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The Effects of Changing Felony Theft Thresholds: National Trends and a Case Study Analysis of South Carolina

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Since 2000, at least 37 states have raised their felony theft thresholds, or the value of stolen money or goods above which prosecutors may charge theft offenses as felonies, rather than misdemeanors. Felony offenses typically carry a penalty of at least a year in state prison, while misdemeanors generally result in probation or less than a year in a locally run jail. Lawmakers have made these changes to prioritize costly prison space for more serious offenders and ensure that value-based penalties take inflation into account. A felony theft threshold of $1,000 established in 1985, for example, is equivalent to more than twice that much in 2017 dollars. Critics have warned that these higher cutoff points might embolden offenders and cause property crime, particularly larceny, to rise. Critics have argued that a higher felony theft threshold might encourage people to steal more frequently or steal more expensive items, thereby causing the amount of property crime and the value of stolen goods to increase.

To determine whether their concerns have proved to be true, The Pew Charitable Trusts examined crime trends in the 30 states that raised their felony theft thresholds between 2000 and 2012, a period that allows analysis of each jurisdiction from three years before to three years after the policy change. Pew also compared trends in states that raised their thresholds during this period with those that did not.

In addition, Pew conducted a case study analysis of the effect of increasing the felony theft threshold in South Carolina. This deeper analysis of one state examines a broader range of outcomes, including the value of stolen goods as well as prison admissions and sentences. The analysis answers the following four questions: First, did crime increase after passage of the reform? Second, did the median value of stolen goods increase? Third, did the number of people sent to prison for felony threshold offenses increase? And, fourth, did sentence lengths for felony threshold offenses change?