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ORGANIZED RETAIL CRIME ASSOCIATION OF OREGON

## Oregon Organized Retail Crime Task Force 2025 Task Force Policy Recommendations

The **Oregon Organized Retail Crime (ORC) Task Force** is a public/private partnership formed to promote 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.

**Senate Bill 275 - Policy Recommendations:** The below policy recommendations 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, while providing improved customer and employee safety as organized retail theft groups engage in more threatening behaviors. SB 275 (with an amendment) includes the following recommendations:

- **Amend Organized Retail Theft (ORT) statute (ORS 164.098)** to reflect that organized retail theft occurs by individuals, as well as with accomplices. ORT victimizes retailers in a deliberate and premeditated fashion and jeopardizes the safety of customers and employees. This policy change would allow prosecutors to better hold accountable organized theft crimes that are committed by individual actors, not just in concert with others.
- **Add use of Emergency Exits as qualifier for Theft in the First Degree (ORS 164.055).** Called "emergency exit pushouts", this action is frequently utilized as organized retail theft groups engage in more aggressive behavior with employees and customers and seek creative actions to allude law enforcement and retail loss prevention teams.
- **Clarifies theft by receiving includes theft regardless of a person's involvement in the initial theft degree (ORS 164.055).**
- **Modernizes Computer Crime statute (ORS 164.377(1) (a)),** by allowing the definition of the crime to include when an individual may "cause in any manner any entry to be made into" a computer system or computer network. Under current law, if an individual manipulates an authorized third party—such as a bank, eBay, or OfferUp—to make entries into a computer system, they are not considered to be "accessing" the system themselves. As a result, individuals facilitating the sale of stolen goods may evade prosecution. This amendment would close that loophole and ensure accountability for those exploiting authorized users to commit computer crimes.

- **Amend Computer Crime statute (ORS 164.377(2) (c)),** to include “**buying or selling stolen items in any manner involving the use of a computer.**” Under current law, it is not considered a crime for an individual to use online platforms like eBay or OfferUp to sell items they know are stolen. The act of using a computer or the internet to facilitate such sales is not currently classified as a crime, creating a loophole that allows individuals to profit from stolen goods without consequence.
- **Clarify eligibility requirements of ORT grant applicants** administered by the Criminal Justice Commission, including adding eligibility for the Department of Justice and statewide organizations primarily focused on ORT. This policy change would expand the allowable uses of grant funds to include theft prevention, detection, and surveillance equipment and require the Criminal Justice Commission to publish report outlining results and best practices learned from the ORT grant program to be sent to the Judiciary Committees by September 1<sup>st</sup>, 2027.

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