

The Combating Organized Retail Crime Act of 2023

The Issue

Organized Retail Crime (ORC) involves the association of two or more persons engaged in illegally obtaining retail merchandise in substantial quantities through both theft and fraud as part of an unlawful commercial enterprise. This type of crime has a serious detrimental effect on retailers, their employees and the communities they serve.

Congressional Action

ICSC strongly supported the passage of the INFORM Consumers Act, which was signed into law in December 2022. Though INFORM's enactment is expected to deter a large portion of ORC incidents throughout the country, more work is needed to promote information-sharing among federal agencies, local law enforcement, attorneys general, community groups and store-based security professionals.

Among the legislative solutions supported by ICSC is S. 140/H.R. 895, the bipartisan **"Combating Organized Retail Crime Act of 2023,"** which establishes a coordinated multi-agency response and creates new tools to tackle evolving trends in organized retail theft:

- Allows for federal judges to order criminal forfeiture after convictions of organized retail theft-related crimes;
- Strengthens federal money laundering statutes, allowing investigators and prosecutors to target the illegal proceeds of organized retail crime groups;
- Ensures that members of organized retail crime groups who use the internet or other forms of interstate or foreign commerce in furtherance of their illicit activities are investigated and prosecuted;
- Allows for federal prosecutors to utilize an aggregate total value of \$5,000 or more over a 12-month period as a predicate for charging the transportation, or sale or receipt of stolen goods; and
- Establishes a Center to Combat Organized Retail Crime at Homeland Security Investigations that combines expertise from state and local law enforcement agencies as well as retail industry representatives.

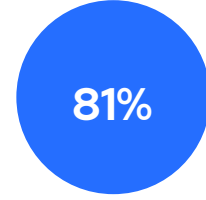
The Ask

ORC is leading to more brazen and violent attacks in retail stores throughout the country.

The time is now for Congress to enact S. 140/H.R. 895, the **"Combating Organized Retail Crime Act of 2023."**



Inventory loss in 2022 according to the National Retail Federation Security Survey.



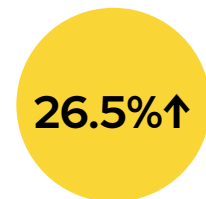
Retailers reporting violence and aggression associated with ORC increased in 2021.



Cost to federal and state governments in personal and business tax revenue, not including lost sales taxes.



Estimated additional annual cost to the average American family attributed to ORC.



Increase in organized theft incidents reported in 2021.

Sources: NRF, Buy Safe America Coalition.