

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 230591)

RESOLUTION

Authorizing the City Council Committee on Public Safety to hold public hearings examining “three strikes you’re out laws” and to understand their potential impact on retail theft in Philadelphia.

WHEREAS, “Three strikes you’re out laws” are laws that allow for stricter punishments for repeated crimes. In addition, they can allow business owners to prohibit shoplifters from entering establishments they have previously stolen from; and

WHEREAS, The City of Philadelphia has been besieged by a relentless onslaught of shoplifting incidents that ravage not only businesses and their employees. This retail theft crisis has caused numerous businesses to move out of the neighborhoods they serve or out of the City all together; and

WHEREAS, New York City’s “Merchants Business Improvement Plan” is an example of how similar programs can be effective. The Plan was collaboratively established with the involvement of the District Attorney’s Office, the New York City Police Department, and the business community, with the explicit aim of addressing the reoccurring issue of repeat disorderly and unlawful conduct to businesses. A pilot program was launched back in June 2021 in Flushing, Jamaica, and Astoria; and

WHEREAS, This Plan is to discourage repeat unruly behavior and provide an alternative to the conventional criminal justice system for addressing such incidents. Under this program, merchants are empowered to promptly alert law enforcement upon encountering individuals who have engaged in unlawful and tumultuous behavior on their property. Responding officers then issue a trespass notice to offenders, outlining the consequences of repeated offenses; and

WHEREAS, The launch of this pilot program has yielded encouraging results, thereby contributing to improved safety for businesses and communities. Data from the NYPD indicates a 5% decrease in shoplifting complaints and a 20% increase in arrests since the launch of this program. 83 individuals suspected of theft have also been formally informed that they would face trespassing charges if they returned to the store; among them, five were subsequently

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apprehended for violating the issued orders of protection, as reported by the District Attorney's office. In one instance a business owner has not experienced another incident since the implementation of the program; and

WHEREAS, In Philadelphia, retail theft has been on the rise. More than 14,200 retail theft incidents were reported in 2022, showing a significant increase of 52% from the previous year, according to Philadelphia Police Department Data. Additionally, shoplifting incidents have risen by 44% this year, indicating an ongoing trend of concern; and

WHEREAS, The City aims to provide business owners with the tools and resources they need to protect their establishments and create a secure environment for employees and customers alike, and "three strikes you're out laws" could be a potential solution to this crisis; and

WHEREAS, The City aims to provide business owners with the tools and resources they need to protect their establishments. This program has the potential to contribute positively to the local community by deterring disruptive behavior, curbing criminal activities, and ensuring a safer retail environment; now, therefore, be it

RESOLVED BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby authorizes the City Council Committee on Public Safety to hold public hearings examining "three strikes you're out laws" and to understand their potential impact on retail theft in Philadelphia.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the Fourteenth Day of September, 2023.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Jones

Sponsored by: Councilmembers Jones, Gilmore Richardson, Bass, Driscoll,
Squilla, Harrity, Gauthier, Lozada and Thomas