



# JOBS NOT JAILS COALITION

## AN ACT RELATIVE TO LARCENY

### (SB873 AND HB967)

Sponsored by Senator Patricia Jehlen and Rep. Chynah Tyler

An increase in the amount needed to trigger a felony in larceny cases is long overdue. The present \$250 threshold is unjust because it captures too many low level offenses and makes felons of countless people. Any felony carries a heavy stigma, creates barriers to jobs, and increases reliance on public assistance. There also is a 10 year waiting period to seal these low level offenses because these cases are classified as felonies. Increasing the threshold to \$1500 would help many young adults and numerous individuals who are trapped in poverty and unemployment for what were actually low level offenses.

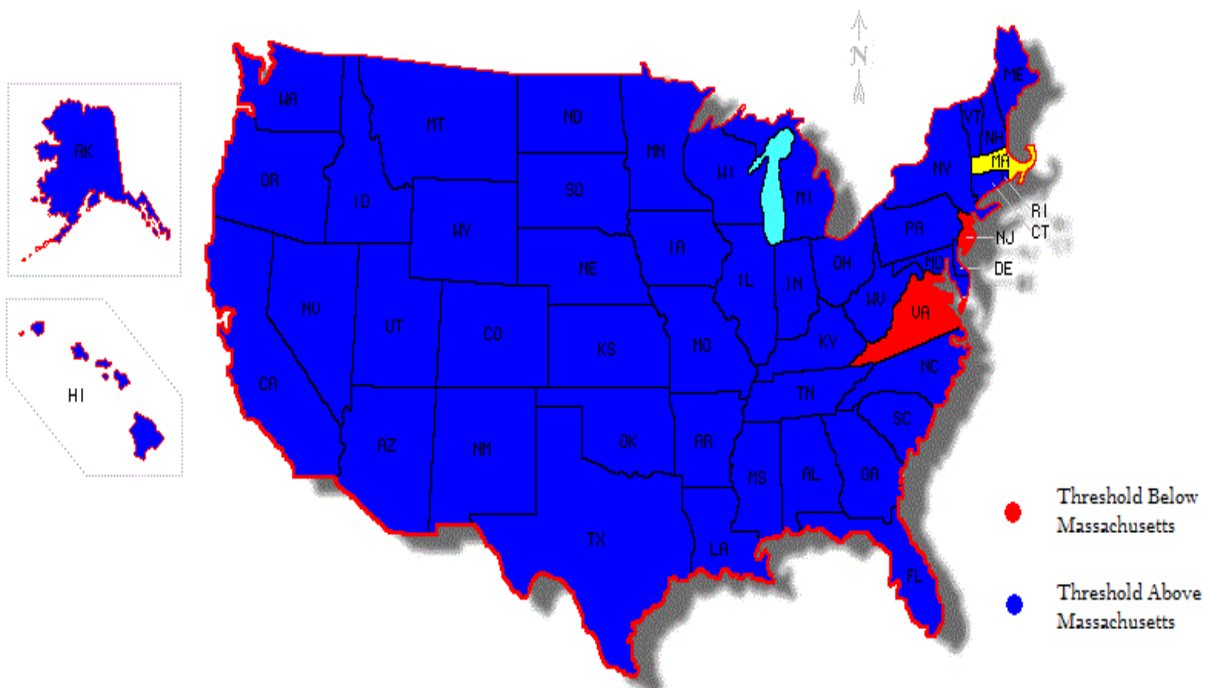
### MASSACHUSETTS IS AN OUTLIER

- Every state in the U.S. has a higher amount except New Jersey (\$200) and Virginia (\$200).
- All New England states have higher thresholds for felony larceny than Massachusetts.  
Conn. \$2000 • Rhode Island \$1500 • Maine \$1000 • New Hampshire \$1000 • Vermont \$900 • MA \$250

### 34 STATES RANGE FROM \$1000 TO \$2500

- \$1000: 20 states (Arizona, Arkansas, District of Columbia, Idaho, Iowa, Maine, Michigan, Minnesota, Mississippi, New Hampshire, No. Carolina, New York, No. Dakota, Ohio, Oklahoma, Oregon, So. Dakota, Tennessee, W. Virginia, Wyoming). Note: District of Columbia is included as a state.
- \$1500: 8 states (Delaware, Georgia, Kansas, Maryland, Montana, Nebraska, Rhode Island, Utah).
- \$2000: 4 states (Colorado, Connecticut, Pennsylvania and So. Carolina)
- \$2500: 2 states (Texas, Wisconsin)

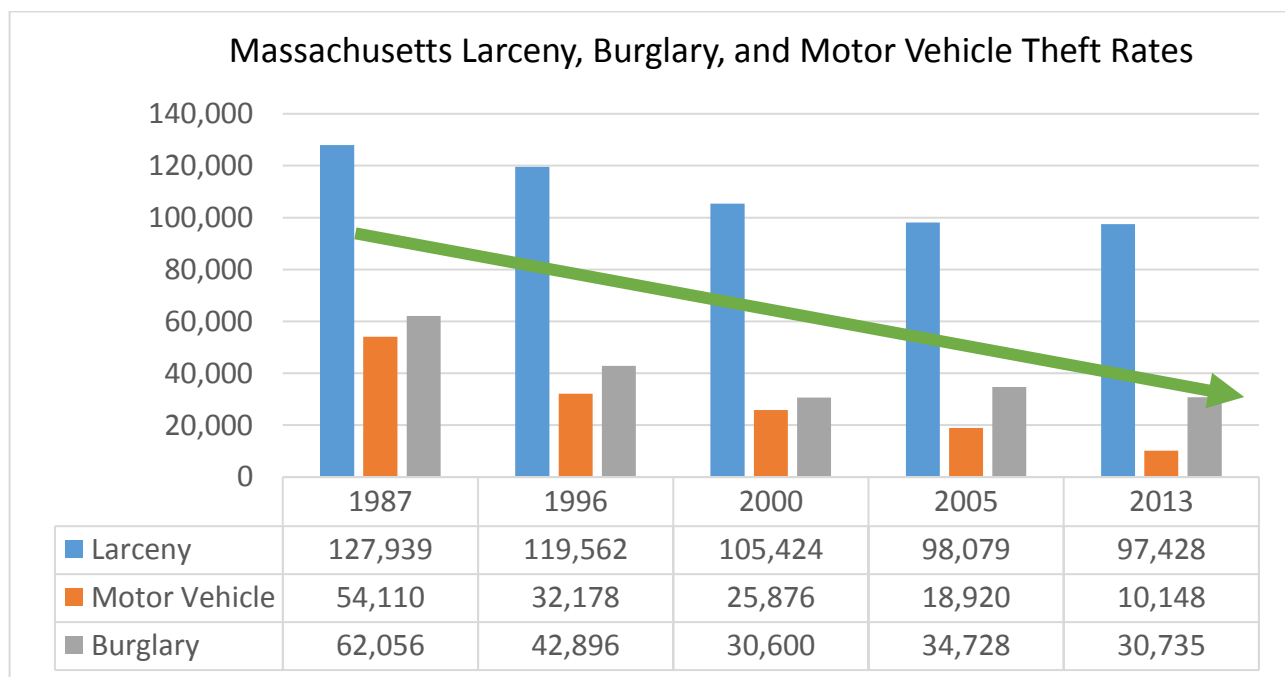
For more information, contact Pauline Quirion at Greater Boston Legal Services at 617-603-1554 or [pquirion@gbls.org](mailto:pquirion@gbls.org)



## RAISING THE THRESHOLD WILL NOT INCREASE CRIME

The argument that crime will increase is a myth and not backed by crime statistics.

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



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

- The Pew study found that threshold amounts do NOT correlate with crime rates. Florida has a low \$300 threshold and higher larceny rates than Pennsylvania with a \$2500 threshold.
- There is no incentive to commit crime if the threshold is increased. The bill keeps warrantless arrest in place for shoplifting (G.L. c. 266, § 30A), and adds a new provision (G.L. c. 266, § 30(6)) for warrantless arrests for larceny. Jail sentences remain and fines are increased under the bill to reflect the new threshold.
- It strains credibility to claim that most people are aware of a felony threshold, let alone will fine-tune shoplifting to an amount below the threshold, especially if they are abusing alcohol or other substances.
- Massachusetts police routinely file misdemeanor theft complaints and our state has an organized retail crime law (G.L. c. 266, § 30D) with 10 to 20 year prison terms and fines.

This and other Jobs NOT Jails fact sheets are on the internet at: <http://exprisoners.org/jnj/>