

**Testimony of the Office of the Public Defender,
State of Hawaii to the House Committee on
Judiciary**

February 26, 2015

H.B. No. 1326: RELATING TO THEFT

Chair Rhoads and Members of the Committee:

H.B. No. 1326 would increase the dollar threshold level for felony theft from the current \$300 to \$750 and provide for incremental increases in the dollar amount annually. We support this bill because it would eliminate, as felonies, cases where value of the property taken is less than \$750.

The rise in prices of all consumer items has resulted in the threshold amount for felony theft being very low. 1986 was the last time the threshold amount was raised when it went from \$200 to the current \$300. (1986 Session laws of Hawaii, Act 314). The raising of the level would not prevent the courts from imposing prison terms for theft. Even if treated as a misdemeanor, an offender could receive up to a one-year term of prison. In reality, very few felony theft offenders, unless they have a prior felony conviction, receive the possible five-year jail term. The vast majority of these cases are currently resolved by placing the offender on either a deferred acceptance of plea, or probation.

Thank you for the opportunity to comment on this bill.



**TESTIMONY OF
DEPARTMENT OF THE ATTORNEY GENERAL
NINETY-EIGHTH LEGISLATURE, 2015**

LATE

ON THE FOLLOWING MEASURE:

H.B. NO. 1326, RELATING TO THE PENAL CODE.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Thursday, February 26, 2015 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Russell A. Suzuki, Attorney General, or
Lance M. Goto, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General opposes this measure.

The purpose of this bill is to increase the threshold value of property and services for the offense of theft in the second degree from \$300 to \$750, and to increase that amount annually thereafter by two percent of the previous year's value.

In 2005, the Committee to Conduct a Comprehensive Review of the Hawaii Penal Code fully considered and rejected a proposal to increase the threshold value for theft. The Committee included representatives of the Judiciary, the Attorney General, the police, the prosecutors, the public defenders, the private defense bar, and the paroling authority. The Review Committee also solicited input from all of the county police and prosecutor agencies, the state and county bar associations, and the Electronic Commerce Crimes Task Force.

The value for theft in the second degree should not be increased. The current value of \$300 is an appropriate amount. To put it in perspective, the state minimum wage was \$6.25 per hour in 2003. The current minimum wage is \$7.75 per hour. Currently, a minimum wage worker would have to work at least forty to fifty hours, over a full week, to replace property worth \$300. The \$300 felony theft amount is still a very significant amount. To make \$750 (pretax), a minimum wage earner worker would have to work ninety-seven hours, or almost two and a half weeks. Increasing the theft threshold value from \$300 to \$750 would diminish the seriousness of many theft crimes and reduce the deterrent impact of the theft offenses. Under this bill, theft of property or services valued between \$100 and \$750 would only be a misdemeanor offense. As such, the many convicted misdemeanor offenders, who are felony

offenders under the current law, would not receive the level of appropriate treatment, counseling, and supervision that they would otherwise receive from felony probation services. This bill would reduce the deterrent effect against crime, while at the same time reducing the level of services to offenders, and thereby likely increase the rate of recidivism and the number of victims.

The proposed annual two percent increase to the threshold theft amount is also of concern. This threshold amount is critical to the definition of the crime. The law lets people know what is prohibited conduct. At trial on a theft offense, a jury will be instructed that the prosecution must prove that when the defendant committed the offense, the defendant was aware or believed the value of the property exceeded \$300 (the current value). If the threshold theft amount is constantly changing at a two percent annual rate, it will be difficult to prove that any offender knew or was aware of the current threshold amount. Annual revision of the theft offense will create enforcement and prosecution issues. And there is no justification for the proposed annual change.

The Department respectfully requests that this measure be held.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
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KEITH M. KANESHIRO
PROSECUTING ATTORNEY



ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE KARL RHOADS, CHAIR
HOUSE COMMITTEE ON JUDICIARY
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawai`i

February 26, 2015

RE: H.B. 1326; RELATING TO THEFT.

Chair Rhoads, Vice Chair San Buenaventura and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in opposition of H.B. 1326.

The purpose of this bill is to amend the offense of Theft in the Second Degree under section 708-831 of the HRS to increase the amount an offender can steal property or services from an excess of \$300 to an excess of \$750, and increasing the value that can be stolen by 2% every year thereafter. Theft in the Second Degree is a class C felony. We oppose allowing offenders to steal products or services of a higher value under Theft in the Second Degree. Offenders often steal products or services just under the value that can be charged as a felony so they can remain in the misdemeanor offense if arrested and charged. If this bill passes, more offenders will steal more – up to \$750 in value and 2% more every year thereafter knowing that they will only be charged a misdemeanor. Such a policy will not help our goals in preventing theft, but instead will hurt families and businesses.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes the passage of H.B. 1326. Thank you for the opportunity to testify on this matter.

Justin F. Kollar
Prosecuting Attorney

Kevin K. Takata
First Deputy



Rebecca A. Vogt
Second Deputy

Diana Gausepohl-White
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

3990 Ka'ana Street, Suite 210, Lihu'e, Hawai'i 96766
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**TESTIMONY IN OPPOSITION TO
HB1326 – RELATING TO THEFT**

Justin F. Kollar, Prosecuting Attorney
County of Kaua'i

House Committee on Judiciary
February 26, 2015, 2:00 p.m., Conference Room 325

Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee:

The County of Kaua'i, Office of the Prosecuting Attorney, OPPOSES HB1326 – RELATING TO THEFT. The purpose of this bill is to amend the offense of Theft in the Second Degree under section 708-831 of the HRS to increase the amount an offender can steal property or services from an excess of \$300 to an excess of \$750, and increasing the value that can be stolen by 2% every year thereafter.

Theft in the Second Degree is a class C felony. Theft of property from visitors and kama'āina is rampant in our community. Offenders often steal products or services just under the felony threshold value so they can remain subject to only misdemeanor penalties if arrested and charged. Passing this bill would not reduce crime or further any cognizable public policy purpose. This Bill will not further our shared goals of preventing theft, but instead will hurt families and businesses.

Accordingly, we OPPOSE HB1326. We request that your Committee HOLD the bill.

LATE

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

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COMMITTEE ON JUDICIARY

Chair: Rep. Karl Rhoads

Vice Chair: Rep. Joy Sanbuenaventura

Thursday, February 26, 2015

2:00 p.m.

Room 325

SUPPORT for HB 1326 – FELONY THRESHOLD FOR THEFT

Aloha Chair Rhoads, Vice Chair Sanbuenaventura and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies for almost two decades. This testimony is respectfully offered on behalf of the 5,600 Hawai`i individuals living behind bars, always mindful that more than 1,600, and soon to be rising number of Hawai`i individuals who are serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

HB 1326 increases the monetary threshold to \$750 with respect to property or services for theft in the second degree, effective 2016. Provides for 2% automatic yearly increase thereafter.

Community Alliance on Prisons supports adjusting the threshold since Hawai`i's threshold has remained at \$300 since 1986. We, therefore, decided that an impartial way to determine a proper threshold for Hawai`i's felony theft would be to go to the Bureau of Labor Statistics¹ and use their Inflation Calculator to see what \$300 in 1986 would equate to in 2014.

Calculating the inflation rate from 1986 to 2014, the Bureau of Labor Statistics determined that \$300 in 1986 equates to \$648 in 2014. When one adjusts for the 'paradise tax' of +30%, that adds another \$194.40 meaning that \$300 in Hawai`i in 1986 would equate to \$842.40 in 2014.

Understanding the increasing costs of incarceration and that theft is primarily a crime that is fueled by substance abuse, many states have sought ways to address the theft felony threshold. Community Alliance on Prisons has been researching this issue for more than a decade to get a

¹ Bureau of Labor Statistics – Inflation Calculator http://www.bls.gov/data/inflation_calculator.htm

landscape view of how other states deal with theft. Our research shows that Hawai`i has remained at the low-end of the threshold for felony theft and that the range for the felony threshold varied from \$200 - \$3,000.

The Pew Center on the States' Public Safety Performance Project reported:

The length of time served in prison has increased markedly over the last two decades, according to a new study by Pew's Public Safety Performance Project. Prisoners released in 2009 served an average of nine additional months in custody, or 36 percent longer, than offenders released in 1990.

Several states have reclassified or redefined criminal offenses in recent years; such changes impact sentence length and, ultimately, Length of Stay (LOS) in prison. In many states, the monetary value of stolen goods necessary to trigger a felony was established decades ago and has not been adjusted to keep pace with inflation. The result is that someone can have a longer sentence for a property crime today for the theft of less valuable material goods than in the past. In 2010, South Carolina revised several offense definitions and increased the monetary value threshold that triggers a felony charge for certain property offenses. A number of other states—including Alabama (2003), Arkansas (2011), California (2009), Delaware (2009), Montana (2009), and Washington (2009)—also have raised the felony threshold dollar amount for various theft offenses.²

Property offenders released in West Virginia and Hawaii in 2009 served 3.2 and 3.3 years on average, a full year longer than the national average³ (see Table 3). South Dakota and Tennessee tied for the shortest average LOS for property offenders released in 2009, at 1.3 years in each state, a full year less than the average. (page 18).

Since the national average of time spent is 1 year less than Hawai`i, our taxpayers are spending \$48,910 per incarcerated individual serving time for a property offense.⁴

In short, this bill proposes that **a person who steals property worth \$401** commits the offense of theft for which they could serve 3 years and 3 months on average (\$48,910 x 3 years + 90 days/3 months @ \$134/day (\$12,060)) **can cost taxpayers \$162,810**. Taxpayers have no insurance to cover our losses. Especially when Hawai`i could implement proven alternatives, but hasn't.

² TIME SERVED - The High Cost and Low Returns of Longer Prison Sentences, Pew Center on the States, Public Safety Performance Project, page 39, June 2012.

<http://www.pewstates.org/research/reports/time-served-85899394616>

³ The national average is 2.3 years.

⁴ TIMESERVED, Hawai`i Fact Sheet.

<http://www.pewstates.org/research/state-fact-sheets/time-served-in-hawaii-85899396333>

Community Alliance on Prisons has been asserting that sending low level lawbreakers to prison is paying to send individuals to criminal college.

NPR had a story on February 1, 2013⁵ that cited the work of Donald T. Hutcherson II, a sociology professor at Ohio University in Lancaster, who recently decided to tackle the question by mining the vast data in the U.S. government's National Longitudinal Survey of Youth.

The survey conducts incredibly detailed and confidential interviews, and then repeats those interviews with the same people year after year – often going to extraordinary lengths to track down those who may have moved overseas or ended up in prison.

Included in the survey are questions about how much money individuals make legally and illegally. Because the survey also ascertains whether people have spent time in prison, Hutcherson pored through data from tens of thousands of queries to a large number of young people to establish whether illegal earnings went up or down after individuals served time.

If prison reformed criminals, illegal earnings once people were released ought to have gone down. But if prison was a "finishing school" for criminals, illegal earnings after serving time should have increased.

"Spending time in prison leads to increased criminal earnings," Hutcherson says. "On average, a person can make roughly \$11,000 more [illegally] from spending time in prison versus a person who does not spend time in prison."

We know that the retail merchants association will oppose any increase in the felony threshold, yet these merchants have insurance to cover their losses. The poor, over-burdened Hawai'i taxpayer, however, is burdened with a \$134 per day/\$48, 910 per year cost for incarcerating individuals convicted of felony theft. There is no insurance for us.

Community Alliance on Prisons respectfully asks the committee to consider the research, the situation of Hawai'i's taxpayers, and to raise the threshold to at least the \$648 calculated by the Department of Labor.

Mahalo for this opportunity to submit our research on this important subject,

⁵ **When Crime Pays: Prison Can Teach Some To Be Better Criminals**, SHANKAR VEDANTAM, February 01, 2013. <http://www.npr.org/2013/02/01/169732840/when-crime-pays-prison-can-teach-some-to-be-better-criminals> Listen to the Story
<http://www.npr.org/player/v2/mediaPlayer.html?action=1&t=1&islist=false&id=169732840&m=170823697>



**Testimony to the House Committee on Judiciary
Representative Rhoads, Chair
Representative San Buenaventura, Vice Chair**

**Thursday, February 26, 2015 at 2:00 p.m.
Conference Room 325, State Capitol**

RE: HOUSE BILL 1326 RELATING TO THEFT

Chair Rhoads, Vice Chair San Buenaventura and Committee Members,

Retail Merchants of Hawaii (RMH) opposes HB1326. This bill would amend the offense of Theft in the Second Degree under section 708-831 of the HRS to increase the amount offender can steal property or services from an excess of \$300 to an excess of \$750, and increasing the value that can be stolen by 2% every year thereafter.

As the single largest generator of general excise tax in the State of Hawaii; employing nearly 25% of Hawaii's workforce and representing over 3000 storefronts throughout the State, we believe this measure would work against the thousands of retailers helping to enhance Hawaii's economy. Retailers already deal with individuals and groups who steal property under the \$300 threshold in order to ensure the crime remains a misdemeanor. Loss prevention and fraud is a major issue for retailers and by passing this measure, offenders will steal more with less consequences. This will not help retailers build their business nor help to enhance our communities.

In order to foster retail business growth in our State, we must find solutions to enhance opportunities for business(s) to stay afloat. Implementing this measure will increase theft, increase costs to businesses, increase costs to consumers, affect future job growth and ultimately hurt the State's economy.

RMH respectfully ask each member to consider the detrimental consequences that will hinder our business(s) by the passage of this bill. We respectfully ask that you OPPOSE HB 1326.

Thank you for the opportunity to provide testimony.



Executive Officers:

John Schilf, RSM Hawaii - Chairperson
Derek Kurisu, KTA Superstores - Vice Chair
Lisa DeCoito, Aloha Petroleum - Treasurer
John Erickson, Frito-Lay - Secretary
Lauren Zirbel, Executive Director

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TO:
COMMITTEE ON JUDICIARY
Representative Karl Rhoads, Chair
Representative Joy A. San Buenaventura, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: February 26, 2015
TIME: 2pm
PLACE: Conference Room 325

RE: HB1326

Position: Oppose

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

HFIA strongly opposes increasing the threshold property and services valuation for theft in the second degree.

Food retailers, small and large, operate at a profit margin of around 1%, any loss to theft has to be offset if our businesses are to stay open. The only way to do that is to increase prices. Shoplifting is not a victimless crime against, "big corporations" it is a crime against real people and real businesses in our communities, and it negatively affects all of us.

The increase proposed in this bill will encourage theft. The National Retail Federation estimates that the value of merchandise lost to theft is over 1% of annual sales. If we apply that same percentage to retail sales in Hawaii (\$24.3 billion in 2010), the loss to theft is more than \$240 million lost by Hawaii businesses in 2010 alone.

Increasing the threshold value by 150% is basically just saying thieves can steal over 150% more without fear of serious consequences. Our Loss Prevention professionals report that there are chronic shoplifters, some with dozens of arrests or more, these professional shoplifters know the system and actually calculate the value of the merchandise they are stealing to keep it under the \$300 amount to avoid prosecution and serious penalties. In these cases the retailer is never compensated and has absolutely no hope of recovery. For a small business this kind of loss, especially when it occurs repeatedly can be devastating. By raising the threshold each year this bill also means that thieves will continually increase the amount that they steal.

We should also note that this measure is not limited to shoplifting; it applies to individuals as well. Having \$300 worth of personal property stolen is already a tremendous and often traumatic loss. For most of us it means the loss of many hours worked and savings accumulated. Increasing it to \$750 leaves individuals open to even greater loss.

This bill is bad for businesses, bad for customers, bad for individuals, and bad for Hawaii. The only people this bill seems that it would benefit are thieves. We strongly encourage you to vote no on this measure.

Thank you for the opportunity to testify.

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Shaheen Mulkern	Kevin J Mulkern ALLC Inc	Oppose	No

Comments:



Chamber of Commerce HAWAII

The Voice of Business

LATE

**Testimony to the House Committee on Judiciary
Thursday, February 26, 2015 at 2:00 P.M.
Conference Room 325, State Capitol**

RE: HOUSE BILL 1326 RELATING TO THE PENAL CODE

Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee:

The Chamber of Commerce of Hawaii ("The Chamber") **opposes** HB 1326, which increases the monetary threshold to \$750 with respect to property or services for theft in the second degree, effective 2016 and provides for 2% automatic yearly increase thereafter.

The Chamber is the largest business organization in Hawaii, representing about 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

The Chamber believes that the increase proposed in HB 1326 could lead to an increase in theft. The 150% increase from \$300 to \$750 allows thieves to steal more without serious consequences. Loss Prevention professionals have reported that there are chronic shoplifters who calculate the value of merchandise to steal in order to keep it under the \$300 limit and avoid prosecution and serious penalties. For retailers that have to deal with these chronic shoplifters, increasing the monetary threshold would only harm those businesses as they cannot be compensated and cannot penalize the thieves, who will return and continue stealing.

The National Retail Federation estimates that the value of merchandise lost to theft is over 1% of annual sales. If we apply that same percentage to retail sales in Hawaii (\$24.3 billion in 2010), the loss to theft is more than \$240 million lost by Hawaii businesses in 2010 alone.

We respectfully ask that this bill be held in committee. Thank you for the opportunity to testify.



ALOHA
Petroleum, Ltd.

LATE

TO: HOUSE COMMITTEE ON JUDICIARY
Representative Karl Rhoads, Chair
Representative Joy A. San Buenaventura, Vice Chair

FROM: Richard Parry
President and Chief Executive Officer of Aloha Petroleum, Ltd.

HEARING Thursday, February 26, 2015
DATE:
TIME: 2:00 p.m.
PLACE: State Capitol, Conference Room 325

RE: Testimony in Opposition to H.B. No. 1326 Relating to the Penal Code

Chairs, Vice Chairs, and Members of the House Committee on Judiciary, I am Richard Parry, President and Chief Executive Officer of Aloha Petroleum, Ltd. ("Aloha Petroleum").

Aloha Petroleum opposes H.B. No. 1326 (hereinafter, the "Bill"), which seeks to increase the monetary threshold valuation for felony theft in the second degree from \$300 to \$750. The Bill also provides for a 2% automatic increase for the threshold valuation every year thereafter.

Simply put, the proposed threshold valuation increase will encourage theft. At the current \$300 monetary threshold valuation for second degree theft, shoplifting is already a major problem. Many thieves, especially chronic shoplifters, are aware of this monetary threshold and, therefore, keep their thefts below this limit to avoid serious consequences and felony theft charges.

The proposed increase in the monetary threshold would allow thieves to steal 150% more without fear of serious repercussion. Stealing is stealing and there must be consequences for thieves. There is simply no public policy purpose for this Bill and, in fact, it coddles and rewards criminals not only by increasing the threshold valuation by 2 ½ times, but also by increasing the threshold amount by 2% every year - - which basically amounts to giving thieves a cost of living increase.

Aloha Petroleum has nearly 50 convenience stores island-wide and many of these stores are opened 24-hours a day and 365 days a year. Again, this Bill encourages theft and, therefore, it increases the cost of business operations and increases the cost of merchandise and goods to consumers. Contrary to the

Testimony of
Aloha Petroleum, Ltd.



H.B. No. 1326
Hearing Date:
Thursday, Feb. 26, 2015

misinformation from proponents of this Bill, Aloha, like most retailers, does not have crime insurance against this type of theft. More importantly, by encouraging theft, this Bill jeopardizes the safety and well-being of our hardworking employees.

Please vote no on this measure.

Thank you for the opportunity to testify in opposition to HB No. 1326.

Submitted By	Organization	Testifier Position	Present at Hearing
Lorenn Walker	Individual	Support	No

Comments: Please pass this measure to help decrease the mass incarceration problem that is harming Hawai'i including making it less safe. Please see the research and recommendations in Todd Clear's 2008 "Imprisoning Communities: How Mass Incarceration Makes Disadvantaged Neighborhoods Worse" and Kamala Harris's "Smart on Crime" 2010--Ms. Harris is a career prosecutor and currently California's attorney general. Mahalo for your public service

Submitted By	Organization	Testifier Position	Present at Hearing
Heather Lusk	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi	Individual	Support	No

Comments: COMMITTEE ON JUDICIARY Rep. Karl Rhoads, Chair Rep. Joy Sanbuenaventura, Vice Chair Thursday, February 26, 2015 2:00 p.m. Room 325
 SUPPORT FOR HB 1326 - THEFT Dear Chair Rhoads, Vice Chair Sanbuenaventura and Committee Members: I support HB1326. Every year the cost of living, especially in Hawaii, escalates. Yet, we keep the threshold for theft at such a low level that I have difficulty understanding why Just last week, I went to Long's to buy a can of soup and it was \$2.99 plus tax. Yes, just for one can of soup. It wouldn't take much for someone to pass the present threshold for stealing a few cases of groceries. Thieves, however, prefer jewelry. Now, at that level, one 14K chain, depending on weight, could put him/her in prison. Not that simple, of course. The taxpayers will have to pay the court cost, etc., and for his/her incarceration. This bill makes economic sense, if nothing else. So, please consider increasing the monetary threshold to \$750 with respect to property or services for theft in the 2nd degree, effective 2016. Also support the automatic 2% yearly increase thereafter. Thank you for the opportunity to submit my simplistic testimony. Mahalo and Aloha, e. ileina funakoshi

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Cates	Individual	Oppose	No

Comments: I am testifying in strong opposition of HB1326. Our courts are already lenient on low-level crimes such as theft and shoplifting. Over 90% of all crime committed in Hawaii is a property crime affecting both residents and visitors. To increase the minimum value of a felony theft will send a strong message that the property rights of your constituents don't matter, and thieves need not worry about any serious consequence. To give these thieves even softer laws is not in the best interest of the public. Please do not pass this bill.

Submitted By	Organization	Testifier Position	Present at Hearing
Brenda Lucas	Individual	Support	No

Comments: I know people who have been hit by a car who were using a white cane. Please support this bill to make the streets safe for we who are disabled.

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Mendes	Individual	Oppose	No

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Shimokawa	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Mulkern	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Shaheen Mulkern	Individual	Oppose	No

Comments:

LATE

FOR COMMITTEE ON JUDICIARY Representative Karl Rhoads, Chair Representative Joy A. San Buenaventura, Vice Chair DATE: Thursday, February 26, 2015 TIME: 2pm PLACE: Conference Room 325 State Capitol 415 South Beretania Street RE: HB 1326 Position: Oppose Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee; Theft is a very real and unfortunately very common problem for me and my business. \$300 may not seem like a lot of money but the cost of these crimes goes far beyond that, many shoplifters will intentionally take just under the current threshold, and they will do so over and over again; theft causes me to have to cover the cost of the stolen merchandise; theft means I have to spend money on theft prevention measures. These costs don't just affect the bottom line of my business, they negatively impact my prices and my customers and my community as well. The increase proposed in this measure is more than doubling the amount that my business could lose to theft without the thief ever having to answer in a serious way for their crime. And with this bill my business losses would increase each year as the threshold goes up. I don't know how much additional theft my business and businesses like it will be able to bear. I want to my business to continue to provide quality products to our customers at good prices, I want to continue to provide jobs to my employees, I'm asking you to help me to do those things by voting no on this measure. Thank you for the opportunity to testify.

Nelson T. Okumura