

# Support HB 1614 (Rep. Slaughter) Raising Illinois Retail Theft Felony Threshold Tackling Crimes of Poverty, Substance Abuse and Mental Health

## ILLINOIS HAS A MASS INCARCERATION CRISIS COSTING MILLIONS A YEAR

- ▶ Illinois now has one of the largest and most overcrowded prison systems in the country, with more than **10,000 prisoners in excess** of its design capacity.
- ▶ Half of the state's prison population is serving time for low level offenses that commonly occur as a result of unaddressed issues of poverty, mental illness, substance abuse, and trauma.
- ▶ If enacted into law, SB 3257 would result in a net decrease of 1,100 inmates incarcerated in the Department of Corrections, saving over \$37 million in taxpayer money per year.<sup>1</sup>

## PENALTIES FOR RETAIL THEFT HAVE NOT KEPT UP WITH INFLATION AND ARE OUT OF STEP WITH MOST OTHER STATES

- ▶ In Illinois, shoplifting an item with a value of just \$300 or more (e.g., a smartphone) is a felony that can result in a prison sentence. Only two states have lower thresholds.

## PEOPLE WHO STEAL WOULD STILL BE HELD ACCOUNTABLE:

- ▶ A Class A misdemeanor conviction carries a penalty of up to a year in jail and a fine up to \$2,500.

## FELONY RECORDS: A BURDEN ON COMMUNITIES - INEFFICIENT FOR COMMUNITIES TO THRIVE

**Prison is inefficient:** Individuals with felony records face challenges to finding housing, employment, and education opportunities. About half of all Illinois prisoners are re-incarcerated within three years after their release.<sup>2</sup>

### HB 1614 would:

- Set the felony threshold at \$2,000 for retail theft and theft; (from \$300 and \$500); and
- Providing that automatic penalty enhancements shall apply only in cases where the person has been previously convicted of a felony (rather than any theft offense).

Examples of State Felony Thresholds	
State	Threshold
Texas	\$2,500
Wisconsin	\$2,500
South Carolina	\$2,000
Colorado	\$2,000
Connecticut	\$2,000
Georgia	\$1,500
Alabama	\$1,500
Utah	\$1,500
Montana	\$1,500
Nebraska	\$1,500
Rhode Island	\$1,500
Delaware	\$1,500

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<sup>1</sup> Illinois State Commission on Criminal Justice and Sentencing Reform, *Final Report* (Dec. 2016).

<sup>2</sup> *Supra* note 2.

## **SUPPORTING ORGANIZATIONS**

**ACLU of Illinois**

**Americans for Prosperity—Illinois**

**Business and Professional People for the Public Interest (BPI)**

**Chicago Alliance Against Sexual Exploitation (CAASE)**

**Chicago Appleseed**

**Chicago Coalition for the Homeless**

**Communities United**

**Illinois Justice Project**

**Juvenile Justice Initiative**

**Law Office of the Cook County Public Defender**

**Restore Justice Illinois**

**Safer Foundation**

**Sargent Shriver National Center on Poverty Law**

**Social Change**