

AGREED-UPON LEGISLATIVE CONCEPTS DERIVED FROM OHIO CHAMBER OF COMMERCE CRIME TASK FORCE MEETINGS

1. Creation of an organized retail theft task force housed under the existing Organized Crime Investigations Commission (OCIC) within the State Attorney General's Office. OCIC would be the umbrella, with this task force codified to include advisory roles for the business community to offer counsel on growing crime trends. To this end, there would be dedicated seats for representatives from both the Ohio Chamber of Commerce and the Ohio Council of Retail Merchants, with potentially more seats for representatives from the business community.
2. Ensure adequate funding for the task force, amounting to \$1.5 million in the first year of existence and then \$1 million annually ongoing.
3. Modified definitions under Ohio Revised Code relating to both "Organized Retail Theft" and "Retail Property Fence"
4. Modification of the rules regarding aggregation and common scheme under Ohio Revised Code 2913.61
 - a. Current situation: If a person presently steals from multiple victims, the value of the theft can only be aggregated in specific circumstances. If there is a "common scheme to defraud" or theft occurs from the elderly or disabled, aggregation across multiple unrelated victims is permitted.
 - b. Current situation: If a person presently steals from three stores in the same strip mall within a few minutes, it is not permissible to aggregate crimes. The individual can be charged with three 1st degree misdemeanor or petty theft offenses, but cannot be charged with a single aggregate felony theft.
 - c. This could potentially be fixed in statute by:
 - i. Allowing aggregation from multiple retail victims within a fixed time period (i.e. same day, week, month, continuing course of conduct, etc.)
 - ii. Allowing aggregation when certain factors indicative of organized retail theft are present
 - iii. Allowing aggregation in theft cases regardless of whether it involves a common scheme or involves a protected victim
5. Enabling cross jurisdictional prosecution
 - a. Provide county prosecutors with a six-month period to make decisions to prosecute retail theft.
 - b. Offer support by the Ohio Attorney General's office as co-chair or co-counsel on cases.
 - c. Give the Ohio Attorney General's office full jurisdiction after six-month period elapses, but only if county prosecutors have not otherwise proceeded.
6. Creation of an organized retail theft statute that bridges the gap between shoplifting and RICO (engaging in a pattern of corrupt activity).
7. Creation of a statute that imposes criminal liability on resellers of stolen property, or make it clear that Ohio's Receiving Stolen Property statute (ORC 2913.51) also applies to all resellers such as online marketplaces, auction houses, secondhand stores, and pawnbrokers.
8. Creation of mandatory reporting requirements for certain resellers when:
 - a. Transactions are of a specific high value (yet to be defined) to ensure serial thieves are identified regardless of which reseller they attempt to use as a fence.
 - b. Transactions are suspicious and are refused. Resellers commonly refuse to purchase merchandise they believe is stolen, and should be required to provide that information to law enforcement.
9. Creation of mandatory sentencing requirements for organized retail theft.