



July 3, 2024

The Honorable Robert Rivas
Speaker, California State Assembly
1021 O Street, Suite 4350
Sacramento, California 95814

The Honorable Mike McGuire
Senate Pro-Tem, California State Senate
1021 O Street, Suite 8518
Sacramento, California 95814

RE: Retail Theft Legislation Package - Position Change to Support

Dear Honorable Members,

One of the League of California Cities' (Cal Cities) top advocacy priorities is to address crime and retail theft, organized retail theft and shoplifting. Recently, Cal Cities recently changed its position to neutral on the Retail Theft Legislative Package due to the addition of the inoperative clauses. However, due to the recent removal of these inoperability clauses we are pleased to return to a support position for these measures, that we have held for most of the year.

As you may know, retail theft continues to be a problem in nearly all California communities. For example, commercial burglary is at the highest rate since 2008. In fact, according to the PPIC, commercial burglary increased statewide since 2020, especially in larger counties with an increase of 13% among 14 of the 15 largest counties. Rising theft is impacting every corner of California, and city officials need additional tools to reduce crime and improve the safety of their neighborhoods.

In order to appropriately address this issue, comprehensive actions across various facets of retail theft are required. Cal Cities believes that the approach proposed in the Retail Theft Package is the appropriate response to this growing state-wide issue.

The package aims to provide the justice system with the necessary tools to address rising rates of retail theft. These bills address specific priority issues of retail theft such as repeat offenders, increasing penalties, additional restrictions on resellers and fencing operations, and improving the ability to enforce and prosecute these offenders.

One measure that is not included in this letter is AB 2943 (Zbur). Please see our separate letter on this bill due to the position we have taken of Support if Amended on AB 2943.



Below is a summary of the bills that Cal Cities supports:

Resellers and Fencing of Stolen Goods:

SB 1144 (Skinner) Marketplaces: Online Marketplaces
(As Amended on 7/1/2024)

The rising rate of theft offenses such as commercial burglary necessitate viable resale operations of those stolen goods such as fencing location or the use of online third-party marketplaces. Reducing the ease with which stolen items can be resold through these secondary operations is a critical step in providing any comprehensive solution to the issue of retail theft.

Increased Penalties:

AB 1960 (Rivas) Sentencing Enhancements: Property Loss.
(As Amended on 6/30/2024)

SB 1242 (Min) Crimes: Fires
(As Amended on 7/1/2024)

SB 1416 (Newman) Sentencing Enhancements: Sale, Exchange, or Return of Stolen Property
(As Amended on 7/1/2024)

There are reforms needed to ensure that both apprehension rates of offenders improve and that those apprehended for more serious theft offenses meet meaningful consequences. The inability to deter repeat offenders or secure those meaningful consequences has made it difficult to address these offenders with the appropriate level of accountability. These bills will provide increased penalties for those who repeatedly victimize multiple retailers, steal large amounts of property, or cause excessive amounts of damage in the commission of a theft offense.

Organized Retail Theft Statute Extension:

AB 1802 (Jones-Sawyer) Crimes: Organized Theft
(As Amended on 6/29/2024)

SB 982 (Wahab) Crimes: Organized theft
(As Amended on 7/1/2024)

Specifically, regarding organized retail theft, these bills that seek changes to existing law to help address the increase in smash and grab robberies and other organized efforts that continue to happen at an alarming rate in our communities statewide. These bills



would permanently extend the organized retail theft statute by eliminating the sunset date.

Improved Enforcement and Prosecution

AB 1779 (Irwin) Theft: Jurisdiction.
(As Amended on 6/29/2024)

AB 1972 (Alanis) Regional Property Crime Task Force
(As Amended on 6/26/2024)

AB 3209 (Berman) Crimes: Theft: Retail Theft Restraining Orders
(As Amended on 6/29/2024)

SB 905 (Wiener) Crimes: Theft from a Vehicle
(As Amended on 7/1/24)

It has become common for offenders to try to avoid higher charges by exploiting loopholes in existing law. Offenders have been knowingly stealing small amounts of items they know are under \$950 threshold across several retail businesses or exploiting the locked door loophole for vehicle burglaries. These bills provide law enforcement and prosecutors with improved tools to aggregate multiple incidents of theft to reach the grand theft threshold, restores cross-county prosecution, eliminates the locked door loopholes for vehicle burglaries, and adds cargo theft to the list of crimes that the Regional Property Crime Task Force can investigate.

These bills, as a package, provide a comprehensive approach to addressing the rising rates of retail theft in our state. This package will work to protect our businesses and create safer communities statewide. For these reasons, Cal Cities **supports** the bills listed above. If you have any questions, do not hesitate to contact me at jvoorhis@calcities.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jolena Voorhis".

Jolena Voorhis
Legislative Affairs, Lobbyist

cc: Members, California State Assembly



LEAGUE OF
**CALIFORNIA
CITIES**

Members, California State Senate
Jith Meganathan, Deputy Legislative Secretary, Governor's Office
Shaun Naidu, Speaker's Office
Eric Dang, Pro-Tem's Office