



# DUEY STROEBEL

STATE SENATOR • 20<sup>TH</sup> DISTRICT

## Testimony on SB 850/AB 829

*February 8, 2022*

Thank you Chair Wanggaard for giving Senate Bill 850/Assembly Bill 829 a public hearing. This bill represents an effort to deter and punish habitual offenders of retail theft. Under current law, there is no required minimum jail time for multiple acts of retail theft. The bill creates a 180-day mandatory minimum sentence for an offender's third retail theft conviction.

Brick and mortar stores are facing increasing challenges due to the growth of online competition and changing consumer habits. COVID accelerated these trends. Unfortunately, unlike e-commerce companies, local retail stores have to deal with individuals who shoplift, which directly cuts into their bottom line.

It has become trendy to talk about so-called "non-violent" crimes as though those crimes do not pose real harm to other individuals and entities. Besides the loss of property, small business must account for the additional cost associated with loss prevention measures.

Repetitive theft erodes the value of local retail establishments and contributes to the challenges being faced by our downtown businesses. Main street retailers strengthen our local economies, preserve community character, and enrich our civic and cultural life. This bill sends a strong message that there will be serious consequences for habitual perpetrators.

Based on public hearings last session on a prior version of this bill, I want to reiterate that most incidents of petty theft result in a municipal citation or prosecutorial diversion. Referral to the district attorney's office and a criminal prosecution are less common. This bill applies to adult offenders and not juveniles.

If an adult is committing retail theft frequently and seriously enough as to draw three prosecutions from district attorneys, it is time for consequences. Thank you again for providing the opportunity to testify. I would welcome any questions from the committee.



# JANEL BRANDTJEN

STATE REPRESENTATIVE • 22<sup>ND</sup> ASSEMBLY DISTRICT

Testimony before the Senate Committee on Judiciary and Public Safety  
January 8, 2022

Chairman Wanggaard and members of the Senate Committee on Judiciary and Public Safety,

Thank you for holding this hearing on SB 850 and AB 829. Retail theft is a growing concern in Wisconsin - in the cities, as well as rural and suburban areas. One of the main problems we have identified with retail theft is that, although it is a non-violent crime, it is still a serious problem and it negatively affects entire communities. Habitual criminals like car thieves and drug dealers who choose retail theft as their "profession," understand that court systems are extremely hesitant to sentence criminals to jail for nonviolent crimes. However, retail theft, when left unchecked, can ruin businesses and eliminate investments in certain areas of the city. For professional thieves, when there is little chance of receiving jail time, fines are just another "business expense," such as office supplies or advertising costs.

The bill Senator Duey Stroebel and I put forward calls for a minimum 180-day sentence for a third conviction of retail theft. Mayor Rudy Giuliani's "broken windows" approach to crime turned New York City around, and those little things can make a difference. Although incidences of "smash and grab" have not reached Wisconsin, crime is overwhelming the city of Milwaukee and the surrounding communities. High crime leads to lower investment and the exodus of working families from the area. That leads to more crime and allows the downward spiral to continue.

The National Retail Federation estimates that retail stores lose more than 45 billion dollars per year due to theft. Crime breeds more crime, and retail theft is no different. We should not be standing by, while brick and mortar businesses close down because we haven't seriously addressed retail theft consequences. Jail time for a third offense is a small step towards sending a strong message that Wisconsin is open for business - not for criminals.

Again, thank you for allowing us to testify on SB 850 and AB 829 today.

A handwritten signature in black ink that reads "Janel Brandtjen". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

State Representative Janel Brandtjen