

HOUSE No. 3039

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to flash mob robberies.

PETITION OF:

NAME:

Tackey Chan

DISTRICT/ADDRESS:

2nd Norfolk

HOUSE No. 3039

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 3039) of Tackey Chan relative to organized retail crime by 6 or more persons. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to flash mob robberies.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 30D of chapter 266 of the 2014 official edition of the
2 Massachusetts General Laws is hereby amended by striking subsection (d) and inserting the
3 following subsections:-

4 (d) A person commits an organized retail crime by flash mob if the person, acting in
5 concert with 6 or more persons, steals retail merchandise cumulatively valued at more than \$500,
6 and makes or receives in the course of planning or commission of the theft at least one electronic
7 communication, including but not limited to text message, electronic mail or social media post,
8 seeking participation in the theft.

9 A violation of this subsection shall be punished by imprisonment in a house of correction
10 for not more than 2 1/2 years or by imprisonment in the state prison for not more than 5 years or
11 by a fine of not more than \$10,000, or by both such fine and imprisonment.

12 (e) A person shall be a leader of an organized retail theft enterprise if the person
13 conspires with others as an organizer, supervisor, financier or manager, to commit an organized
14 retail crime, an aggravated organized retail crime, or organized retail crime by flash mob. A
15 leader of organized retail crime may be punished by a fine of not more than \$250,000 or 5 times
16 the retail value of the merchandise seized at the time of the arrest, whichever is greater, or
17 imprisonment in state prison for not more than 20 years, or both such fine and imprisonment.