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Speaker Robert Rivas & Assembly Lawmakers Announce Comprehensive, Bipartisan Legislative Package To Address Retail Crime and Theft

SACRAMENTO, CA— Assembly Speaker Robert Rivas and a bipartisan coalition of Assemblymembers announced today a legislative package of seven bills focused on reducing retail crime and addressing other theft incidents.

Speaker Rivas was joined by a broad coalition in support of the package, including:

- Attorney General Rob Bonta
- Select Committee on Retail Theft Chair, Assemblymember Rick Chavez Zbur
- Public Safety Committee Chair, Assemblymember Kevin McCarty
- Select Committee on Retail Theft Members and Legislative Package Co-Authors: Assemblymembers Blanca Pacheco, Cottie Petrie-Norris, and Pilar Schiavo
- Jennifer Barrera, California Chamber of Commerce, President and CEO
- Rachel Michelin, California Retailers Association, President and CEO
- Erik Nasarenko, Ventura County District Attorney
- Jeff Laugero, Stanislaus County District Attorney

- Josh Coyne, Downtown San Diego Partnership
- Jonathan Feldman, California Police Chiefs Association

What Speaker Robert Rivas Says

“Organized retail crime and theft are harming our communities, undermining business owners and eroding people’s confidence in law and order. That ends today. The Assembly’s bipartisan legislative package strengthens public safety and protects shoppers and operators. Our comprehensive and balanced solutions uphold the successful reforms we’ve enacted to institute a more just system, and also reflect my colleagues’ thoughtful dedication to exploring every aspect of the issue. I believe a return to the ballot to address retail theft is not necessary, because the Assembly’s plan delivers real and urgent changes for Californians.”

What Attorney General Rob Bonta Says

“As California’s chief law enforcement officer, I’m proud to support this incredible coalition that has been hard at work, heads down, sleeves up, to deliver for the people of California,” Attorney General Rob Bonta said on Tuesday at a press conference introducing the legislation. “This was a team effort, and I think it is important that we continue to commit to that collaboration.”

7 Bills: A Bipartisan Assembly Package

- *The Retail Theft Reduction Act or Assembly Bill 2943 (Rivas, Zbur)*
- *Assembly Bill 1794 (McCarty)*: allows theft crimes by same perpetrator to be aggregated between different places and victims; and streamlines process of reporting shoplifting incidents directly to prosecutors through statewide CAL Fast Pass program
- *Assembly Bill 1779 (Irwin)*: returns authority, currently limited to the Attorney General, to district attorneys to coordinate and prosecute organized retail theft and other theft crimes
- *Assembly Bill 1960 (Soria)*: re-enacts and strengthens previously lapsed statute providing enhanced penalties when an individual takes or destroys property during the commission of a felony, when property value is

- exceptionally high. Provides enhancement beginning at one year or more to a sentence when property loss is more than \$50,000
- *Assembly Bill 1972 (Alanis)*: expands California Highway Patrol's property crimes task forces to support identified counties with increased levels of cargo theft
 - *Assembly Bill 1802 (Jones-Sawyer)*: makes permanent the crime of organized retail theft and the operation of the CHP property crimes task force
 - *Assembly Bill 3209 (Berman)*: provides new enforcement tool by authorizing a court to impose a Retail Crime Restraining Order for a theft offense, vandalism within the store, or battery on employee within store

About The Retail Theft Reduction Act

Assembly Bill 2943, jointly authored by Assemblymember Rick Chavez Zbur and Speaker Rivas, creates a new crime targeting “serial” retail thieves, with a penalty of up to three years behind bars for possession of stolen property with intent to resell. Additionally, it clarifies that similar thefts from different victims can be aggregated to charge grand theft if certain criteria are met. The bill also provides new tools to law enforcement to arrest for shoplifting based on a witness's sworn statement or video footage of the crime and extends the ability of police to keep repeat offenders in custody. Additionally, to address the root causes of theft, AB 2943 promotes the use of diversion and rehabilitative programs like drug court. The bill also extends the ability of counties to create and use theft diversion programs as alternatives to incarceration. The authors are continuing to work with stakeholders and anticipate the addition of provisions to protect businesses and retailers that report crime from retaliation, to prevent stolen goods from being unlawfully advertised and sold on online marketplaces, and to increase data transparency by requiring large retailers to report specified theft data while protecting retailers' proprietary information.

Select Committee on Retail Theft Chair, Assemblymember Rick Chavez Zbur
(D-Hollywood)

“This comprehensive bill package, which includes the California Retail Theft Reduction Act, demonstrates that the California Assembly has listened and is serious about addressing retail crime in our communities. When I first took office more than a year ago, retail crime was one of the concerns raised by my constituents, second only to the housing and homelessness crisis. It is clear that something has to be done. My colleagues and I have listened to a wide range of stakeholders to create a legislative package that offers balanced and effective reforms that hold serial thieves accountable and clarifies the standard that allows aggregation of related incidents of theft, while expanding access to diversion and rehabilitation programs. I’m grateful for the Speaker’s leadership on AB 2943 and am grateful to all of the authors, speakers, stakeholders, and to the members of the Select Committee, for investing in this comprehensive and meaningful set of proposals.”

Public Safety Committee Chair, Assemblymember Kevin McCarty (D-Sacramento)

“Retail crime and theft continues to impact the retail industry at unprecedented levels. Businesses have taken drastic measures to protect their products, affecting consumers’ ability to buy essential items and the economy. AB 1794 targets repeat offenders of retail crime and provides additional resources and support to businesses affected by retail crime, keeping businesses open and neighborhoods safe.”

Bipartisan Assembly Authors

“I have promised my constituents that I would work across the aisle on real solutions wherever they can be found. California’s retail theft issues did not appear overnight and I believe more work must continue to be done to combat this issue. However, I believe AB 1972 will help provide needed additional tools for law enforcement to tackle organized retail theft on cargo carriers across our state. It’s a positive step and I am pleased it has been included in this package today.”—*Assemblymember Juan Alanis (R-Modesto)*

“Californians are eager for real solutions to address retail theft, vandalism and assaults on store employees. A retail crime restraining order is a commonsense solution that provides a new enforcement tool against retail crimes. AB 3209 balances keeping California’s stores and workers safe from crime, while not exacerbating issues of poverty. I look forward to working with colleagues from both sides of the aisle to pass a comprehensive package of bills to reduce retail crime and theft in California in a smart, thoughtful way.”—*Assemblymember Marc Berman (D-Menlo Park)*

“In 2018, I successfully authored AB 1065, to create the crime of Organized Retail Theft and establish the California Highway Patrol’s Organized Retail Theft Task Force. To date the Task Force has conducted 1,225 investigations, made over 1,800 arrests, and recovered almost half a million items of stolen retail merchandise valued at more than \$21 million. This is in addition to the amazing work occurring in some counties throughout the state including over 300 retail theft prosecutions in Los Angeles. This is proof that when used, current tools are effective at punishing and ending retail theft. My new bill, AB 1802, will ensure that district attorneys and law enforcement will permanently have this tool at their disposal to continue their work ending retail crime.”—*Assemblymember Reggie Jones-Sawyer (D-Los Angeles)*

“Across California, shoppers and retailers are frustrated with the impacts of organized retail theft. The Legislature needs to give law enforcement and our prosecutors the tools they need to address these sophisticated retail theft rings. These criminals are making it harder for consumers to find the products they need during these tough times and threaten their safety when shopping in local businesses. This package of bills does just that, including AB 1779 which restores the efficiency and effectiveness of cross jurisdictional charging that was key for prosecutors between 2019-2021. The restoration of this tool to the Attorney General in 2022 was an important first step, but with more multi-county cases than the Department of Justice can effectively pursue, we must fully leverage our District Attorneys who have already been funded at the state level for this important work.”—*Assemblymember Jacqui Irwin (D-Thousand Oaks)*

“Crime, especially retail theft, is not only a problem in my community but across our state. This bill package provides comprehensive, bipartisan, and balanced solutions to address retail crime in all of our communities. AB 1960 will ensure the punishment matches the crime. We must address retail crime by holding criminals accountable and impose a stiffer sentence that reflects the damage and loss of “smash and grab” and other types of retail crime. AB 1960 will do just that and our communities will be safer as a result.”—*Assemblywoman Esmeralda Soria (D-Fresno)*

Jennifer Barrera, California Chamber of Commerce president and CEO

“This is a critical issue for our business community,” Barrera said at Tuesday’s press conference. “Retail theft is affecting the consumer experience, and that hurts our small businesses and brick-and-mortar stores. We are so pleased to be here to support this important package to tackle retail crime in a swift and effective manner.”

Rachel Michelin, California Retailers Association president

“I want to thank everyone for their leadership to bring stakeholders together across California,” Michelin said at Tuesday’s press conference. “We’ve done a lot in the state, but this package gives law enforcement the tools to stop retail theft from expanding. I look forward to our continued conversations as these bills move through the process.”

Los Angeles County Sheriff Robert Luna

“The Los Angeles County Sheriff’s Department is proud to work with, and support the California State Assembly in addressing Organized Retail Theft. The Assembly’s plan seeks to streamline prosecution across county jurisdictional lines, add sentence enhancements based on excessive takings, extend the terms of probation in certain circumstances, and will authorize a court to impose a Retail Crime Restraining Order for a theft offense, vandalism within a store, or battery on an employee within a store. Additionally, the Assembly package contains a comprehensive bill targeting those who commit Organized Retail Theft in order

to resell the stolen property. The Assembly's plan will also give law enforcement additional tools to crack down on professional thieves and stop cycles of crime in a way that does not unwind important criminal justice reform that the majority of Californians approved. I am proud to support this effort that will not only protect our large corporate retailers, but will also protect our small private business owners.”

Chief Alexander Gammelgard, President of the California Police Chiefs Association

“Retail theft is one of the most prominent public safety issues facing California, and we are grateful for the focus Speaker Rivas has placed on this matter – both in words and actions through the package of bills being heard today. We look forward to ongoing collaborative efforts to improve public safety over the coming months and beyond.”

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