



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Approves Fuschillo Bill to Create Stronger Penalties for Professional Shoplifters

CHARLES J. FUSCHILLO JR. February 14, 2011

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Senator Charles J. Fuschillo, Jr. (R-Merrick) announced that the New York State Senate has passed legislation he sponsored to raise penalties for criminals who use “booster bags” and other anti-security devices to steal merchandise from store shelves.

“Booster bags are enabling professional shoplifters to steal billions of dollars worth of merchandise from store shelves each year. Ultimately, consumers get stuck paying for these criminals’ illegal shopping sprees in the form of higher prices. I’m pleased the Senate has passed this legislation so that this serious crime will carry a more serious penalty,” said Senator Fuschillo.

“Booster bags” are crafted to hide stolen merchandise from security devices, theft sensors, and similar units installed by retailers to guard against the theft of merchandise. The bags, which can be as rudimentary as a simple shopping bag lined with aluminum foil, are designed to block or override a store’s security system, allowing the shoplifter to exit the store with hundreds or thousands of dollars in stolen merchandise undetected. Items such as clothing, over-the-counter drugs, pain relievers, and health and beauty aids are the biggest targets and are often resold or fenced by the criminals.

Under Senator Fuschillo’s legislation (S527), criminals who use a booster bag or other anti-security device to steal merchandise would be guilty of grand larceny in the fourth degree, a class E felony which is punishable by up to four years in jail. Shoplifters who use booster bags to steal face only misdemeanor charges under current law, unless the value of the stolen goods is more than \$1,000.

In addition, the proposed law would raise the penalty for criminally possessing a booster bag or other anti-security device from up to three months in jail to up to one year in jail, in addition to any other applicable charges.

The Retail Council of New York State, which strongly supports this legislation, noted in a memorandum in support of the legislation that organized retail crime is the most serious security issue facing merchants of all sizes, costing them \$30 billion each year. The costs of organized retail theft are passed on directly to customers.

“Senator Fuschillo has been the Senate’s leading fighter against organized retail crime for many years,” said James Sherin, President and CEO of the Retail Council of New York State. “We appreciate and applaud his determination to take this tool out of the hands of would be thieves.”

The legislation has been sent to the Assembly for consideration.

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