



OREGON  
BUSINESS  
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## ORGANIZED RETAIL CRIME ASSOCIATION OF OREGON

# Oregon Organized Retail Crime Task Force Funding and Policy Recommendations

The Oregon Organized Retail Crime Task Force is a public/private partnership formed to emphasize collaboration amongst all stakeholders addressing organized retail crime. The statewide task force is providing greater coordination among law enforcement, prosecutors, and businesses to identify, disrupt, and prosecute organized criminal rings that steal billions of dollars of goods from retailers and resell them through online marketplaces.

- According to the U.S. Chamber of Commerce, losses from organized retail crime have risen over **50% in the last five years**.
- **54% of small business** owners experienced an increase in 2021.
- In 2019, nearly **\$70 billion worth of products were stolen** from U.S. businesses.
- Organized retail crime carries significant financial harm for businesses, drive costs higher for customers and create unsafe working conditions for employees.

### SB 318A & SB 900A - Funding Recommendations

The Oregon ORC Task Force funding solutions will bring together public and private stakeholders from around the state, create a shared set of resources for cross-jurisdictional investigations, share best practices, and provide a point of engagement for private sector loss-prevention, prosecutors, and law enforcement. The task force is seeking funding for the following purposes:

1. **SB 318A – Fund Oregon Department of Justice Research Analyst and Two Criminal Investigators** to coordinate with local law enforcement investigators, prosecutors, and private sector loss-prevention teams tasked primarily with investigating and prosecuting organized retail theft. Estimated Fiscal: \$821,346
2. **SB 900A – Establish and fund a \$5M local grant program** administered by the Criminal Justice Commission to support organized retail theft enforcement actions. Three categories of grants will be established:
  - a. Grants awarded, on a competitive basis, to cities and counties:
  - b. Grants awarded, on a competitive basis, to community-based organizations; and
  - c. Grants awarded to the department.

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## **SB 340A - Policy Recommendations**

The policy solutions are designed to ensure that retailers and law enforcement have the necessary tools to detect, deter and hold accountable those who commit organized retail theft. Additionally, the legislative solutions also address employee safety as organized retail theft groups engage in more threatening behaviors towards employees and staff.

1. **Add the Organized Retail Theft (ORT) Statute to the repeat property offender statute (ORS 137.717).** Oregon already has a comprehensive sentencing structure to ensure that property crime offenders, who have a history of committing property crimes, receive appropriate punishments for the harm they cause. Organized Retail Theft victimizes retailers in a deliberate and premeditated fashion and should be punished accordingly. Adding ORT to this sentencing structure would authorize a judge to impose a 24 month prison sentence. Currently the maximum punishment is 10 to 11 months.
2. **Amend the ORT Statute (ORS 164.098) so it has the same time period for stolen property value aggregation as regular felony theft.** Currently, the ORT statute allows prosecutors to aggregate the value of the stolen property over a 90 day period. However, regular felony theft allows aggregation over a 180 day period. Victims of ORT should have the same protections as victims of felony theft.
3. **Amend the value of stolen property statute (ORS 164.115) to remove barriers to effective prosecution of organized retail theft.** Organized retail theft groups often operate over the course of many months and inflict significant costs and damages during that time. Oregon law should allow the value of single theft transactions to be added together if they were against the same or multiple victims within a 1 year period.
4. **Amend venue statutes (ORS 131.315) to reflect cross-county crime.** Venue law should be reformed so that a defendant can be tried for a property crime in any county in which one of the crimes was committed by the same defendant against the same victim in a 180 day period.
5. **Amend the theft statute (ORS 164.055) to make it a felony if during the course of a theft in the second degree the individual recklessly engages in conduct which creates a substantial risk of serious physical injury.** As organized retail theft groups engage in more aggressive actions towards employees this will ensure appropriate accountability for such actions.

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