



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo's Legislation to Strengthen Penalties for Shoplifters Passed by Senate

CHARLES J. FUSCHILLO JR. April 29, 2013

| ISSUE: **CONSUMER PROTECTION**

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

“Thieves are using ‘booster bags’ to steal billions of dollars of merchandise from stores every year. Ultimately, law abiding consumers get stuck paying for these illegal shopping sprees through higher prices. Stronger laws are needed to deter individuals from using these devices to plunder store shelves and provide law enforcement greater tools to prosecute thieves,” 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 user to walk out of the store with stolen merchandise undetected.

“Booster bags” are often the tool of choice for organized retail criminals, who use these devices to steal items such as clothing, over-the-counter drugs, pain relievers, and health and beauty aids and then resell or fence them for a profit. In some cases, these goods are compromised, damaged, or unsafe when resold by the criminal. Organized retail crime costs retailers approximately \$30 billion a year, according to the Retail Council of New York State.

Under Senator Fuschillo’s legislation (S741), 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 merchandise 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.

"Every shopper would be safer because of this bill, and we thank Senator Fuschillo for his continued strong push for this bill. Gangs of thieves use booster bags as a basic tool, and Senator Fuschillo has worked for years to alert the shopping public to the real dangers of stolen goods. They don't just lead to higher prices -- resold stolen goods often are compromised, out-of-date, and simply unsafe. New York's retailers applaud Senator Fuschillo's dedication to this issue, and we know that every honest shopper salutes his hard work," said Ted Potrikus, Executive Vice President of the Retail Council of New York State.