

Date of Hearing: April 14, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 308 (Chen) – As Amended March 25, 2021

Policy Committee: Public Safety

Vote: 7 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

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

- 1) Creates three regional vehicle and theft reduction taskforces (regional taskforce) based on location. Region One includes the counties of Alameda, Contra Costa, San Mateo and Santa Clara and the city and county of San Francisco; Region Two includes Los Angeles and Ventura counties; and Region 3 includes Orange, Riverside, San Bernardino and San Diego counties.
- 2) Requires each regional task force to form a joint task force coordinating council (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.
- 3) Provides that upon receipt of funding from the BSCC, the coordination council for each region shall determine how grant funds will be allocated among participating law enforcement agencies within the regional taskforce.
- 4) Requires BSCC to compile the statistics received from each of the three regional task forces and 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 post the report on the BSCC internet website.
- 5) 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.

**FISCAL EFFECT:**

Costs (General Fund (GF)) of approximately \$165,000 annually to the BSCC for increased staff, travel and supplies to administer the vehicle burglary and theft reduction program and report regional taskforce crime statistics to the Legislature and Governor.

**COMMENTS:**1) **Purpose.** According to the author:

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) **State Auditor Report.** In March 2021, the California State Auditor (CSA) issued a report on county use of 2011 Criminal Justice Realignment Act (Realignment Act) funds and lack of oversight by the BSCC. Realignment funds were provided to counties after the Legislature shifted responsibility for lower level prison inmates to county correctional facilities. However, after 10 years of providing Realignment Act funds, the CSA determined at least three counties, including Los Angeles County, were not effectively using the funds for recidivism reduction programs and that BSCC was not providing sufficient oversight of Realignment Act funds. CSA estimates that counties maintained a surplus of \$1.9 billion dollars in Realignment Act funding that could have been spent on programming aimed at addressing recidivism. The alleged increase in vehicle theft and burglary may be better addressed through Realignment Act funding rather than a new BSCC grant program.3) **Prior Legislation.**

- a) 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 GF. AB 517 was held on this committee's Suspense File.
- b) AB 2962 (Chen), of the 2019-2020 Legislative Session, was almost identical to this bill in that it would have 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 Assembly Committee on Public Safety.
- c) AB 2536 (Chen), of the 2017-18 Legislative Session, established the Orange County Property Crimes Task Force subject to an appropriation from the General Fund. AB 2536 was held on this committee's Suspense File.

4) **Arguments in Support.** According to the Riverside Sheriffs' Association:

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) **Arguments 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.

**Analysis Prepared by:** Kimberly Horiuchi / APPR. / (916) 319-2081