



# DUEY STROEBEL

STATE SENATOR • 20<sup>TH</sup> DISTRICT

## Testimony on SB 811/AB 827

*February 8, 2022*

Thank you Chair Wanggaard and members of the Senate Committee on Judiciary & Public Safety for giving Senate Bill 811/Assembly Bill 827 a public hearing. I am glad to be presenting this common sense solution to help combat the sudden national increase in coordinated, mass retail theft. The bill, including Senate Amendment 1, provides that when three or more individuals act in concert to steal property, at the same time and place, the value of all property taken in that criminal enterprise *must* be aggregated for determining the penalty. As an example, if a group of seven perpetrators work together to steal \$12,000 worth of goods while each takes less than \$2,500 individually, under the bill this would be as a Class G felony for each perpetrator instead of an A misdemeanor.

In both the common law and Wisconsin statutes, we have always recognized the increased danger to society when groups of people perpetrate wrongdoing in an organized fashion. If you are the getaway driver or a lookout, you are guilty as a party to the crime of robbing the bank even though you didn't physically hold up the teller and take the cash. The bill applies the same logic to theft.

While it is true the party to a crime (s. 939.05, Stats.) and conspiracy (s. 939.31, Stats.) statutes already apply to theft, our current statutes are inadequate because they determine the severity of the theft based upon a dollar value of the property an individual steals. Three or more individuals acting in concert to smash, grab and steal as much property as possible is a significantly more disruptive and damaging crime for several reasons.

First, the large group of perpetrators can often overwhelm loss prevention efforts of a store and prevent effective intervention, which leads to more total property being stolen. Second, this experience can be traumatic for customers and discourage future in-person shopping in a way that a single shoplifter trying to sneak out the front door does not. Third, the significant financial losses to retail businesses precipitate an increased likelihood of store closures and other negative economic consequences. Finally, viral videos of perpetrators seemingly getting away with this unacceptable behavior only encourages more troubled individuals to try this themselves.

For all of these reasons Wisconsin should send a strong message that organized theft rings will each face the full punishment of the group's cumulative damage to the shop owner and society. Thank you again for providing the opportunity to testify. I would welcome any questions from the committee.