



Rob Hutton

STATE REPRESENTATIVE • 13TH ASSEMBLY DISTRICT

February 5, 2020

To: The Assembly Committee on Consumer Protection
From: Rep. Rob Hutton
Re: Assembly Bill 734

Thank you Chairman Pronschinske and members of The Assembly Committee on Consumer Protection for hearing AB 734 today.

More shoppers than ever before are skipping the lines at brick and mortar stores instead choosing to shop from the convenience of their homes. Consumers spent \$7.4 billion on Black Friday this year alone, amounting to the second largest internet-shopping day in history. In 2019, online sales are up 20% over last year.

Unfortunately, this trend has also led to the rise of so-called “porch pirates” – thieves who steal delivered packages from a person’s doorstep. According to a recent study, as many as one in four people have had a package stolen from their residence.

Our laws should keep up with the shift in consumer trends and the resulting criminal trends. Under current law, it is illegal to steal mail or any other item. However, while the act of theft is in current statute, the act of stealing multiple items from multiple residences cannot be considered under the same charge. Repeat criminals are often released after paying a small court fee because the value of the packages stolen falls below the threshold of more serious theft offenses.

This bill will create a penalty for individuals who steal packages from porches and other locations near a residence. It also allows for multiple package thefts to be charged as one crime if they occur as a course of action. It further clarifies that theft of any package or piece of mail delivered by any carrier to any building would be charged as mail theft.

Thank you for the opportunity to testify on this bill. I look forward to answering any questions you may have.



DAVID CRAIG

STATE SENATOR

Assembly Committee on Consumer Protection
February 4, 2020
Assembly Bill 734
Senator David Craig

Chairman Pronschinske and members of the Committee, thank you for taking the time to hear my testimony on Assembly Bill 734.

As you are aware, online shopping and home delivery of consumer products is a sector of the economy that has grown at exponential rates nationally over the last several years. Unfortunately, as more and more Wisconsinites conduct their shopping online, criminals have sought to use the home delivery of goods to their advantage. So-called "porch pirates" will drive around neighborhoods to steal packages from doorsteps or enter mail rooms at apartment buildings to steal packages en masse. Because of the way statutes are currently written, "porch pirates" are able to evade prosecution which fits the seriousness of the crime.

While mail theft and theft are illegal under current law, the act of stealing multiple packages from multiple property owners cannot be considered as one charge. Additionally, the theft charge is tied to the value of the property stolen. Because property delivered after online shopping can range anywhere in value from \$1 to thousands of dollars, and "porch pirates" are often unaware of the contents of each package, they steal large amounts of packages in a single course of conduct hoping to hit the jackpot. Senate Bill 656 would allow prosecutors to charge individuals engaged in this behavior based on the number of packages stolen during a course of conduct as opposed to the current limited charging options for this type of behavior that often result in a slap on the wrist.

This legislation simply modifies Wisconsin statutes to keep up with current consumer and criminal trends. Tying the severity of charges to the number of packages stolen will give prosecutors the tools to address this growing crime in our communities.

Thank you for hearing my testimony.



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BARRY WEBER
CHIEF OF POLICE

February 5, 2020

Wisconsin State Legislature
Wisconsin State Capitol
2 East Main St.
Madison, Wisconsin 53702

Re: Assembly Bill 734

Introduction

My name is John Milotzky and I am here to provide testimony in support of AB734. I am a 20 year law enforcement veteran and Financial Crimes Detective with the Wauwatosa Police Department. I am a Certified Fraud Examiner and for the past five years I have been also been assigned to the U.S. Secret Service Milwaukee Financial Crimes Task Force.

Porch Pirates

You're likely familiar with the term "porch pirates," which refers to those individuals that steal mail or packages off of victim's porches. Thanks to home surveillance technology these thefts are often recorded which provides law enforcement evidence and helps increase the number of arrests for such crimes. Around the holidays, the media made people aware of "porch pirates," often showing surveillance video of someone running up to a front porch and removing packages. If you order a package from a retailer and it is stolen from your porch, you'll be inconvenienced by having to report the theft and wait for a replacement product.

Now imagine that it's not just a replaceable object that is stolen, but that it's your identity or your banking information. What the media didn't necessarily show in their "porch pirate" stories are the numerous crimes that occur following the theft of mail – crimes that can have a long lasting impact on the victims.

Identity Theft

Mail often contains pieces of personal identifying information. Collecting that information can give criminals the opportunity to steal your identity. Your personal information can then be used to obtain loans, lines of credit, file taxes, or obtain cell phone contracts. It can also be used to do account takeovers; a crime in which a suspect will obtain fake identification in the victim's name, enter a financial institution and make large withdrawals from the victim's account. If any of these crimes occur, I can assure you that it's a much more difficult process to straighten out than simply ordering a replacement package.



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BARRY WEBER
CHIEF OF POLICE

Counterfeiting/Forgery

Office buildings and business parks are frequently targeted by mail thieves because of the business or payroll checks that get mailed. Once in possession of a victim's checks, suspects can change the payee and cash the check, which is a one-time crime. But we also see them use victim's checks to create counterfeit checks using the same routing and account information. This allows them to pass numerous checks in a short period of time, depleting the victim business's account. The victim business not only loses money, but has to undergo the task of changing accounts, ordering new checks, and updating the information with vendors.

Credit Card Fraud

One last crime that I'll speak on that results from the theft of mail is credit card fraud. I've investigated cases in which credit cards were stolen out of the mail and used to their limit before the victim even knew their card had been stolen. In one recent case, suspects were using victim's personal information to order replacement credit cards to be delivered to the victim's residence. They would then steal those credit cards out of the mail and use them to purchase gift cards or prepaid cards. This particular group traveled from out of state to Wisconsin to commit their crimes.

Conclusion

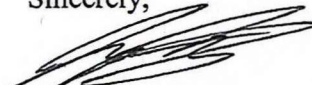
Under current law, if someone is charged and convicted for such a theft, the penalty will be determined by the value of what is stolen. This is fine when your stolen package contains a laptop, cell phone, jewelry, or other valuable items.

But consider that it's the personal identifying information of you or a family member. Your identity has no value for purposes of sentencing.

Technology and awareness is helping law enforcement experience an increasingly successful arrest rate of mail thieves. But by catching these actors early on, we're limited with how they can be prosecuted under current law. They typically receive only a minor municipal citation and can be back at it before the paperwork is completed.

AB734 would change this, and would also serve as a deterrent to those wishing to come here and victimize the citizens and businesses of Wisconsin.

Sincerely,


Det. John Milotzky

⚡ 3 weather alerts

Menu



TODAY'S
TMJ4 WTMJ-TV
MILWAUKEE

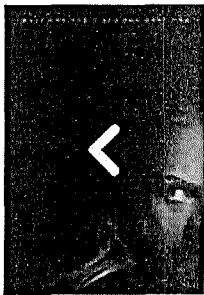
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NEWS > LOCAL NEWS

Two men arrested after 100 mph police chase, discovery of stolen mail

Posted: 1:43 PM, Feb 03, 2020 Updated: 1:43 PM, Feb 03, 2020

By: Julia Marshall

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According to the New Berlin police, officers attempted to stop a vehicle just after 1 a.m. near Moorland Rd.

The vehicle fled from police onto southbound I-43. The officer chasing the suspects saw several paper items being thrown out the window. Speeds exceeded 100 mph throughout the chase.

Police used stop sticks to deflate the tires and stop the vehicle.

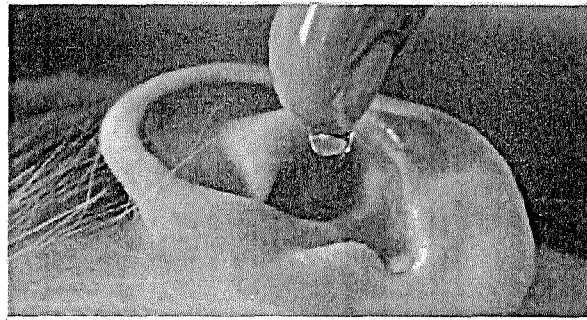
Following the end of the pursuit, two Chicago men were arrested, ages 22 and 32. Police discovered that the two had been stealing mail from mailboxes in several industrial parks.

- **Police Find Man With Several Gunshot Wounds Monday Morning**

The freeway was shut down following the arrests so officers could retrieve the hundreds of pieces of mail that were thrown out the window during the pursuit.

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**If You Have Ear Ringing Do
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According to police, dozens of businesses were targeted on Sunday and now police need your help. In a Facebook post, the New Berlin Police Department is asking for this from businesses:

1. If you believe your business was targeted, and you have not yet been contacted by our department, please call (262) 782-6640 to let us know.
2. If you have surveillance video that might have captured the bad guys in action yesterday, please call that same number.

The suspect vehicle is a 2013 Lexus 250 sedan, black in color with Illinois temporary plates.

The two men and their vehicle are also wanted for questioning in regards to several felonies in Illinois.

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