



Raising Virginia's Felony Threshold

What is the felony threshold?

The felony threshold is the amount of money or value of items taken at which a person is charged with a felony, as opposed to a misdemeanor. Once a person has been charged with a felony, the person faces multiple years in prison and/or major fines. Once a person has completed the prison term and/or paid their fine, they are then labeled a convicted felon, which has far-reaching consequences. Depending on the state, people convicted of felonies have difficulty voting, serving on a jury, owning a gun, and gaining meaningful employment. A person convicted of a felony can also no longer receive federal cash assistance (like TANF or SNAP), apply for federal or state grants, live in public housing, and their parental rights can be challenged.

Facts about Virginia's felony threshold:

- Virginia's legal threshold for felony robbery charges has not changed since **1980**, when it was raised from **\$100** to the current level of **\$200**.
- Virginia's felony threshold is the lowest in the nation. Since 2000, **37 states** have raised their felony theft thresholds. Over the last decade, **9 southern states** have reformed their felony threshold, including:
 - ✓ Alabama - \$1,500
 - ✓ Arkansas - \$1,000
 - ✓ Georgia - \$1,500
 - ✓ Louisiana - \$750
 - ✓ Mississippi - \$1,000
 - ✓ Missouri - \$750
 - ✓ South Carolina - \$2,000
 - ✓ Texas - \$2,500
 - ✓ Tennessee - \$1,000
- There is no evidence that raising the felony threshold increases theft. Many states actually continued to experience decreases in larceny after reform.
- Raising the threshold will save Virginia taxpayers millions annually. Larceny convictions accounted for 1 out of every 4 individuals incarcerated in 2012, **at a cost of approximately \$25,000 a year per individual**. In 2008, the Virginia Department of Corrections estimated that adjusting the threshold to only \$500 would **save taxpayers more than \$3.5 million** in saved prison bed costs in 2013 alone.
- Adjusting the threshold would help make communities safer. Virginia is expending valuable and limited resources prosecuting and incarcerating people for these low level felonies, resources that could be better directed to other programs that keep communities safe.
- The felony threshold in Virginia needs to keep up to date with inflation. In 1980, \$200 was worth far more than it is today due to the rate of inflation. Using an average inflation rate of 3 percent, **\$200 in 1980 will be worth \$612 in 2018**.

The Virginia Interfaith Center for Public Policy believes in raising the threshold to a level that is that is just and is in line with surrounding states, including the following bills (as of Jan. 2):

HB 113: increases the threshold from \$200 to **\$1,000**; introduced by **Del. Jennifer Carroll Foy** (D-Woodbridge)

HB 225: increases the threshold from \$200 to **\$750**; introduced by **Del. Cliff Hayes** (D-Chesapeake)

SB 102: increases the threshold from \$200 to **\$1,500**; introduced by **Sen. Jeremy McPike** (D-Dale City)

There are numerous bills to raise the felony threshold to \$500, which are listed below (as of Jan. 2):

HB 17: increases the threshold from \$200 to **\$500**; introduced by **Del. Patrick Hope** (D-Arlington)

HB 173: increases the threshold from \$200 to **\$500**; introduced by **Del. Eileen Filler-Corn** (D-Fairfax Station)

SB 21: increases the threshold from \$200 to **\$500**; introduced by **Sen. Scott Surovell** (D-Mount Vernon) with support from co-patron **Sen. Lynwood Lewis** (D-Accomac)

SB 105: increases the threshold from \$200 to **\$500**; introduced by **Sen. David Suetterlein** (R-Salem)

