



Testimony submitted to the Joint Committee on the Judiciary  
In Support of S.873/H.967 – An Act Relative to Larceny  
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Currently in Massachusetts, a crime against property valued at or above \$250 is considered a felony and can result in up to five years of imprisonment. Under the present law, a young person stealing a cell phone could spend half a decade in jail. This \$250 threshold amount has not been changed for decades, with the result that punishments far exceed the nature of the crime. That amount is also five times less than the first cutoff in small claims court filings, which now goes up to \$7,000. This \$250 threshold is one of the lowest in the nation, while both Texas and Wisconsin have set their level to \$2,500<sup>1,2</sup>.

At least 35 states have raised their felony theft thresholds since 2001, and a study by Pew shows there was no impact on overall property crime or larceny rates<sup>1</sup>.

Sen. Jehlen's and Rep. Tyler's bill would increase the limit to \$1,500, which is still low relative to current pricing, but would remove what would now be considered petty theft from the category of a felony and return it to misdemeanor status. It would be even better if the felony threshold was indexed to inflation levels and increased to \$2,500.

The League of Women Voters of Massachusetts has, since 1984, maintained its position that "alternatives to incarceration...would offer better and more cost-effective opportunities...for tailoring the punishment to fit the crime." The League of Women Voters of the United States in 2012 adopted its position that "alternatives to imprisonment should be explored and utilized, taking into consideration the circumstances and nature of the crime."

LWVMA supports these bills. We hope you will include this provision in a comprehensive criminal justice reform package this session.

<sup>1</sup> <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/02/the-effects-of-changing-state-theft-penalties>

<sup>2</sup> <https://www.ncsl.org/documents/cj/sentencing.pdf>