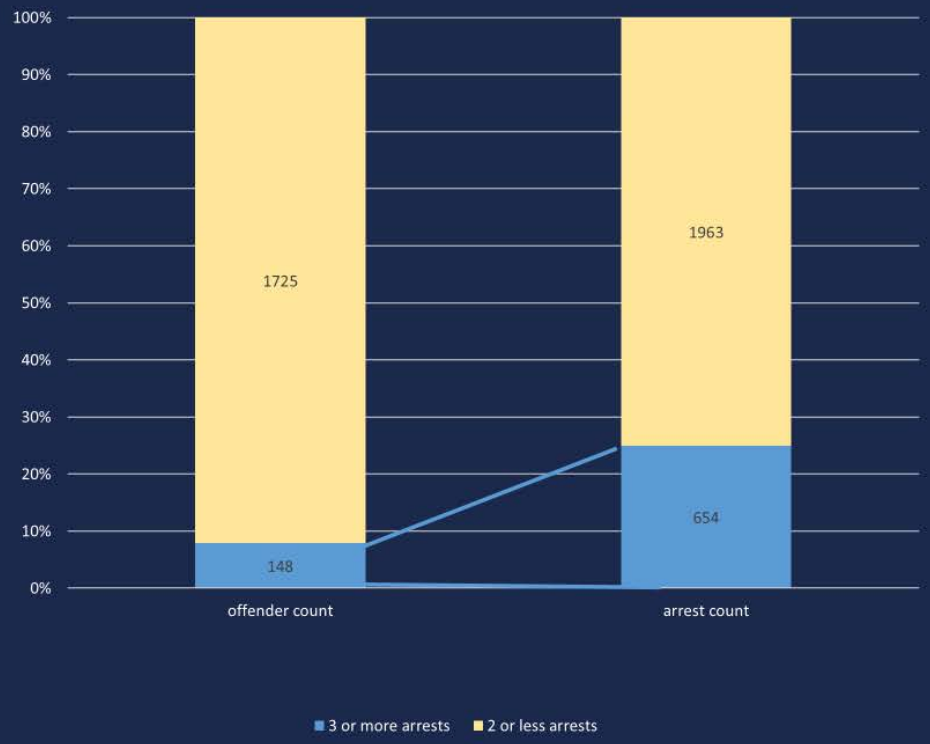
- In 2024, there were 232 offenders arrested 3 or more times for retail theft.
- These multiple offenders accounted for 1125 arrests or 30.8% of all arrests even though they make up only 9.4% of retail theft offenders.

Prolific Offenders Charge Change



In 2019, DA charge changes were consistent regardless of if the individual had multiple prior offenses. In 2024, this improved with repeat offenders less likely to have their charge reduced. However, reduction is still more likely than it was in 2014. So far, 2025 and 2024 have similar charge trends.

2025 Repeat Offenders



- In 2025, there are 148 offenders who have been arrested 3 or more times for retail theft.
- These multiple offenders have accounted for 654 arrests or 24.5% of all arrests even though they make up only 7.9% of retail theft offenders.
- Addressing these repeat offenders may result in a significant reduction in retail thefts.

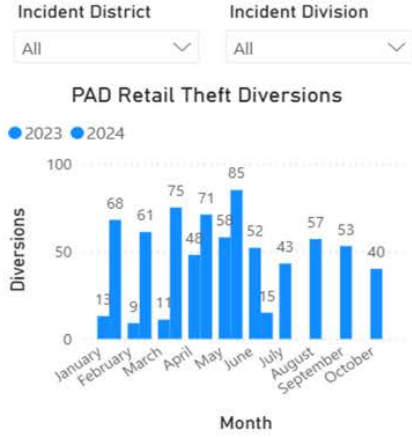
Retail Theft Dashboard

Retail Thefts

Arrest District: All | Incident District: All | Incident Division: All







Note: Retail Theft is no longer an eligible offense for PAD as of 6/14/24

Top 10 Locations- YTD

Location	Business	Incidents
5597 TULIP ST	shopping center (Wawa, Shoprite,At&T,etc.)	457
3901 ARAMINGO AVE	Wawa	449
7912 E ROOSEVELT BLVD	Wawa	352
9101 FRANKFORD AVE	Wawa	305
1500 SPRUCE ST	CVS Pharmacy	304
2131 SOUTH ST	Wawa	298
1602 S CHRISTOPHER COLUMBUS BLVD	Wawa	270
7715 FRANKFORD AVE	Wawa	245
5601 VINE ST	Shopping Center (Family Dollar, Save a Lot, etc.)	231

Top 10 Offenders-2020-2025

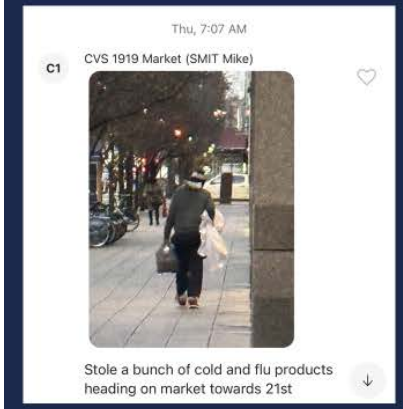
Name	pid	Latest RT Arrest	RT Arrests	In Custody	Wanted?
KELLY, SHAWN	721405	9/29/2025 4:00:00 PM	29	Y	N
CASEY, CHRISTOPHER	1170527	7/22/2025 10:45:00 AM	13	N	N
BEE, MICHAEL	1158469	10/6/2025 9:45:00 AM	12	Y	N
MAIER, PETER	1252614	7/15/2025 12:00:00 AM	11	N	N
FOREMAN, DARRYL	1008270	3/25/2025 10:25:00 AM	9	N	N
SCHMIDT, RICHARD	1250242	5/28/2025 3:10:00 AM	9	N	N
HOWELL, GREGORY	1005086	4/14/2025 10:02:00 AM	8	N	N
MARCHAMAN, REGINALD	1135604	9/16/2025 9:30:00 PM	8	Y	N
KOEHLER, SAMUEL	667843	1/23/2025 4:30:00 PM	7	Y	N
DOE, JOHN	1033044	7/14/2025 4:05:00 PM	5	Y	N

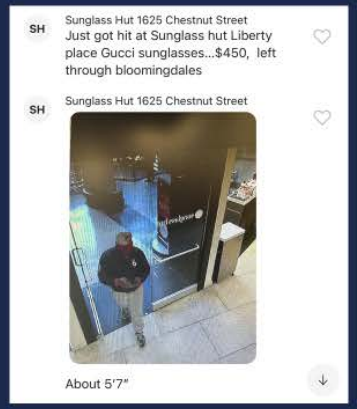
In Custody applies to local custody only.

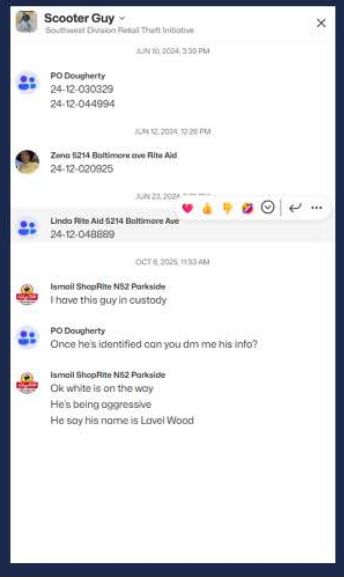
Group Me Application

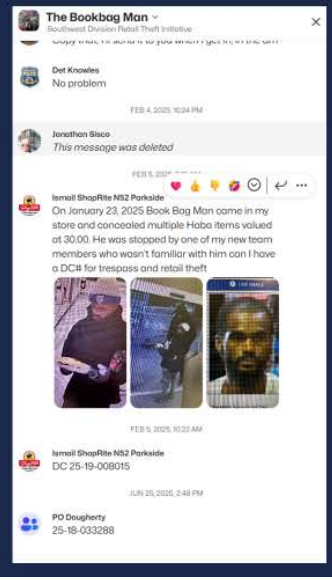
- Utilizing social media app "Group Me", Retailers are able to send real time information to responding officers including offender photos, and what was taken. Utilizing this information along with 911 call information, patrol officers are able to make more efficient stops.
- Investigators are able to use the info to more quickly link offenders targeting multiple different businesses based on the real time information and images shared.

Active Thefts









Investigations

- DFIC has a great relationship with the DOJ and State Police
- Retail Theft Symposium Annually
- Quarterly meetings with State Police, DIAC, DOJ
- Road map with what we see in other states lends to strengthening our statutes
- Three Strikes – Repeat Offenders
- Aggregating
- ORC units
- More personal to combat online and ORC rings
- Toolkit for retailers
- Civil Recovery
- Future conversation: technology in court system – Zoom, electronic subpoena

Retail Crime Prevention Task Force
Tuesday, January 20, 2026
9:00 a.m. – 11:00 a.m.
Senate Hearing Room/Virtual Meeting
Meeting Recording Available at:
https://legis.delaware.gov/TaskForceMeetingDetail?taskForceMeetingId=30872

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Representative Cyndie Romer, Co-Chair
Senator Gerald Hocker
Representative Ronald Gray
Caitlin Gregory, Office of Defense Services
Chief Judge Carl C. Danberg, Court of Common Pleas
Paul Shavack, Department of Corrections
Major John Andrew Lloyd, Delaware State Police
Chief Marvin Mailey, Delaware Association of Chiefs of Police
Julie Miro Wenger, Delaware Food Industry Council
Susan Brown, Delaware Association of School Administrators

Meeting Agenda:

The meeting was called to order at 1:00 p.m.

I. Welcome

Task force co-chair Senator Townsend provided opening remarks.

II. Law Enforcement Presentation on Retail Crime

Major John Andrew Lloyd of the Delaware State Police (DSP) presented a data snapshot on retail crime from January 2016 through September 2025. He reported that, during this period, there were 56,790 reported incidents of misdemeanor shoplifting, 2,691 incidents of felony shoplifting, and 1,838 incidents of organized retail theft. Troop 6 in the Prices Corner area handled the most retail crime-related reports of any troop or agency. Kent County experienced the greatest growth in misdemeanor shoplifting over the period, and felony shoplifting rose significantly statewide. He emphasized that nearly all defendants arrested for these offenses were adults.

In misdemeanor shoplifting, New Castle County agencies recorded approximately 29,499 incidents, of which DSP handled 22,400. Troop 6 alone handled 9,498 of them. Kent County agencies recorded 16,473 incidents, of which DSP handled 2,200, while Sussex County recorded 10,815 incidents, with DSP handling around 4,000. Over half of misdemeanor retail crime incidents occurred in New Castle County.

For felony shoplifting, New Castle County recorded a little over 1,800 incidents, with DSP handling 1,572 of them; Kent County recorded 490 incidents, with DSP handling 38 of them; and Sussex County recorded 386, with DSP handling 263 of them. Approximately 67 percent of felony shoplifting incidents occurred in New Castle County, and roughly 86 percent of those were within DSP jurisdiction. For organized retail theft, New Castle County recorded 1,553 incidents with DSP handling over 1,400; Kent County recorded 134 with DSP handling 38; and Sussex County recorded 150 with DSP handling 123.

Misdemeanor shoplifting had a clearance rate of 55.8 percent, corresponding to 31,672 incidents cleared by arrest; of those arrestees, 72 percent were adults and 27 percent were juveniles. Felony shoplifting had a clearance rate of 35.5 percent, with 151 arrestees, of whom 137 were adults (90 percent) and 14 were juveniles (9 percent). Organized retail theft had a clearance rate of about 67.5 percent, with 133 adult arrestees and only two juvenile arrestees, both early in the period when the charge was new.

Lloyd stated that DSP sees higher rates of shoplifting at large “big-box” or one-stop retail stores such as Wawa, Royal Farms, Target, Walmart, Walgreens, and CVS. Larger chains tend to experience more organized retail theft with high-value merchandise intended for resale, while smaller stores more commonly experience need-based theft involving food and essentials, though the financial impact on smaller businesses can be greater proportionally.

Lloyd described competing demands on DSP’s Criminal Investigative units, which also handle major crimes, property crimes, fraud, youth matters, and school resource functions. Historically, armed robberies in New Castle County were a major workload, but robberies have declined significantly in recent years, in part due to increased use of cameras, license-plate readers, and residential doorbell systems. DSP has temporarily repurposed the New Castle County robbery unit to focus on retail crime, including felony shoplifting and organized retail theft. He reported that this specialized focus has allowed investigators to connect multiple incidents involving the same offenders across troops and days and to present more comprehensive case packages to the Department of Justice. During the most recent holiday season at Christiana Mall, this unit made approximately

100 arrests in five weeks, and they estimate that roughly three times that number of incidents were deterred or resolved without prosecution because suspects left upon seeing officers or goods were recovered promptly. He noted that only about 20 to 25 percent of those arrested at Christiana were from out of state, indicating that most shoplifting is committed by local residents.

Lloyd stated that, to sustain and expand this specialized effort on a permanent basis statewide, DSP would require two sergeants, ten troopers, and two crime analysts, with one sergeant and half the troopers assigned to New Castle County and the other sergeant and remaining troopers covering Kent and Sussex Counties. The crime analysts would be used to generate actionable intelligence to guide enforcement. He said that DSP leadership, including the Colonel and Lieutenant Colonel, had been briefed on this proposed resource need, but that the request had not yet been incorporated into formal budget submissions or otherwise taken outside the agency; it was being presented in response to the task force's request.

III. Open Discussion

Task force members discussed the role of technology and its deterrent effect. They observed that widespread camera systems and license-plate readers have contributed to the decline in robbery because offenders are now far more likely to be identified and apprehended quickly. Professional shoplifters continue to offend despite cameras, partly because the perceived legal consequences of shoplifting are lower than those for robbery. Retailers have responded to high theft levels by investing heavily in surveillance and physical security, including placing common items such as shampoo and deodorant in locked cases.

Law enforcement representatives noted that while large chains have dedicated loss-prevention staff and systems, small independent businesses have fewer resources and may be unable to spare staff for court appearances or security duties, making them especially vulnerable to losses. Retailers described frequent thefts involving full carts of groceries being pushed out without payment and emphasized the importance of quality camera systems and license-plate capture to identify offenders. They referred to examples where stores closed or adjusted hours due to late-night crowding and theft.

Representatives from the Department of Justice explained that most defendants in retail theft cases have multiple pending charges rather than a single shoplifting incident, and that many cases recorded statistically as "nolle prosequi" are in fact resolved in a structured way, such as being dismissed as part of plea agreements to more serious or consolidated charges, being superseded by indictments in Superior Court, or being conditionally dismissed when defendants satisfy restitution and other conditions. DOJ

cautioned that raw "NP" statistics can be misleading without context. They also confirmed that the civil citation program for juveniles has shown low recidivism and strong outcomes and that, on the adult side, their strategy is to identify and bundle repeat offenders into a single posture rather than handling each incident as an isolated one-off.

Representatives from the Court of Common Pleas (CCP) explained that their primary function is adjudicative and that it has limited capacity to influence investigative or prosecutorial choices. CCP has responded to retailer concerns about repeated court appearances by instituting a "theft week" in New Castle County. Under this scheduling reform, retail theft jury and non-jury trials are concentrated into three days during the third week of each month. On Mondays, CCP conducts two jury trial calendars of approximately 30 to 40 cases each. On Tuesdays, it holds three non-jury trial calendars, and on Wednesdays, it holds two additional jury trial calendars. Kent and Sussex Counties have fewer trial days because their caseloads are lower. Members reported that early anecdotal feedback indicates improved appearance rates by retailers, including at least one major store that had rarely appeared in recent years prior to this change.

CCP and DOJ representatives explained that retail theft cases rarely proceed to trial when the State's witness is present and discovery, especially surveillance video, has been provided in a timely manner. In most such instances, defendants plead guilty or otherwise resolve their cases. Dismissals and continuances generally occur when the store's witness fails to appear or when discovery is incomplete or late. The court and DOJ both emphasized that constitutional requirements, particularly the defendant's right to confront witnesses, generally necessitate that the complaining witness appear in person for contested trials, which limits the ability to rely on remote testimony or other accommodations, especially for smaller retailers with minimal staff. Participants discussed the ongoing rollout of the Axon platform to standardize digital evidence submission by retailers, thereby improving compliance with discovery obligations and reducing the risk of discovery-related dismissals.

It was noted that some colleagues not serving on the task force had circulated a bill aimed at aggregating multiple theft incidents for charging and prosecution threshold purposes. It was suggested that the task force would need to determine whether to incorporate or coordinate with that legislative effort within its own final recommendations, or to let it proceed separately. Members discussed introducing a resolution to extend the task force's reporting deadline, currently set for February 1, by approximately two to three months.

IV. Public Comment

There was no public comment offered during this meeting.

The meeting was adjourned at 11:00 a.m.

Delaware Retail Theft

January 1, 2016 – September 5, 2025

Major J. Andrew Lloyd
Delaware State Police

Agenda

Incident Statistics
- Statewide
- County Breakout

Clearance Rates
- Statewide

Necessary Resources
- Delaware State Police

Incident Statistics - Statewide

	Misdemeanor Shoplifting	Felony Shoplifting	Organized Retail Theft
New Castle	29,499	1,815	1,553
Kent	16,473	490	134
Sussex	10,815	386	150
Not Reported	3	0	1
Total	**56,790**	**2,691**	**1,838**

Incident Statistics – County Breakout

Misdemeanor Shoplifting

Year	New Castle Statewide	Kent Statewide	Sussex Statewide	New Castle DSP	Kent DSP	Sussex DSP
2016	3,632	1,488	1,246	2,936	190	541
2017	3,180	1,454	1,226	2,421	181	389
2018	3,059	1,582	1,191	2,291	232	490
2019	3,160	1,619	1,243	2,298	226	466
2020	2,285	1,409	1,047	1,771	204	377
2021	2,671	1,285	921	1,981	256	341
2022	2,986	1,696	974	2,246	321	388
2023	3,278	2,126	1,105	2,445	326	453
2024	3,236	2,303	1,136	2,432	230	374
2025 YTD	2,012	1,511	726	1,598	123	223
Total	**29,499**	**16,473**	**10,815**	**22,419**	**2,289**	**4,042**

Incident Statistics – County Breakout

Felony Shoplifting

Year	New Castle Statewide	Kent Statewide	Sussex Statewide	New Castle DSP	Kent DSP	Sussex DSP
2016	73	19	16	64	2	10
2017	78	37	19	57	4	13
2018	104	23	31	91	4	18
2019	130	44	37	110	1	21
2020	114	25	44	96	4	34
2021	225	49	33	194	6	24
2022	322	80	60	284	7	43
2023	347	93	63	311	4	44
2024	279	73	47	237	2	33
2025 YTD	143	47	36	128	4	23
Total	**1,815**	**490**	**386**	**1,572**	**38**	**263**

Incident Statistics – County Breakout

Organized Retail Theft

Year	New Castle Statewide	Kent Statewide	Sussex Statewide	New Castle DSP	Kent DSP	Sussex DSP
2016	243	1	38	233	0	36
2017	238	1	8	227	0	8
2018	118	2	7	105	1	3
2019	132	4	9	118	0	6
2020	81	21	14	67	8	13
2021	166	9	2	162	0	1
2022	129	14	10	99	3	8
2023	100	22	13	87	8	10
2024	241	45	37	223	18	29
2025 YTD	105	15	12	85	0	9
Total	**1,553**	**134**	**150**	**1,406**	**38**	**123**

Clearance Rates- Statewide

Misdemeanor Shoplifting

Year	Total Crimes Statewide	Clearance Rates Statewide	Total Arrested Statewide	Adults Arrested Statewide	Juveniles Arrested Statewide
2016	6,369	69.4% (4,422)	384	295 (76.8%)	89 (23.2%)
2017	5,860	61.4% (3,596)	413	296 (71.7%)	117 (28.3%)
2018	5,832	59.9% (3,491)	402	317 (78.9%)	85 (21.1%)
2019	6,022	58.0% (3,492)	479	353 (73.7%)	126 (26.3%)
2020	4,741	54.2% (2,568)	364	279 (76.6%)	85 (23.4%)
2021	4,877	49.5% (2,416)	325	276 (84.9%)	49 (15.1%)
2022	5,656	46.7% (2,643)	487	354 (72.7%)	133 (27.3%)
2023	6,509	50.1% (3,259)	727	460 (63.3%)	267 (36.7%)
2024	6,675	52.6% (3,512)	626	451 (72.0%)	175 (28.0%)
2025 YTD	4,249	53.5% (2,273)	386	268 (69.4%)	118 (30.6%)
Total	**56,790**	**55.8% (31,672)**	**4,593**	**3,349 (72.9%)**	**1,244 (27.1%)**

Clearance Rates- Statewide

Felony Shoplifting

Year	Total Crimes Statewide	Clearance Rates Statewide	Total Arrested Statewide	Adults Arrested Statewide	Juveniles Arrested Statewide
2016	108	52.8% (57)	9	9 (100.0%)	0 (0.0%)
2017	134	42.5% (57)	8	8 (100.0%)	0 (0.0%)
2018	158	44.9% (71)	14	14 (100.0%)	0 (0.0%)
2019	211	37.4% (79)	9	9 (100.0%)	0 (0.0%)
2020	183	42.6% (78)	17	13 (76.5%)	4 (23.5%)
2021	307	30.3% (93)	13	8 (61.5%)	5 (38.5%)
2022	462	24.9% (115)	26	23 (88.5%)	3 (11.5%)
2023	503	31.4% (158)	18	16 (88.9%)	2 (11.1%)
2024	399	39.8% (159)	18	18 (100.0%)	0 (0.0%)
2025 YTD	226	38.9% (88)	19	19 (100.0%)	0 (0.0%)
Total	**2,691**	**35.5% (955)**	**151**	**137 (90.7%)**	**14 (9.3%)**

Clearance Rates- Statewide

Organized Retail Theft

Year	Total Crimes Statewide	Clearance Rates Statewide	Total Arrested Statewide	Adults Arrested Statewide	Juveniles Arrested Statewide
2016	283	74.6% (211)	28	26 (92.9%)	2 (7.1%)
2017	247	61.9% (153)	23	23 (100.0%)	0 (0.0%)
2018	127	74.8% (95)	9	9 (100.0%)	0 (0.0%)
2019	145	73.8% (107)	10	10 (100.0%)	0 (0.0%)
2020	116	71.6% (83)	7	7 (100.0%)	0 (0.0%)
2021	177	64.4% (114)	10	10 (100.0%)	0 (0.0%)
2022	153	62.7% (96)	5	5 (100.0%)	0 (0.0%)
2023	135	56.3% (76)	9	9 (100.0%)	0 (0.0%)
2024	323	71.5% (231)	26	26 (100.0%)	0 (0.0%)
2025 YTD	132	56.8% (75)	8	8 (100.0%)	0 (0.0%)
Total	**1,838**	**67.5% (1,241)**	**135**	**133 (98.5%)**	**2 (1.5%)**

Necessary Resources

DSP would recommend the following resources be considered to better combat retail crimes throughout the state:

2 Sergeants

10 Troopers

2 Crime Analysts

DOJ may require additional resources to properly handle the additional workload.

Questions

Retail Crime Prevention Task Force
Monday, March 23, 2026
1:00 p.m. – 3:00 p.m.
Senate Hearing Room/Virtual Meeting
Meeting Recording Available at:
https://legis.delaware.gov/TaskForceMeetingDetail?taskForceMeetingId=30894

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Representative Cyndie Romer, Co-Chair
Senator Gerald Hocker
Representative Ronald Gray
Abby Rodgers, Attorney General
Caitlin Gregory, Office of Defense Services
Major John Andrew Lloyd, Delaware State Police
Chief Marvin Mailey, Delaware Association of Chiefs of Police
Michael Quaranta, Delaware State Chamber of Commerce
Trisha Moses, Delaware Black Chamber of Commerce
Julie Miro Wenger, Delaware Food Industry Council
Palash Gupta, Delaware Asian American Business Association
Kerry Ferriter, Public Member
Barbie Fischer, Public Member

Meeting Agenda:

The meeting was called to order at 1:00 p.m.

I. Welcome

Task force co-chair Senator Townsend provided opening remarks.

II. Discussion of Task Force Findings and Recommendations

Task force participants continued developing draft findings and recommendations pursuant to Senate Concurrent Resolution 12. The discussion focused on organized retail crime, behavioral health and economic drivers of retail theft, coordination among stakeholders, adjudication and civil recovery, and evidence-based resource allocation. Members emphasized the importance of grounding the final report in the presentations, testimony, and data reviewed during prior meetings.

A. Organized Retail Crime

Task force members reviewed and discussed draft findings related to organized retail crime (ORC). Participants expressed concern that describing ORC as a "smaller share of incidents" could unintentionally suggest that the issue is rare. Several members noted that ORC is likely undercounted because incidents are frequently charged as separate shoplifting cases rather than connected as coordinated activity. Members agreed that the finding should be revised to emphasize that organized retail crime is widespread, high-impact, and often obscured by limitations in how incidents are recorded and tracked.

Members also discussed language describing reporting burdens on retailers. The group agreed that the burden should be framed as the full criminal justice process—from incident response through court proceedings—rather than the act of reporting alone. Members further emphasized the importance of tightening definitions and terminology so that recommendations clearly target organized retail crime networks and repeat offenders rather than individuals committing low-level theft related to poverty or behavioral health needs.

The task force discussed the need for additional investigative and prosecutorial capacity focused on organized retail crime and the importance of monitoring recent initiatives in neighboring states to understand potential regional impacts. Members also considered privacy and governance concerns related to security technologies such as license plate readers and agreed that the report should revisit how best to frame recommendations regarding retailer security and evidence-capture tools.

Overall, members expressed support for prioritizing enforcement on organized networks and repeat offenders, strengthening aggregation of organized retail crime cases, expanding intelligence sharing through existing systems, increasing outreach and engagement with retailers, and exploring ways to support retailer security infrastructure.

B. Retail Crime Related to Mental Health and Substance Use

Task force members discussed draft findings addressing the role of untreated behavioral health needs in repeated retail theft. Participants agreed that diversion and restorative justice programs have demonstrated strong outcomes, but access to treatment and services remains uneven across the state. Members emphasized the importance of strengthening coordination between the criminal legal system and behavioral health providers.

The task force agreed that the report should refer broadly to diversion and restorative justice programs rather than highlighting a single provider. Members recommended consolidating diversion-related recommendations into a unified framework emphasizing diversion as an early-intervention strategy that reduces court involvement, incorporates restitution, and connects participants with treatment and services.

Members also discussed the Wilmington Community Court and noted that the program is currently grant-funded and limited geographically. The group emphasized the importance of stable, long-term funding to expand or replicate successful models statewide.

C. Retail Crime Related to Economic Hardship

Task force members reviewed findings related to the role of unemployment, housing instability, and food insecurity in low-dollar retail theft. Participants acknowledged the cumulative impact of frequent theft on retailers and workers while also recognizing the importance of addressing underlying economic drivers.

The task force recommended aligning this section with the broader diversion framework and emphasized that diversion programs can both hold individuals accountable through restitution and connect participants with employment and support services. Members supported prioritizing early intervention for low-level offenses, expanding youth prevention strategies, reviewing the unintended consequences of store bans and civil recovery practices, and investing in community-based prevention and reentry services..

D. Coordination Among Retailers, Law Enforcement, and Prosecutors

The group discussed inconsistencies in evidence collection and submission practices, delays in receiving surveillance footage, and the challenges retailers face participating in court proceedings. Participants noted that existing systems already support evidence sharing and communication and agreed that the report should focus on strengthening and expanding these mechanisms rather than presenting them as entirely new initiatives.

Members supported continuing the standardization of digital evidence submission platforms, improving notification and communication systems, exploring retailer-friendly case tracking tools, expanding training and guidance for retailers, and strengthening outreach efforts among stakeholders. Members noted that legislators should play a supporting role in outreach rather than a leading operational role..

E. Adjudication, Civil Recovery, and System Efficiency

The group discussed the resource demands of the court process and the benefits of scheduling innovations such as dedicated retail theft calendars. Participants agreed that diversion and restorative justice programs provide meaningful accountability while reducing strain on the courts and justice system partners.

Members expressed support for expanding dedicated retail theft court calendars, improving early case triage and diversion referrals, addressing discovery-related delays, reviewing civil recovery practices, and exploring the appropriate use of remote participation tools.

F. Evidence-Based Resource Allocation

The task force discussed Delaware's investments in enforcement and prevention strategies and emphasized the importance of improved data collection and evaluation. Participants supported investments in justice system technology modernization, monitoring the rollout of new statewide systems such as Cascade, addressing staffing and capacity constraints across agencies, expanding statewide data tracking and transparency, and providing stable funding for diversion and mediation programs.

Members reiterated the importance of sustaining and expanding programs that have demonstrated effectiveness rather than creating entirely new structures.
Task force members noted that the findings and recommendations in this section were directly connected to or referencing other sections in the report. They reiterated the concept of providing permanent, stable funding to sustain and expand evidence-based diversion programs like Community Court and restorative mediation, rather than creating entirely new structures.

III. Public Comment

There was no public comment offered during this meeting.

The meeting was adjourned at 3:00 p.m.

Organized Retail Crime

The Task Force finds that organized retail crime presents a significant and evolving challenge in Delaware, particularly for retailers, workers, and law enforcement agencies responding to coordinated theft activity.

Draft findings:

- Organized retail crime, while a smaller share of total incidents, results in disproportionate financial losses and safety concerns for retail workers and customers.
- Law enforcement agencies report that ORC cases often involve coordinated activity across jurisdictions, requiring enhanced collaboration and investigative resources.
- Retailers emphasized the operational and safety impacts of repeat and organized theft, including increased security costs and strain on employees.
- Existing legal tools, including aggregation of offenses, can be effective when applied consistently and with appropriate safeguards.
- Investments in technology, intelligence sharing, and interagency coordination can strengthen Delaware's ability to respond to organized retail crime.

Recommendations to be discussed:

- **Prioritize enforcement on organized networks for repeat offenders:** Encourage the DOJ and DSP to continue focusing investigative and prosecutorial resources on individuals, groups, and online second-hand retailers engaged in coordinated, large-scare theft and resale activity.
- **Strengthen case aggregation practices:** Support continued use and refinement of aggregation strategies already employed by DOJ to bundle repeat offenses into single prosecutorial actions, improving efficiency and accountability for repeat offenders.
- **Enhance intelligence sharing through existing systems:** Expand use of the Delaware Information and Analysis Center (DIAC) and similar tools to facilitate real-time information sharing between retailers and law enforcement.
- **Improve retailer reporting participation:** Increase outreach through chambers of commerce and industry groups to encourage consistent reporting, particularly among small and mid-sized retailers who currently view reporting as burdensome.
- **Support retailer security infrastructure:** Explore grant programs or public-private partnerships to assist smaller retailers in adopting effective security measures such as cameras and license plate readers.

DRAFT

Retail Crime Related to Mental Health and Substance Use

The Task Force finds that mental health and substance use challenges are significant contributing factors in many retail theft cases and require coordinated, treatment-oriented responses.

Draft findings:

- Stakeholders across the system recognize that untreated behavioral health needs contribute to repeated involvement in retail theft.
- Retail workers and businesses continue to experience the direct impacts of these incidents, including safety concerns and workplace disruption.
- Delaware's diversion and restorative justice programs have demonstrated strong outcomes, including high completion rates and reduced recidivism.
- Access to treatment and recovery services remains uneven, particularly across different regions and stages of the justice process.
- Strengthening coordination between the criminal legal system and behavioral health providers can improve both public safety and individual outcomes.

Recommendations to be discussed:

- **Expand restorative justice and mediation programs:** Increase support for programs such as the Delaware Center for Justice's restorative conferencing model, which has demonstrated high completion rates and strong outcomes.
- **Address barriers to diversion participation:** Work with retailers and corporate entities to reduce policy barriers that prevent eligible cases from being referred to diversion or restorative justice programs.
- **Improve tracking of diversion outcomes:** Develop a centralized system to track participation, completion, and restitution outcomes for diversion and civil citation programs.
- **Strengthen coordination with behavioral health services**: Expand connections between diversion programs and mental health and substance use treatment providers to address underlying causes of repeat offenses.
- **Ensure victim involvement in alternative resolutions:** Maintain and strengthen processes that incorporate victim input and restitution into diversion and restorative justice outcomes.

DRAFT

Retail Crime Related to Economic Hardship

The Task Force finds that economic instability contributes to certain instances of low-level retail theft and underscores the importance of prevention-oriented strategies.

Draft findings:

- Factors such as unemployment, housing instability, and food insecurity can increase the likelihood of low-dollar retail theft.
- Community organizations and service providers highlighted the importance of addressing underlying economic needs to reduce repeat offenses.
- Retailers and workers emphasized the cumulative impact of frequent low-level theft on store operations and employee well-being.
- Early intervention strategies, particularly for first-time offenders, can reduce the likelihood of continued system involvement.
- Workforce development, employment access, and social service connections are important components of long-term prevention.

Recommendations to be discussed:

- **Integrate employment and support services into diversion programs:** Expand existing diversion models to include connections to employment services and financial support resources, reflecting program practices already in place.
- **Prioritize early intervention for low-level offenses:** Encourage use of diversion, civil citation, and mediation programs for first-time and low-level offenders to prevent escalation and repeat system involvement.
- **Expand youth-focused prevention strategies:** Support partnerships with schools, after-school programs, and community organizations to address youth retail theft driven by impulsivity and lack of engagement.
- **Address unintended consequences of enforcement tools:** Review policies such as store bans and civil recovery practices to ensure they do not create barriers to access for essential goods or disproportionately impact vulnerable populations.
- **Support community-based prevention efforts:** Invest in local organizations providing mentoring, reentry support, and services to individuals at risk of engaging in retail theft.

DRAFT

Coordination Among Retailers, Law Enforcement, and Prosecutors

The Task Force finds that strong coordination among retailers, law enforcement, and prosecutors is essential to improving outcomes in retail theft cases.

Draft findings:

- Stakeholders identified inconsistencies in evidence collection, documentation, and submission practices across jurisdictions and retailers.
- Delays in receiving surveillance footage and supporting materials can impact charging decisions and case timelines.
- Retail employees often face challenges participating in court proceedings due to scheduling and operational constraints.
- Technology solutions, including digital evidence-sharing platforms, can significantly improve efficiency and consistency.
- Ongoing collaboration, communication, and training among stakeholders can strengthen partnerships and improve case outcomes.

Recommendations to be discussed:

- **Standardize digital evidence submission:** Continue expansion and refinement of platforms such as Axon and other similar technologies to ensure consistent, timely submission of surveillance footage and associated electronic evidence.
- **Improve notification and communication systems:** Modernize notification processes to ensure that appropriate retail representatives receive timely updates, addressing challenges caused by employee turnover and outdated contact practices.
- **Develop retailer-friendly case tracking tools:** Explore options to provide retailers with secure, user-friendly access to case status information without compromising data protections.
- **Provide clear guidance and training for retailers:** Continue retail industry outreach through DIAC and other law enforcement processes to develop and educate on standardized guidance pertaining to evidence collection, documentation, and reporting, particularly for small businesses with limited resources.
- **Expand outreach communication efforts:** Continue retail industry outreach through DIAC, legislative communications, the chamber of commerce, trade associations, State Division of Small Businesses, and retail industry organizations to improve awareness of reporting processes and available tools.

DRAFT

Adjudication, Civil Recovery, and System Efficiency

The Task Force finds that improving system efficiency while maintaining fairness is critical to effectively addressing retail theft.

Draft findings:

- The court process can be resource-intensive for retailers, employees, law enforcement, and the judiciary, particularly in lower-level cases.
- Court scheduling innovations, such as designated retail theft calendars, have shown promise in improving participation and efficiency.
- Diversion and restorative justice programs provide effective alternatives to traditional prosecution in appropriate cases.
- Civil recovery tools may play a role in addressing certain cases when applied transparently and fairly.
- Streamlined processes can reduce burdens on all parties while preserving due process and accountability.

Recommendations to be discussed:

- **Expand use of dedicated retail theft court calendars:** Support continued implementation of "theft weeks" and similar scheduling models to improve efficiency and increase retailer participation.
- **Improve early case triage and resolution:** Encourage earlier review of cases to identify those appropriate for diversion or resolution, reducing unnecessary court involvement and continuances.
- **Address discovery-related delays:** Continue improving timely submission of evidence to reduce dismissals and delays caused by incomplete discovery.
- **Review and clarify civil recovery practices:** Reevaluate Delaware's civil recovery framework to improve usability and fairness, while addressing concerns about low utilization and unintended consequences.
- **Assess opportunities for remote participation:** Explore the use of remote tools where feasible, while recognizing constitutional requirements related to witness testimony.

DRAFT

Evidence-Based Resource Allocation

The Task Force finds that aligning resources with evidence-based strategies can strengthen Delaware's overall response to retail crime.

Draft findings:

- Delaware has made meaningful investments in both enforcement and prevention strategies addressing retail crime.
- Targeted enforcement of organized retail crime remains an important component of public safety efforts.
- Programs addressing behavioral health and economic stability contribute to reductions in repeat offenses over time.
- Stakeholders expressed broad support for continued investment in diversion, treatment, and workforce-related programs.
- Improved data collection and analysis can support more informed decision-making and ongoing evaluation of policy effectiveness.

Recommendations to be discussed:

- **Invest in justice system technology modernization:** Prioritize upgrades to systems such as the Judicial Information Center and support development of more user-friendly platforms for tracking and communication.
- **Support implementation of new statewide systems:** Monitor and support rollout of emerging systems such as "Cascade" to improve data access and coordination across agencies.
- **Address staffing and capacity constraints:** Provide additional resources to DOJ, courts, law enforcement, and defense services to manage high-volume caseloads more effectively.
- **Expand data collection and transparency:** Improve statewide data tracking on retail theft, diversion outcomes, restitution, and recidivism to inform policy decisions.
- **Align resources with proven outcomes:** Continue investing in strategies that demonstrate effectiveness, including diversion programs, mediation, and targeted enforcement of organized retail crime.

DRAFT

Retail Crime Prevention Task Force
Tuesday, April 14, 2026
9:30 a.m. – 11:00 a.m.
Senate Hearing Room/Virtual Meeting
Meeting Recording Available at:
https://legis.delaware.gov/TaskForceMeetingDetail?taskForceMeetingId=30900

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Representative Cyndie Romer, Co-Chair
Senator Gerald Hocker
Representative Ronald Gray
Abby Rodgers, Attorney General
Caitlin Gregory, Office of Defense Services
Major John Andrew Lloyd, Delaware State Police
Chief Marvin Mailey, Delaware Association of Chiefs of Police
Michael Quaranta, Delaware State Chamber of Commerce
Trisha Moses, Delaware Black Chamber of Commerce
Julie Miro Wenger, Delaware Food Industry Council
Kerry Ferriter, Public Member
Barbie Fischer, Public Member
Susan Brown, Delaware Association of School Administrators

Meeting Agenda:

The meeting was called to order at 9:30 a.m.

I. Welcome

Task force co-chair Senator Townsend provided opening remarks. He thanked Senate Majority Caucus staff member Wyatt Patterson for her work on the draft report and requested that the minutes reflect that she received a round of applause.

II. Discussion of Draft Report

At a previous meeting, task force participants discussed the draft report's substantive content in detail and believed that issues raised in earlier meetings had been addressed through language changes. The goal for this meeting was to confirm whether the revised draft accurately reflected the task force's work or whether additional changes or discussion were needed.

Some members raised concern that the report did not clearly capture the task force's earlier look at what was taking place in neighboring states, particularly Pennsylvania and New Jersey, around organized retail crime (ORC). It was proposed that a statement be included in the Findings section that recognized potential connection between the policies in surrounding states and the rates of ORC in Delaware. Other participants recalled a presentation and discussion of legislative activity in neighboring states, but noted that there was not enough data to support a formal finding that there is correlation between those changes and ORC in Delaware. They felt comfortable acknowledging that Pennsylvania and New Jersey had recently changed their laws and that this was relevant to Delaware's situation, and they agreed it would be appropriate to recommend ongoing monitoring.

Ultimately, the group agreed that the report should be updated to add a finding referencing recent ORC-related legislative changes in Pennsylvania and New Jersey and a corresponding recommendation that Delaware monitor the impact on crime patterns, with particular attention to border areas and engagement with relevant State Police troops.

Another topic raised was the possibility of replicating the specialized retail theft investigative unit currently operating at Delaware State Police (DSP) Troop 2. Some members suggested that the report should specifically recommend extending the Troop 2 model to units in Kent and Sussex Counties, in line with an earlier DSP presentation that described the resources necessary for an expanded program. Representatives from DSP clarified that they had not submitted an official recommendation, and that the purpose of the presentation was just to illustrate what an expanded model might require. The consensus was to frame a recommendation that acknowledges Troop 2's specialized unit as a productive example and encourages exploration of options to replicate or expand similar dedicated capacity in Kent and Sussex Counties, in consultation with DSP.

The task force also discussed adding a reference to electronic subpoenas as part of the report's recommendations on justice system technology modernization. Participants noted that this could promote efficiency and effectiveness in notifying retailers about court proceedings, especially in large chain or corporate contexts where subpoenas often travel through corporate headquarters before reaching the individuals who actually need to appear in court. However, representatives from the DOJ explained that subpoenas have a specific legal meaning and must be delivered according to statutory and procedural rules. It was noted that the draft report already addressed related themes.

After extended discussion, the group agreed that the report should not specifically recommend "electronic subpoenas," given the complexity and the necessity of court involvement in reaching such a recommendation. Task force members concurred that the report should more clearly address the underlying problem of ensuring that victims and witnesses, including retailers, receive timely court notices and have reliable channels of communication with law enforcement and prosecutors. This included recognition of the updated Victims' Bill of Rights, which now explicitly encompasses shoplifting and retail theft victims and imposes heightened communication obligations on the State.

The task force also discussed the funds paid by retailers intended to support three full-time DOJ positions focused on retail theft and related matters. Retailers questioned whether there could be discrepancies between claimed effort and actual time spent on retail crime by DOJ attorneys. Representatives from the DOJ clarified that the three deputy attorneys general are not the only DOJ attorneys working on retail theft cases, but also emphasized that it would be impractical and undesirable to expect the three fee-funded deputies to do nothing but retail theft prosecutions. DOJ acknowledged that it was reasonable for stakeholders to want visibility into how much effort the DOJ devotes to this area and suggested adapting existing time-accounting practices used for other externally funded positions. The members agreed that the report should make a recommendation related to time-accounting that makes the overall full-time equivalent effort on retail theft more transparent and that provides a reasonable indication that the retailer-funded positions are being used for their intended purpose.

III. Public Comment

There was no public comment offered during this meeting.

The meeting was adjourned at 11:00 a.m.

Introduction

The Retail Crime Prevention Task Force was convened to study retail theft and organized retail crime in Delaware, assess current statutory and operational responses, and develop recommendations to improve prevention, enforcement, prosecution, and victim support. Through a series of public meetings, expert presentations, data reviews, and stakeholder discussions, the Task Force examined trends in retail theft, the effectiveness of existing laws, the impacts on retailers, workers, consumers, and the criminal legal system, and promising practices from Delaware and neighboring states.

Background and Charge

On January 29, 2025, the General Assembly passed Senate Concurrent Resolution 12 (SCR 12), sponsored by Senator Bryan Townsend and Representative Cyndie Romer. The resolution established the Retail Crime Prevention Task Force to examine the causes, impacts, and appropriate responses to retail crime in Delaware, and to develop recommendations for legislative, regulatory, operational, and judicial reform.

In creating the Task Force, the General Assembly recognized that:

- Delaware retail workers deserve to work in safe environments.
- Delawareans deserve to shop in safety and comfort.
- Retailers deserve to operate their businesses against a backdrop of laws and enforcement designed to deter retail crime and ensure effective response when it occurs.
- Retail crime in Delaware takes multiple forms, including organized retail crime, theft driven by mental health or substance use disorders, and theft driven by economic hardship.
- Different forms of retail crime require different policy responses, including coordinated efforts to dismantle organized retail theft networks and evidence-based interventions for individuals involved in lower-level theft.

The resolution directed the Task Force to conduct public, stakeholder-driven discussions and to recommend policy solutions that balance accountability, public safety, fairness, and prevention.

DRAFT

Task Force Composition

As established by SCR 12, the Task Force consisted of legislators, state agency leaders, judicial representatives, law enforcement officials, business and retail stakeholders, and public members, including representatives from the Delaware Department of Justice, Office of Defense Services, Court of Common Pleas, Department of Correction, Delaware State Police, business chambers, retail associations, mental health professionals, and diversion program experts. This broad membership ensured that the Task Force's work reflected diverse perspectives and professional expertise.

Scope of Review

The Task Force met regularly between March 2025 and May 2026. Meetings included formal presentations, facilitated discussions, and public comment opportunities. Pursuant to SCR 12, the Task Force examined and developed recommendations related to:

- Organized retail crime, including its prevalence, impact, and strategies to enhance deterrence, prosecution, and restitution.
- Retail crime associated with mental health and substance use disorders, including opportunities to expand diversion and treatment.
- Retail crime related to individual economic hardship, including prevention and diversion strategies.
- Opportunities to strengthen coordination among retailers, law enforcement, and prosecutors, particularly regarding evidence collection, preservation, and information sharing.
- Opportunities to streamline adjudication, including the appropriate role of civil recovery.
- Investments in evidence-based programs that address the root causes of retail theft.

The Task Force found that while Delaware has taken important steps to address retail theft and organized retail crime, significant challenges remain. These include inconsistent prosecution outcomes, difficulties in evidence sharing, retailer participation in court, resource constraints within law enforcement and courts, and limited diversion and restorative options for low-level offenders. At the same time, evidence indicates that most retail theft incidents are driven by economic hardship, addiction, or mental health challenges, while a smaller subset involves organized criminal enterprises.

DRAFT

Findings

Pursuant to SCR 12, the Retail Crime Prevention Task Force makes the following findings. These conclusions are informed by data analysis, presentations, and testimony from law enforcement, the courts, retailers, workers, executive branch agencies, and community-based organizations.

Retail crime in Delaware presents a multifaceted challenge with impacts that vary across communities and stakeholders. The Task Force's work reflects a shared understanding that effective responses must balance accountability, public safety, and prevention, while recognizing the different factors that contribute to retail theft.

Organized Retail Crime

The Task Force finds that organized retail crime (ORC) presents a significant and evolving challenge in Delaware, particularly for retailers, workers, and law enforcement agencies responding to coordinated theft activity. The Task Force further finds that:

- Organized retail crime, while a smaller share of total incidents, results in disproportionate financial losses and safety concerns for retail workers and customers.
- Law enforcement agencies report that ORC cases often involve coordinated activity across jurisdictions, requiring enhanced collaboration and investigative resources.
- Retailers emphasized the operational and safety impacts of repeat and organized theft, including increased security costs and strain on employees.
- Existing legal tools, including aggregation of offenses, can be effective when applied consistently and with appropriate safeguards.
- Investments in technology, intelligence sharing, and interagency coordination can strengthen Delaware's ability to respond to organized retail crime.

Retail Crime Related to Mental Health and Substance Use

The Task Force finds that mental health and substance use challenges are significant contributing factors in many retail theft cases and require coordinated, treatment-oriented responses. The Task Force further finds that:

- Stakeholders across the system recognize that untreated behavioral health needs contribute to repeated involvement in retail theft.
- Retail workers and businesses continue to experience the direct impacts of these incidents, including safety concerns and workplace disruption.

DRAFT

- Delaware's diversion and restorative justice programs have demonstrated strong outcomes, including high completion rates and reduced recidivism.
- Access to treatment and recovery services remains uneven, particularly across different regions and stages of the justice process.
- Strengthening coordination between the criminal legal system and behavioral health providers can improve both public safety and individual outcomes.

Retail Crime Related to Economic Hardship

The Task Force finds that economic instability contributes to certain instances of low-level retail theft and underscores the importance of prevention-oriented strategies. The Task Force further finds that:

- Factors such as unemployment, housing instability, and food insecurity can increase the likelihood of low-dollar retail theft.
- Community organizations and service providers highlighted the importance of addressing underlying economic needs to reduce repeat offenses.
- Retailers and workers emphasized the cumulative impact of frequent low-level theft on store operations and employee well-being.
- Early intervention strategies, particularly for first-time offenders, can reduce the likelihood of continued system involvement.
- Workforce development, employment access, and social service connections are important components of long-term prevention.

Coordination Among Retailers, Law Enforcement, and Prosecutors

The Task Force finds that strong coordination among retailers, law enforcement, and prosecutors is essential to improving outcomes in retail theft cases. The Task Force further finds that:

- Stakeholders identified inconsistencies in evidence collection, documentation, and submission practices across jurisdictions and retailers.
- Delays in receiving surveillance footage and supporting materials can impact charging decisions and case timelines.
- Retail employees often face challenges participating in court proceedings due to scheduling and operational constraints.
- Technology solutions, including digital evidence-sharing platforms, can significantly improve efficiency and consistency.

DRAFT

- Ongoing collaboration, communication, and training among stakeholders can strengthen partnerships and improve case outcomes.

Adjudication, Civil Recovery, and System Efficiency

The Task Force finds that improving system efficiency while maintaining fairness is critical to effectively addressing retail theft. The Task Force further finds:

- The court process can be resource-intensive for retailers, employees, law enforcement, and the judiciary, particularly in lower-level cases.
- Court scheduling innovations, such as designated retail theft calendars, have shown promise in improving participation and efficiency.
- Diversion and restorative justice programs provide effective alternatives to traditional prosecution in appropriate cases.
- Civil recovery tools may play a role in addressing certain cases when applied transparently and fairly.
- Streamlined processes can reduce burdens on all parties while preserving due process and accountability.

Evidence-Based Resource Allocation

The Task Force finds that aligning resources with evidence-based strategies can strengthen Delaware's overall response to retail crime. The Task Force also finds that:

- Delaware has made meaningful investments in both enforcement and prevention strategies addressing retail crime.
- Targeted enforcement of organized retail crime remains an important component of public safety efforts.
- Programs addressing behavioral health and economic stability contribute to reductions in repeat offenses over time.
- Stakeholders expressed broad support for continued investment in diversion, treatment, and workforce-related programs.
- Improved data collection and analysis can support more informed decision-making and ongoing evaluation of policy effectiveness.

DRAFT

Recommendations

Organized Retail Crime

Based on its findings regarding organized retail crime, the Task Force recommends the following:

- **Prioritize enforcement on organized networks for repeat offenders:** Encourage the DOJ and DSP to continue focusing investigative and prosecutorial resources on individuals, groups, and online second-hand retailers engaged in coordinated, large-scare theft and resale activity.
- **Strengthen case aggregation practices:** Support continued use and refinement of aggregation strategies already employed by DOJ to bundle repeat offenses into single prosecutorial actions, improving efficiency and accountability for repeat offenders.
- **Enhance intelligence sharing through existing systems:** Expand use of the Delaware Information and Analysis Center (DIAC) and similar tools to facilitate real-time information sharing between retailers and law enforcement.
- **Improve retailer reporting participation:** Strengthen outreach via chambers of commerce and industry groups to drive greater participation and accountability in reporting among small and mid-sized retailers.
- **Support retailer security infrastructure:** Explore grant programs or public-private partnerships to assist smaller retailers in adopting effective security measures such as cameras and license plate readers.

Retail Crime Related to Mental Health and Substance Use

Based on its findings regarding retail crime related to mental health and substance use, the Task Force recommends the following:

- **Expand restorative justice and diversion services:** Support community-based mediation and restorative programs that divert cases from prosecution, along with successful problem-solving court models to improve outcomes and reduce recidivism.
- **Address barriers to diversion participation:** Work with retailers and corporate entities to reduce policy barriers that prevent eligible cases from being referred to diversion or restorative justice programs.
- **Improve tracking of diversion outcomes:** Develop a centralized system to track participation, completion, and restitution outcomes for diversion and civil citation programs.

DRAFT

- **Strengthen coordination with behavioral health services**: Expand connections between diversion programs and mental health and substance use treatment providers to address underlying causes of repeat offenses.

- **Ensure victim involvement in alternative resolutions:** Maintain and strengthen processes that incorporate victim input and restitution into diversion and restorative justice outcomes.

Retail Crime Related to Economic Hardship

Based on its findings regarding retail crime related to economic hardship, the Task Force recommends the following:

- **Integrate employment and support services into diversion programs:** Expand existing diversion models to include connections to employment services and financial support resources, reflecting program practices already in place.

- **Prioritize early intervention for low-level offenses:** Encourage use of diversion, civil citation, and mediation programs for first-time and low-level offenders to prevent escalation and repeat system involvement.

- **Expand youth-focused prevention strategies:** Support partnerships with schools, after-school programs, and community organizations to address youth retail theft driven by impulsivity and lack of engagement.

- **Address unintended consequences of enforcement tools:** Review policies such as store bans and civil recovery practices to ensure they do not create barriers to access for essential goods or disproportionately impact vulnerable populations.

- **Support community-based prevention efforts:** Invest in local organizations providing mentoring, reentry support, and services to individuals at risk of engaging in retail theft.

- **Update the felony shoplifting threshold:** Recommend adjusting the felony threshold to reflect inflation and current retail values, including increasing the threshold to $2,000 to better align penalties with today's economic conditions.

Coordination Among Retailers, Law Enforcement, and Prosecutors

Based on its findings regarding coordination among retailers, law enforcement, and prosecutors, the Task Force recommends the following:

- **Standardize digital evidence submission:** Continue expansion and refinement of platforms such as Axon and other similar technologies to ensure consistent, timely submission of surveillance footage and associated electronic evidence.

DRAFT

- **Improve notification and communication systems:** Modernize notification processes to ensure that both retail businesses and individual witnesses receive timely court notices, addressing challenges caused by employee turnover, shift changes, and outdated contact practices. Utilize subpoenas where appropriate to ensure witness participation and reduce avoidable case dismissals.

- **Develop retailer-friendly case tracking tools:** Explore options to provide retailers with secure, user-friendly access to case status information without compromising data protections.

- **Provide clear guidance and training for retailers:** Continue retail industry outreach through DIAC and other law enforcement processes to develop and educate on standardized guidance pertaining to evidence collection, documentation, and reporting, particularly for small businesses with limited resources.

- **Expand outreach communication efforts:** Continue retail industry outreach through DIAC, legislative communications, the chamber of commerce, trade associations, State Division of Small Businesses, and retail industry organizations to improve awareness of reporting processes and available tools.

Adjudication, Civil Recovery, and System Efficiency

Based on its findings regarding adjudication, civil recovery, and system efficiency, the Task Force recommends the following:

- **Expand use of dedicated retail theft court calendars:** Support continued implementation of "theft weeks" and similar scheduling models to improve efficiency and increase retailer participation.

- **Improve early case triage and resolution:** Encourage earlier review of cases to identify those appropriate for diversion or resolution, reducing unnecessary court involvement and continuances.

- **Address discovery-related delays:** Continue improving timely submission of evidence to reduce dismissals and delays caused by incomplete discovery.

- **Review and clarify civil recovery practices:** Reevaluate Delaware's civil recovery framework to improve usability and fairness, including establishing clear policies to avoid duplicative recovery by confirming whether retailers are pursuing civil remedies prior to prosecution and limiting overlapping criminal charges where appropriate.

- **Assess opportunities for remote participation:** Explore the use of remote tools where feasible, while recognizing constitutional requirements related to witness testimony.

DRAFT

Evidence-Based Resource Allocation

Based on its findings regarding evidence-based resource allocation, the Task Force recommends the following:

- **Invest in justice system technology modernization:** Prioritize upgrades to systems such as the Judicial Information Center and support development of more user-friendly platforms for tracking and communication.
- **Support implementation of new statewide systems:** Monitor and support rollout of emerging systems such as "Cascade" to improve data access and coordination across agencies.
- **Address staffing and capacity constraints:** Provide additional resources to DOJ, courts, law enforcement, and defense services to manage high-volume caseloads more effectively.
- **Expand data collection and transparency:** Improve statewide data tracking on retail theft, diversion outcomes, restitution, and recidivism to inform policy decisions.
- **Align resources with proven outcomes:** Continue investing in strategies that demonstrate effectiveness, including diversion programs, mediation - such as increasing funding and extending eligibility to felony shoplifting cases - to further reduce recidivism.

DRAFT

Retail Crime Prevention Task Force
Thursday, April 30, 2026
12:35 p.m. – 12:50 p.m.
Senate Hearing Room/Virtual Meeting
Meeting Recording Available at: https://legis.delaware.gov/TaskForceDetail?taskForceId=474

Meeting Minutes

Attendance:

Task Force Members Present:

Senator Bryan Townsend, Co-Chair
Representative Cyndie Romer, Co-Chair
Senator Gerald Hocker
Representative Ronald Gray
Abby Rodgers, Attorney General
Caitlin Gregory, Office of Defense Services
Major John Andrew Lloyd, Delaware State Police
Chief Marvin Mailey, Delaware Association of Chiefs of Police
Trisha Moses, Delaware Black Chamber of Commerce
Julie Miro Wenger, Delaware Food Industry Council
Kerry Ferriter, Public Member
Barbie Fischer, Public Member

Meeting Agenda:

The meeting was called to order at 12:30 p.m.

I. Welcome

Task force co-chair Senator Townsend provided opening remarks. The minutes from the previous task force meeting were adopted without objection.

II. Discussion of Draft Report

The task force reviewed a revised draft of the final report that incorporated modifications suggested at the prior meeting and received via email. Senator Townsend invited questions or comments regarding the revised draft and the incorporated edits. After pausing to allow discussion, no members raised objections or requested additional changes. The task force adopted the revised final report, as circulated, without objection.

Senator Townsend requested that the minutes reflect that himself and Representative Gray applauded Senate Majority Caucus staff member Wyatt Patterson for her work on the report.

III. Public Comment

There was no public comment offered during this meeting.

The meeting was adjourned at 1:00 p.m.