

Theft Offense / Burglary

Often referred to as crimes against property, some of the most common theft crimes are retail theft, receiving stolen property, identity theft, theft by unlawful taking, theft by deception, theft by failure to make required disposition (embezzlement), burglary, robbery, bad checks, access device fraud and welfare fraud. For the majority of theft crimes, the seriousness of the offense is directly related to the value of the property taken. Theft and burglary involve the taking of something of another, including property or services, without consent. Although theft can be referred to by several different terms, such as theft by fraud, larceny, robbery and shoplifting, these crimes all generally consist of a taking without consent.



- Theft by fraud usually involves using a false statement to obtain money or property, such as credit card fraud, internet fraud, identity theft, forgery and computer fraud.
- Larceny generally means taking something with the intent to permanently deprive someone of their property including embezzlement.
- Burglary involves breaking and entering into a home or other building or structure with the intent to commit a crime inside.
- Robbery generally involves taking property from the person of another and includes such things as mugging or extortion.
- Shoplifting, of course, usually means stealing from a store.

Not only can theft convictions result in very serious sentences but they also may result in a person being branded as a liar and a thief for life. Not only can you be put in jail or prison, you may also be required to pay what is known as restitution. This means that you could be required to pay back whatever you were alleged to have taken. You could spend years of your life paying off a restitution debt. It could affect your credit ability to buy a car or home or raise your family. Imagine how much your life would be affected if you were convicted of, for example, an identity theft crime because of a misunderstanding.

If you have been charged with a theft crime, you need the assistance of an experienced attorney. We have experience defending these types of crimes. We know how the police will investigate the theft you are accused of, and we will know how to mount a strong defense to any theft, robbery and burglary charge.

Robbery

Robbery is a serious offense graded as a felony of varying degrees depending on the facts of each case.

Robbery involves the physical taking of property by force or threat of force that is in the possession of another person. At times when a robbery is alleged to have happened by the use

of a firearm, the accused will face a mandatory minimum sentence of five to ten years in state prison. Identity theft and access device fraud are two offenses receiving more attention by law enforcement due to the explosion of the internet and the increased use of debit, ATM and credit cards. A person accused of any type of theft crime can expect a prosecution driven by the wishes of the owner of the property.

Early involvement by an attorney can sometimes save a person's criminal record by crafting an agreement which makes the victim whole, as if the offense never happened. Often times, an accused is put in a position of agreeing to a deal that makes certain to save his or her record by agreeing to make the victim whole when the prosecution's case is weak. An accused is put in this position by understanding the time and legal expense of fighting the charges at trial where the outcome is uncertain and maybe not worth the risk of having a criminal record depending on the accused's profession or occupation.



However, if after a thorough evaluation of the facts of the case and after a careful discussion between client and lawyer an accused decides to contest the charges, obtaining a "not guilty" begins at the first hint that you are being accused of a theft crime. Knowing your rights and retaining representation during the investigatory stage can sometimes avoid an arrest all together. If not, you should not lose the great opportunity a preliminary hearing provides to the accused. A thorough preliminary hearing provides the accused an invaluable opportunity to learn more about the theory and strength of the prosecution's case. As always, **The Law Offices of Jason A. Jenkins** does not let this opportunity pass without gaining information or agreeing to a reduction in the charges, which immediately reduces the exposure of our client(s).

To gain the full benefit of a preliminary hearing we employ a certified court reporter whose job it is to record the testimony of the prosecution witnesses. Accomplishing this is extremely beneficial to a client because the recorded testimony can be used to cross-examine the prosecution witnesses at trial if they would change their story or remember additional facts at trial which were not mentioned at the preliminary hearing. Additionally, recording the testimony allows us to thoroughly evaluate a case as it proceeds through to trial. Evaluating the case for development of pretrial motions is another benefit of forcing the prosecution witnesses to testify at the preliminary hearing and having their testimony recorded. The pretrial motions we would file are meant to limit the evidence offered by the prosecution against our client. Call us and schedule a free consultation.

Put our experience to work for you in the Lehigh Valley or the surrounding counties. Contact us to discuss the criminal charges against you. We fight to win!