
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 1941 **Hearing Date:** June 23, 2026
Author: Mark González
Version: June 4, 2026
Urgency: No **Fiscal:** Yes
Consultant: NDT

Subject: *Organized metal theft*

HISTORY

Source: CalBroadband; League of California Cities; Mayor of San Jose, Matt Mahan;
U.S. Telecom

Prior Legislation: AB 476 (Mark González) Ch. 694, Stats. of 2025
AB 1218 (Soria), not heard in Assembly Public Safety, 2025
AB 2943 (Zbur), Ch. 168, Stats. of 2024
AB 1802 (Jones-Sawyer), Ch. 166, Stats. of 2024
SB 982 (Wahab), Ch. 982, Stats. of 2024
AB 331 (Jones-Sawyer), Ch. 113, Stats. of 2021
AB 2356 (Rodriguez), Ch. 22, Stats. of 2022
AB 1065 (Jones-Sawyer), Ch. 803, Stats. of 2018
SB 1387 (Berryhill), Ch. 656, Stats. of 2012
AB 316 (Carter), Ch. 317, Stats. of 2011
AB 1859 (Adams), Ch. 659, Stats. of 2008

Support: Almond Alliance; AT&T; Bizfed Central Valley; California Association of Sheet Metal & Air Conditioning Contractors National Association; California Central Valley Flood Control Association; California Chapters of the Solid Waste Association of North America's Legislative Task Force; California Contract Cities Association; California Downtown Association; California Electric Transportation Coalition; California Legislative Conference of Plumbing, Heating & Piping Industry; California State Sheriffs' Association; California Transit Association; California Water Association; City of El Cerrito; City of Long Beach ; City of Norwalk; City of San Jose; City of Thousand Oaks; Construction Employers Association; East Bay Economic Development Alliance; Finishing Contractors Association of Southern California; Fresno Chamber of Commerce; Los Angeles County Business Federation; Los Angeles County District Attorney's Office; Los Angeles County Sanitation Districts; Los Angeles County Sheriff's Department; Los Angeles Unified School District; Napa County Farm Bureau; National Electrical Contractors Association; Northern California Allied Trades; Peninsula Corridor Joint Powers Board; Recycled Materials Association-West Coast Chapter; San Mateo County Transit District; Sunline Transit Agency; Town of Portola Valley; United Contractors; Valley Ag Water Coalition; Verizon Communications; Wall and Ceiling Alliance; Western Line Constructors Chapter; Western Painting and Coating Contractors Association; Western Wall and Ceiling Contractors Association

Opposition: ACLU California Action; California Attorneys for Criminal Justice; California Public Defenders Association; Californians United for a Responsible Budget; Justice2Jobs Coalition; LA Defensa; Local 148 Los Angeles County Public Defender's Union; San Francisco Public Defender; Vera Institute of Justice; Smart Justice California; Vera Institute of Justice

Assembly Floor Vote: 71 - 0

PURPOSE

The purpose of this bill is to create a new crime punishing organized metal theft a wobbler.

Existing law states that every person who feloniously steals, takes, carries, leads, or drives away the personal property of another, or who fraudulently appropriates property which has been entrusted to them, or who knowingly and designedly, by any false or fraudulent representation or pretense, defrauds any other person of money, labor or real or personal property, is guilty of theft. (Pen. Code, § 484, subd. (a).)

Existing law divides theft into two degrees: petty theft and grand theft. (Pen. Code, § 486.)

Existing law punishes petty theft as a misdemeanor, punishable by fine not exceeding \$1,000, or by imprisonment in the county jail not exceeding six months, or both. (Pen. Code, § 490.)

Existing law defines grand theft as theft of money, labor, real or personal property of a value exceeding \$950, and punishes grand theft as a wobbler – subject to imprisonment in county jail not exceeding one year, or by imprisonment in county jail for 16 months, two years, or three years. (Pen. Code, §§ 487, 489.)

Existing law provides that in any case involving one or more acts of theft or shoplifting, including but not limited to, shoplifting, theft, and petty theft, the value of property or merchandise stolen may be aggregated into a single count or charge, with the sum of the value of all property or merchandise being the values considered in determining the degree of theft. (Pen. Code, § 490.3.)

Existing law makes it a crime to buy or receive stolen property.

- If the value of the property is less than \$950, the offense is a misdemeanor punishable by imprisonment in county jail for one year.
- If the value of the property is over \$950, the offense is punishable as a wobbler – subject to imprisonment in a county jail not exceeding one year, or by imprisonment in county jail for 16 months, two years, or three years. (Pen. Code, §§ 487, 489, 496.)

Existing law provides that a person who has two or more prior convictions for specified theft offenses, including petty theft, grand theft, shoplifting, or receipt of stolen property, and who is convicted of petty theft or shoplifting, is punishable by imprisonment in county jail for up to one year, or by 16 months, or two or three years, and makes a second or subsequent conviction of petty theft with two priors punishable by imprisonment in the county jail not exceeding one year or by imprisonment in state prison. (Pen. Code, § 666.1, subd. (a).)

Existing law provides that any person that: acts in concert with one or more persons to steal merchandise with the intent to sell, exchange, or return the merchandise for value; acts in concert with two or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen; acts as the agent of another individual or group to steal merchandise from one or more merchants as part of an organized plan to commit theft; or, recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of retail theft, is guilty of organized retail theft. (Pen. Code, § 490.4, subd. (a).)

Existing law punishes organized retail theft as follows:

- If violations of the above provisions, except the recruiting, organizing or financing another to engage in retail theft, are committed on two or more separate occasions within one year, and if the aggregated value of the merchandise stolen, received, purchased, or possessed within that period exceeds \$950 the offense is punishable as a misdemeanor by imprisonment in a county jail not exceeding one year or as a jail-eligible felony.
- Any other violation of the above provisions, except the recruiting, organizing, or financing of another to engage in retail theft, is punishable as a misdemeanor by imprisonment in a county jail not exceeding one year.
- Recruiting, organizing, or financing another to undertake acts of organized retail theft is punishable as either a misdemeanor by imprisonment in a county jail not exceeding one year or as a jail-eligible felony. (Pen. Code, § 490.4, subd. (b).)

Existing law makes it a wobbler, punishable by a fine not exceeding \$2,500 or imprisonment in a county jail not exceeding one year, or by 16 months, or two, or three years in county jail, and a \$10,000 fine, for any person to steal, carry, or take away copper materials of another, including, but not limited to copper wire, copper cable, copper tubing and copper piping, which are of a value exceeding \$950. (Pen. Code, § 487j.)

Existing law makes it a crime to unlawfully purchase or receive certain metal materials, as follows:

- Prohibits a dealer or collector of junk, metals, or secondhand materials, from buying or receiving any wire, cable, copper, lead, solder, mercury, iron, or brass which they know or reasonably should know is ordinarily used by or ordinarily belongs to a county, city, or a public utility or transportation company, as specified, without using due diligence to ascertain that the person selling or delivering the property has legal right to do so.
- Makes this crime a wobbler, punishable by up to one year in county jail, or 16 months, or two, or three years in county jail, or by a fine not more than \$5,000. (Pen. Code, § 496a, subd. (a).)

Existing law makes it a crime to possess certain stolen public agency-related materials, as follows:

- Prohibits any person who is engaged in the salvage, recycling, purchase, or sale of scrap metal from possessing specified items that were owned or previously owned by any public agency, city, county, city and county, special district, or private utility that have been stolen or obtained in any manner constituting theft or extortion, knowing the property to be so stolen or obtained, or failing to report possession of the items.
- Punishes this offense by up to a \$5,000 fine, in addition to any other penalty provided by law. (Pen. Code, § 496e.)

This bill makes a person who commits any of the following acts guilty of organized metal theft:

- Acts in concert with one or more people to steal metal materials from wire, cable, copper, lead, solder, mercury, iron or brass which a person knows or reasonably should know is ordinarily used by or ordinarily belongs to a railroad or other transportation, telephone, telegraph, gas, water, electric light company, or a county or city engaged in furnishing public utility service, as specified, or from items owned or previously owned by a public agency, city, county, special district, or private utility, as specified, including a fire hydrant, fire department connection, maintenance hole cover or lid, backflow device or connection, or reasonably recognizable street light, traffic signal, and their reasonably recognizable related equipment (hereafter, “specified utility metal materials,”) with the intent to sell, exchange, or return the metal materials for value.
- Acts in concert with two or more persons to receive, purchase, or possess specified utility metal materials knowing or believing it to have been stolen.
- Acts as an agent of another individual or group of individuals to steal specified utility metal materials as part of an organized plan to commit metal theft.
- Recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake any of the acts described above or acts described in any other statute defining theft of metal, except for the conduct of acting as an agent to steal specified utility metal materials.

This bill punishes organized metal theft as follows:

- If any of the above violations, except for recruiting, organizing, or financing another to undertake specified organized metal theft acts, are committed on two or more separate occasions within a 12-month period, and if the aggregated value of the metal stolen, received, purchased, or possessed within that 12-month period exceeds \$950, the offense is punishable as an alternate-felony misdemeanor (wobbler) by imprisonment in a county jail not exceeding one year or by imprisonment for 16 months, or two or three years.
- Any other violation that is not described in the immediately preceding paragraph, except for recruiting, organizing, or financing another to undertake specified organized metal theft acts, is punishable by imprisonment in a county jail not exceeding one year.
- A violation of recruiting, organizing, or financing another to undertake specified organized metal theft acts, as specified, is punishable as a wobbler by imprisonment in a county jail not exceeding one year or as a jail-eligible felony by imprisonment for 16 months, or two or three years.

This bill provides that for the purpose of determining if the defendant acted in concert with another person, the trier of fact may consider any competent evidence, including, but not limited to:

- The defendant has previously acted in concert with another person in committing acts constituting theft, or any related offense, including any conduct that occurred in counties other than the county of the current offense, if relevant to demonstrate a fact other than the defendant’s disposition to commit the act.

- That the defendant used or possessed an artifice, instrument, container, device, or other article capable of facilitating the removal of metal from specified utility metal materials without permission or authorization, and the use of the artifice, instrument, container, or device, or other article is part of an organized plan to commit metal theft.
- The property involved in the offense is of a type or quantity that would not normally be collected or purchased for personal use, and the property is intended for resale, as specified.

This bill prohibits, in a prosecution under this bill, a prosecutor from being required to charge any other co-participant of the organized metal theft.

This bill provides that this bill does not preclude or prohibit prosecution for vandalism or the charging of specified sentence enhancements.

This bill authorizes local law enforcement agencies, public agencies, and private entities, including, but not limited to, telecommunication companies, recycling companies, and private utility companies, to provide information about theft of commodity metals, including, but not limited to, ferrous metal, copper, brass, aluminum, nickel, stainless steel, and alloys, to the Department of Justice (DOJ), and requires the DOJ make this information available to such local law enforcement agencies, public agencies, and private entities.

COMMENTS

1. Need for This Bill

According to the author:

Copper wire theft continues to plague communities across the state—leaving neighborhoods in the dark, draining taxpayer resources, and creating significant public safety hazards. Copper wire theft is not a victimless crime, it is a crime that leaves Abuelitas without power for A/C or heat, brings our public transportation to a halt, blackouts phone service to rural community members, and leaves our neighborhoods in the dark. AB 1941 sends a clear message. If you treat our neighborhoods as salvage, if you destroy our infrastructure for some quick cash, if you endanger our community with these senseless crimes, there will be consequences.

2. Metal Theft Generally

In 2020, the average price for copper was approximately \$2.80 per pound; as of October 2024, the price of copper is approximately \$4.55 per pound, which represents nearly a 62.5% increase over the past four years.¹ This demand is seen by many as the reason for the escalation of metal theft.

Recent reports suggest that theft of copper wiring from certain public utility infrastructure has led to significant interruptions in telecommunications services and other public utility services such as

¹ National Cable & Telecommunications Association (Nov. 2024). Protecting the Nation's Critical Communications Infrastructure from Theft & Vandalism https://www.ncta.com/wp-content/uploads/2025/10/CriticalAttacksReport_Oct25.pdf

street lighting. According to the Bureau of Street Lighting, which maintains over 223,000 streetlights in the City of Los Angeles (LA):²

Over several years, a dramatic increase in the number of theft and vandalism incidents has significantly impacted the street lighting network. In the span of just four years between Fiscal Year 2017/2018 (where the Bureau saw 607 theft-related incidents) and FY2021/2022 (where the Bureau saw 6344 [Copper Wire & Power Theft] CWPT theft-related incidents) was a 10-fold increase in reported issues. And while these types of incidents are endemic to electrical and lighting systems due to the value of metals and electricity, the cumulative damage – and the time and resources required to fix such an issue – has led to months-long backlogs of lighting outages.

Generally speaking, routine maintenance requires a couple hours of work. In comparison, copper theft may take several days, and in some cases, weeks to repair. It is akin to rewiring your house, rather than replacing a light bulb.

Copper Wire necessitates proper coordination among different disciplines (Wire Pulling Crews, Cement Crews, and Welding Crews). Secondly, circuit configurations and existing pole types can influence the repair times and complicate electrical repairs. Welders might need to fabricate vandal-proof doors for ornamental poles, and in some instances, the need to procure materials can result in further delays. Lastly, encampments, field conditions, and other obstructions might prevent crews from completing work in a timely manner...

The increasing incidents of theft and vandalism create unsafe conditions by leaving communities in the dark for extended periods of time, which can contribute to community safety issues like crime, pedestrian safety, and vehicle collisions. These types of repairs are extensive and costly, which contributes to the backlog, requires additional resources, and exacerbates repair timelines.³

In response to increases in metal theft, LA City leaders created the Heavy Metal Task Force in early 2024, and early enforcement actions led to 82 arrests and the recovery of more than 2,000 pounds of copper wire.⁴ Sixty of those arrested individuals were charged with felonies. In this case, officials reported that the organizers of the metal theft ring were exploiting indigent and at-risk individuals, having those individuals commit the metal theft and metal stripping. Officials reported that abandoned RVs were being used to store stolen metal and heavy equipment.

In addition, on June 5, 2025, the Attorney General issued an information bulletin to all California law enforcement agencies, noting the spike in copper theft and summarizing relevant theft statutes and laws governing junk dealer or recyclers' obligations to collect and report information regarding the receipt, purchase, and sale of copper wire.⁵ Notably, the bulletin listed existing laws that can be used to prosecute copper wire theft.

² LA Lights (2025). *About* <https://lalights.lacity.org/about/>

³ LA Lights, (2025). *Outages and Issues* https://lalights.lacity.org/residents/outages_and_issues.html

⁴ ABC Eyewitness News (Aug. 2024). *More than 80 arrests made in new effort to battle theft of copper, metal in LA* <https://abc7.com/post/los-angeles-efforts-battle-theft-copper-scrap-metal-have-led-80-arrests-metal-recovery-officials-say/15128029/>; Los Angeles Times (July 2024). *'Significant victory': More than 80 arrested in copper wire theft crackdown* <https://www.latimes.com/california/story/2024-07-30/copper-wire-arrests>

⁵ California Department of Justice, (June 2025). *2025-DLE-12: State Statutes Applicable to Copper Wire Theft* <https://oag.ca.gov/system/files/media/2025-dle-12.pdf>; California Department of Justice (June 2025) Attorney General

3. Effect of This Bill

This bill creates a new crime. This bill is substantially similar to the organized retail theft statute that the Legislature passed in 2018.⁶ However, instead of applying to theft of merchandise from merchants' premises, it applies to theft of specified utility metal materials.

This bill makes any of the following organized metal theft: 1) acting in concert with one or more people to steal metal materials from specified public utility metal materials, with the intent to sell, exchange, or return the metal materials for value; 2) acting in concert with two or more persons to receive, purchase, or possess specified utility metal materials knowing or believing it to have been stolen; 3) acting as an agent of another individual or group to steal specified utility metal materials as part of an organized plan to commit metal theft; and 4) recruiting, coordinating, organizing, supervising, directing, managing, or financing another to undertake specified organized metal theft acts.

The threshold in the bill of \$950 would equal approximately 148 pounds of copper. In order to collect that amount of metal, offenders would need equipment and transportation to deliver the metal to unlicensed and illicit scrap dealers and recyclers who would accept the metal. This should prevent low-level offenders from being charged under this bill.

Like the organized retail theft statute, if organized metal theft violations, except for the financing and directing provision, are committed on two or more separate occasions within twelve months, and the aggregated value of metal stolen, received, purchased, or possessed within that period exceeds \$950, the offense is a wobbler. (Pen. Code, § 490.4, subd. (b)(1).) For example, a person who acts with another to steal \$500 in copper wire from a streetlight, and six months later knowingly receives \$500 in specified metal utility materials stolen by two co-conspirators, may be charged with a felony. Similar to organized retail theft, this bill makes the specific offense of recruiting, organizing, or financing another to undertake specified metal theft acts a wobbler.

This bill, therefore, applies not only to the individuals stripping and stealing the metal, but also to the network of recyclers that are knowingly buying stolen metal. However, this bill prohibits a prosecutor from being required to charge any other co-participant in the organized metal theft.

Additionally, like the organized retail theft statute, this bill outlines certain information that may be considered in determining if a defendant acted in concert with another person. Specifically, it provides that the trier of fact may consider any competent evidence which includes: the defendant has previously acted in concert with another person in committing acts constituting theft, or any related offense, as specified; the defendant used a specified device capable of facilitating the removal of metal from specified utility metal materials without permission or authorization, and the use of the device is part of an organized plan to commit metal theft; and property involved in the offense is of a type or quantity that would not normally be collected or purchased for personal use, and the property is intended for resale.

Finally, this bill authorizes the sharing of certain metal theft information between law enforcement agencies. Specifically, it authorizes local law enforcement agencies, public agencies, and private

Bonta: Copper Wire Theft Leaves Californians in the Dark, We Must Ensure the Lights Stay On
<https://oag.ca.gov/news/press-releases/attorney-general-bonta-copper-wire-theft-leaves-californians-dark-we-must-ensure>

⁶ AB 1065 (Jones-Sawyer) Ch. 803, Stats. of 2018

entities, including, but not limited to, telecommunication companies, recycling companies, and private utility companies, to provide information about theft of commodity metals, including, but not limited to, ferrous metal, copper, brass, aluminum, nickel, stainless steel, and alloys, to the DOJ. If such information is shared, the DOJ must make this information available to such local law enforcement agencies, public agencies, and private entities.

4. Pending Legislation

Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters in 2014, requires the theft of property that does not exceed \$950 to be punished as a misdemeanor, except as specified. Under existing law, it is grand theft to steal, take, or carry away copper materials of another valued at more than \$950.

SB 1266 (Stern) amends Proposition 47 to require the value to be calculated as the full cost to the victim to repair and replace the stolen materials, including labor and equipment, rather than the fair market scrap value.

5. Argument in Support

According to the League of California Cities:

Metal theft has become a costly issue for cities across California and the nation, severely impacting critical infrastructure components such as streetlights, fire hydrants and fire department connections, manhole covers, electric vehicle (EV) charging stations, and backflow prevention devices. Thieves often target these public assets due to the high value of precious metal, specifically copper, leaving behind significant damage that endangers public safety and imposes burdensome repair costs on local governments and businesses.

The consequences of metal theft are far-reaching:

- Streetlight Tampering:** Stolen copper wiring from streetlights creates hazardous conditions by leaving streets and neighborhoods in darkness, increasing risks for pedestrians, motorists, and law enforcement.
- Fire Protection System Compromise:** The theft of metal components from fire hydrants or fire department connections weakens emergency response capabilities, endangering lives and property in the event of a fire.
- Manhole Cover Theft:** The removal of manhole covers poses severe hazards to drivers, bicyclists, and pedestrians, leading to potential accidents and injuries.
- Backflow Device Damage:** Backflow prevention devices protect drinking water supplies from contamination, and theft-related damages compromise water quality and public health.

Local governments are not the only entity plagued by this issue.

Telecommunication companies are also facing the devastating consequences of metal theft crime. AT&T reported 2,200 separate incidents of copper wire theft in

2024, more than a 3000% increase since 2021. They have also spent millions on copper wire theft repairs due to theft and vandalism to their network.

The financial burden of repairing and replacing stolen infrastructure components falls on taxpayers, utility providers, and municipalities, draining resources that could otherwise be used for community development and essential services.

AB 1941 would protect vital public infrastructure from ongoing damage by allowing prosecutors to bring enhanced charges for coordinated or repeated thefts and enable a more robust information sharing system to tackle this issue.

6. Argument in Opposition

According to the Vera Institute of Justice:

Metal theft, by an individual or a group, is already criminalized under existing law. Under the general grand theft statute, any theft of materials whose value exceeds \$950 is punishable for up to a year in prison. Theft of less than \$950 in materials would lead to a petty theft charge, carrying up to six months of incarcerations and \$1000 fine. If multiple petty thefts occur in line with one intention, impulse, or plan, the thefts may be aggregated into a grand theft charge. When this theft is in concert with others, each individual faces the full punishment available under the relevant statute for aiding and abetting the crime. This addition of a new category of crime is unnecessary and redundant given current law.

AB 1941's increased punishment schemes for group theft of metals will not deter crime. AB 1941 would double the maximum punishment for certain misdemeanors, ratchet up certain misdemeanors into potential felonies, and create a 12-month-long aggregation window for grand theft of metals. Evidence indicates that applying longer criminal sentences has failed to deter crime. Other studies demonstrate that the severity of punishment does not generally have an increased effect on deterrence. Rather, studies have concluded that certainty of punishment, that someone will be punished for a particular crime, has a greater deterrence effect than the severity of the punishment itself.

Finally, there are smarter solutions to this problem. For example, local officials are already identifying non-carceral solutions to copper metal theft. Los Angeles City Councilmember Eunisses Hernandez has invested \$500,000 from her discretionary fund to have solar-powered lights installed in Lincoln Heights and Cypress Park to keep the neighborhoods bright and prevent copper wire theft.

-- END --