SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 2807

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2020

The Senate Judiciary Committee reports favorably Senate Bill No. 2807.

This bill, designated as the "Defense Against Porch Pirates Act," addresses thieving activities when such activities involve a package delivered to a residential property by a cargo carrier.

Under current law, N.J.S.2C:20-2, theft is graded as low as a disorderly persons offense to as high as a crime of the second degree, depending upon the value of the property stolen, or the specific type of property stolen. Because the vast majority of package deliveries to residential properties contain items that are valued at $500 or less, or even $200 or less, a theft of such a package under current law would either be: a fourth degree crime (amount involved is at least $200, but does not exceed $500), punishable by a term of imprisonment of up to 18 months, a fine of up to $10,000, or both; or a disorderly persons offense (amount involved is less than $200), punishable by a term of imprisonment of up to six months, a fine of up to $1,000 or both.

The bill would make theft of a delivered package containing an item of *any amount* under $75,000 a crime of the third degree, which would upgrade the crime for the vast majority of packages taken from residential properties. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to $15,000, or both.

This bill would upgrade the penalties for theft of a package delivered to a residential property by a cargo carrier and the amount involved is less than $75,000 or is undetermined. Pursuant to current law, theft is a third degree crime if, among other things, the amount involved exceeds $500 but is less than $75,000. A crime of the third degree is punishable by three to five years imprisonment, up to a $15,000 fine, or both. This bill is designated as the "Defense Against Porch Pirates Act."