

Date of Hearing: March 23, 2021

Chief Counsel: Gregory Pagan

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Reginald Byron Jones-Sawyer, Sr., Chair

AB 308 (Chen) – As Amended February 18, 2021

**As Proposed to be Amended in Committee**

**SUMMARY:** Provides that the Board of State and Community Corrections (BSCC) shall administer grants to law enforcement agencies that participate in regional vehicle burglary and theft reduction joint task forces. Specifically, **this bill:**

- 1) Provides that the Board of State and Community Corrections (BSCC) shall administer grants to law enforcement agencies that participate in regional vehicle burglary and theft reduction joint task forces. Grant funds shall be directed to three regional task forces:
  - a) Region one shall consist of the Counties of Alameda, Contra Costa, San Mateo, Santa Clara, and the city and county of San Francisco;
  - b) Region two shall consist of the Counties of Los Angeles and Ventura; and,
  - c) Region three shall consist of the Counties of Orange, Riverside, San Bernardino, and San Diego
- 2) Requires the BSCC upon receipt of an application for funding from law enforcement agencies, designate a lead law enforcement agency in each region. Each lead agency shall convene a task force consisting of the lead agency and any other participating law enforcement agencies in that region.
- 3) Requires each regional task force to form a joint task force coordinating council consisting a representative of the California Highway Patrol, the sheriff or chief of police, or a representative of the sheriff or chief of police of the lead agency, and the chiefs of police, sheriffs, or their representatives of each participating law enforcement agency in that region.
- 4) Provides that upon formation of the joint task force coordination council, the BSCC shall distribute funding to the regional task force. Each joint task force coordination council shall meet at least quarterly to share intelligence and discuss strategies and tactics to reduce the incidence of vehicle burglary and theft in the region, to identify interregional movement of vehicle burglary and theft suspects, and to discuss ways to improve coordination of enforcement activities within that region, with the other regional task forces, and statewide.
- 5) States that funds allocated to the task force shall be expended with goal of reducing vehicle burglary and theft, identifying suspects engaging in vehicle burglary or vehicle theft, identifying interregional movement of vehicle burglary and theft offenders, coordinating joint vehicle burglary and theft efforts, and best practices to the incidence of vehicle burglary and theft. Grant funds may be used to pay for officer overtime, travel, training, and related

costs. Funds may be also used for the acquisition and repair of bait vehicles and related equipment.

- 6) Requires each regional task force, upon request, share intelligence regarding vehicle burglary and theft incidents and the identity, location, or other identifying information regarding offenders suspected of committing vehicle burglary or vehicle theft with nonparticipating law enforcement agencies and with other regional task forces.
- 7) Provides that upon receipt of funding from the BSCC, the joint task force coordination council for each region shall determine how grant funds will be allocated among participating law enforcement agencies within the regional task with the goals of maximizing the reduction of vehicle burglary and theft in the region and improving the coordination of intelligence regarding his crime with other regional task forces.
- 8) Requires the lead agency of each regional task force shall report to the BSCC at least two years of crime statistics relating to vehicle burglary and vehicle theft in the jurisdictions participating in the task force, The lead agency shall report to the BSCC the vehicle burglary and theft statistics for all participating law enforcement agencies for the two years commencing with the receipt of funds. The report shall also include statistics on the number of arrests for vehicle burglary and vehicle theft within the two years after receipt of grant funds in each of the law enforcement agencies participating in the regional task force and annually thereafter.
- 9) States that the BSCC shall compile the statistics received from each of the three regional task forces and shall on or after January 1 of the year subsequent to the receipt of those reports and annually thereafter, report this information to the Legislature and the Governor and shall post the report on the BSCC internet website.
- 10) States that funding received shall be used to supplement, rather than supplant, funding for existing programs.
- 11) Provides that each law enforcement agency participating in a regional task force and each regional task force shall operate in such a manner that intelligence, sting operations, and other enforcement activities are coordinated and shared with participating law enforcement agencies and with the other two regional task forces.
- 12) States that the BSCC may impose additional reporting and application requirements appropriate to the administration of grants.
- 13) Provides that this program shall be implemented only to the extent that funding is provided in the Budget Act. The reporting requirements will terminate three years after the elimination of state funding to the regional task forces.
- 14) States that no more than 5 percent of funds appropriated shall be retained by the BSCC for administrative costs, including technical assistance, training, and the cost of producing the required reports.

**EXISTING LAW:**

- 1) Provides that the Counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare may develop within their respective jurisdictions a Central Valley Rural Crime Prevention Program, which shall be administered by the county district attorney's office of each respective county under a joint powers agreement with the corresponding county sheriff's office. (Pen. Code, §14171, subd. (a).)
- 2) Provides that the parties to each agreement shall form a regional task force known as the "Central Valley Rural Crime Task Force" which includes the county agricultural commissioner, the county district attorney, the county sheriff, and interested property owners or associations. (Pen. Code, § 14171, subd. (b).)
- 3) Allows the Central Valley Rural Crime Task Force to develop rural crime prevention programs which contain a system for reporting rural crimes that enable the swift recovery of stolen goods and the apprehension of criminal suspects. (Pen. Code, § 14171, subd. (b)(2).)
- 4) Provides that the Central Coast Rural Crime Prevention program (CRCPP) shall be administered in San Benito, Santa Barbara, Santa Cruz, and San Luis Obispo Counties by the county district attorney's office under a joint powers agreement with the county sheriff's office, and in Monterey County by the county sheriff's office under a joint powers agreement with the county district attorney's office. (Pen. Code, § 14181, subd. (a).)
- 5) Provides that the parties to each agreement shall form a regional task force known as the "Central Coast Rural Crime Task Force" which includes the county agricultural commissioner, the county district attorney, the county sheriff, and interested property owners or associations. (Pen. Code, § 14181, subd. (b).)
- 6) Authorizes the Central Coast Rural Crime Task Force to develop rural crime prevention programs which contain a system for reporting rural crimes that enable the swift recovery of stolen goods and the apprehension of criminal suspects. (Pen. Code, § 14181, subd. (b)(1).)
- 7) Authorizes the Central Coast Rural Crime Task Force to develop a uniform procedure for all participating counties to collect data on agricultural crimes, establish a central database for the collection and maintenance of data on agricultural crimes, and designate one participating county to maintain the database. (Pen. Code, § 14181, subd. (b)(2).)
- 8) States that the staff for each program developed by the Central Coast Rural Crime Task Force shall consist of the personnel designated by the district attorney and the sheriff of each county in accordance with the joint powers agreement. (Pen. Code, § 14181, subd. (c).)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) **Author's Statement:** According to the author, "Existing law requires that the victim of vehicle burglary testify to prove that their vehicle's doors were locked when the burglary occurred."

“In 2019, it was reported that gang members from the San Francisco Bay area have been traveling to the Los Angeles area to take advantage of this loophole in existing law by breaking into vehicles likely rented by tourists. Members specifically target rental cars and popular tourist destinations. These targets are desirable since the victim is not likely able to return to testify and prove their vehicle doors were locked at the time of the incident. The victim’s absence has led to break-ins going unpunished.

“The Public Policy Institute of California (PPIC) found that after the passage of Proposition 47 in 2014, larceny increased by roughly 9 percent, or about 135 more thefts per 100,000 residents. Thefts from motor vehicles account for about three-quarters of this increase. Larceny-theft from motor vehicles rose from 217,029 in 2013 to 243,040 in 2018. It also rose as a percentage of all larceny-theft from 34.9% to 39.1% during that period.

“With COVID-19 largely decreasing the overall crime rates across the nation – vehicle break ins have been the exception to that statistic.

“PPIC reported in four of California’s major cities: Los Angeles, Oakland, San Diego, and San Francisco, vehicle burglary has increased by a staggering 22%, in comparison to month by month numbers from 2018.

“Vehicle burglaries are a serious issue in the Bay Area and it is now spreading to the Los Angeles area. The Los Angeles police department commander recently stated that vehicle burglaries were the “No. 1 crime trend in West Bureau in 2019.”

- 2) **Background:** According to background materials supplied by the author’s office, “In New Jersey, the Assembly Task Force on Auto Theft was created in October 1992, to study auto theft in the state and report back to the New Jersey Legislature with recommendations. The New Jersey State Police reports that car thefts dropped from 63,533 in 1992 to 35,158 in 1999.

“The Illinois Motor Vehicle Theft Prevention Council (MVTPC), also founded in 1991, is an 11-member collaboration between insurance, state’s attorneys, and law enforcement tasked with reducing auto theft, insurance fraud, and other motor vehicle theft-related crimes in Illinois. Between its inception and 2014 the MVTPC reduced vehicle theft in Illinois by 77%, recovered 41,217 stolen vehicles, and saved \$342 million, as stated on its website [www.icjia.state.il.us/sites/mvtpc](http://www.icjia.state.il.us/sites/mvtpc).

“The Texas Auto Burglary and Theft Prevention Authority (TABTA) was established by the 72nd Texas Legislature in 1991 to assess automobile burglary, theft, and economic theft in Texas, make recommendations, and provide financial support to combat the problems. According to the TABTPA and the Texas Department of Public Safety’s Uniform Crime Reporting, Crime Information Bureau, from 1991 to 2009, the auto theft rate in Texas dropped from 163,837 to 76,617.

“The Arizona Automobile Theft Authority (AATA), established in 1992 by the Arizona State Legislature and funded by semi-annual assessments on insurance companies, reduced auto theft 57% by 2016. During that year, the Auto Theft Task Force had recovered 1,561 stolen vehicles, made 369 felony arrests, and provided 2,084 assists to other law enforcement agencies.”

### 3) **Prior Legislation:**

- a) AB 2962 (Chen), of the 2019-2020 Legislative Session, was almost identical to this bill in that it required the BSCC to administer a grant program for law enforcement agencies that participate in a regional vehicle burglary task force. AB 2962 was not heard by the Committee due to Covid-19 restrictions.
- b) AB 517 (Chen), of the 2019-20 Legislative Session, would have established the Orange County Property Crimes Task Force subject to an appropriation from the General Fund. AB 517 was held on the Assembly Appropriations Committee suspense file.
- c) AB 2536 (Chen), of the 2017-18 Legislative Session, would have established the Orange County Property Crimes Task Force subject to an appropriation from the General Fund. AB 2536 was held on the Assembly Appropriations Committee suspense file.

- 4) **Argument in Support:** According to the *Riverside Sheriffs' Association*, "AB 308 creates a Vehicle Burglary and Theft Task Force, provides state funding to identify and apprehend criminals that break into vehicles to steal personal belongings and/or the vehicle itself. This bill will assist local agencies share information about car thefts and burglaries to develop best practices.

"Creating this task force will provide funding for salaries, equipment, and travel for representatives of major law enforcement heavily impacted by vehicle burglary. This bill will provide law enforcement with adequate tools to stop car burglars and to prosecute to the fullest extent of the law."

- 5) **Argument in Opposition:** According to *The California Immigrant Policy Center*, "AB 308 facilitates information sharing across law enforcement agencies, yet there is little limitation of oversight over the agencies involved and the data shared amongst them. Joint task forces have a long history of harming local communities through racial profiling, suspicion less surveillance, investigations, and perhaps more importantly, the climate of fear they foster across communities of color in California. For noncitizens, they come with added risk of disclosing an individual's immigration status with other agencies, including with federal immigration authorities. Without stronger provisions to protect the information and privacy of immigrant community members, this bill will likely continue to erode trust between community members and law enforcement."

### **REGISTERED SUPPORT / OPPOSITION:**

#### **Support**

California Coalition of School Safety Professionals  
 Los Angeles School Police Officers Association  
 Palos Verdes Police Officers Association  
 Riverside Sheriffs' Association  
 Santa Ana Police Officers Association

**Oppose**

California Immigrant Policy Center  
Oakland Privacy

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