



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

Office of Chief Public Defender

55 Farmington Avenue, 8th Floor
Hartford, Connecticut 06105
(860) 509-6405 Telephone
(860) 509-6495 Fax

Deborah Del Prete Sullivan

Legal Counsel, Director
deborah.d.sullivan@pds.ct.gov

Testimony of Trevor Vroom, Certified Legal Intern Office of Chief Public Defender

PUBLIC SAFETY AND SECURITY COMMITTEE - FEBRUARY 18, 2025

Raised Bill No. 1321

AN ACT CONCERNING CRIMES RELATING TO GIFT CARDS, ORGANIZED RETAIL THEFT, FOSTERING THE SALE OF STOLEN PROPERTY AND CIVIL LIABILITY FOR CERTAIN CONDUCT RELATING TO GOODS, MERCHANDISE OR PRODUCE

The Office of Chief Public Defender (OCPD) opposes *Raised S.B. 1321, An Act Concerning Crimes Relating to Gift Cards, Organized Retail Theft, Fostering the Sale of Stolen Property and Civil Liability for Certain Conduct Relating to Goods, Merchandise or Produce*. This bill would create various crimes relating to gift cards, including establishing new felonies and misdemeanors for certain acts committed with an intent to defraud. These new crimes would be charged in addition to existing larceny statutes, thereby vastly increasing the penalties associated with crimes relating to gift cards.

This Office opposes the raised bill because the drafted language does not currently consider the value of the gift card related to the crime. By creating new offenses independent of current larceny thresholds, these new felonies and misdemeanors would be applied irrespective of the monetary harm of the offense and therefore inconsistent with our current statutory definitions of larcenies. As drafted, this new punishment scheme would have a disproportionate impact on more minor offenses, resulting in potential felony charges for crimes currently viewed as misdemeanors.

For example, consider an individual copying redemption information from a gift card worth \$20, scratching off the code, and later redeeming the card for themselves; under the current

Page 2 of 2

Raised Bill 1321 - An Act Concerning Crimes Relating to Gift Cards, Organized Retail Theft, Fostering the Sale of Stolen Property and Civil Liability for Certain Conduct Relating to Goods, Merchandise or Produce

February 18, 2025

Testimony of Trevor Vroom, Certified Legal Intern

language of the bill, this individual would be charged with both larceny and altering or tampering a gift card. Yet whereas the punishment for larceny would consider the monetary value of the card, the new offense of altering or tampering a gift card would be a felony regardless of the economic harm caused by the crime. To address this incongruent result, this Office recommends that any new crimes established be made to reflect existing larceny offenses.

In conclusion, this Office requests that the Committee consider our recommendations as substitute language to ensure that the legislation does not disproportionately target more minor offenses. Otherwise, this Office requests that the Committee take no action on the bill as drafted.