
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 476 **Hearing Date:** July 15, 2025
Author: Mark González
Version: June 19, 2025
Urgency: No **Fiscal:** Yes
Consultant: AB

Subject: *Metal theft*

HISTORY

Source: League of California Cities
City of San Jose
Los Angeles Cleantech Incubator
Electric Vehicle Charging Association

Prior Legislation: AB 1065 (Jones-Sawyer), Ch. 803, Stats. of 2018
SB 1387 (Berryhill), Ch. 656, Stats. of 2012
AB 1971 (Buchanan), Ch. 82, Stats. of 2012
AB 316 (Carter), Ch. 317, Stats. of 2011
SB 447 (Maldonado), Ch. 732, Stats. of 2009
SB 691 (Calderon), Ch. 720, Stats. of 2009
AB 1859 (Adams), Ch. 659, Stats. of 2008
AB 844 (Berryhill), Ch. 731, Stats. of 2009

Support: Arcadia Police Officers' Association; Bellflower Somerset Mutual Water Company; Brea Police Association; Burbank Police Officers' Association; Calbroadband; Calcom Association; California Association of School Police Chiefs; California Central Valley Flood Control Association; California Coalition of School Safety Professionals; California Municipal Utilities Association; California Narcotic Officers' Association; California Reserve Peace Officers Association; California Transit Association; City of Alameda; City of Buena Park; City of Lakewood; City of Norwalk; City of Placentia; City of Sacramento Department of Utilities; City of San Bernardino; City of Thousand Oaks; City of Tustin; City of Vernon City of Whittier; Claremont Police Officers Association; Corona Police Officers Association; County of Fresno; CTIA; Culver City Police Officers' Association; Desert Water Agency; El Dorado Irrigation District; Electrify America, LLC; Fullerton Police Officers' Association; Independent Energy Producers Association; Large-scale Solar Association; League of California Cities; Los Angeles Cleantech Incubator; Los Angeles County District Attorney's Office; Los Angeles County Sanitation Districts; Los Angeles School Police Management Association; Los Angeles School Police Officers Association; Los Angeles Unified School District; Mayor Matt Mahan, City of San Jose; Murrieta Police Officers' Association; Newport Beach Police Association; Palmdale Water District; Palos Verdes Police Officers Association; Peninsula Corridor Joint Powers Board (CALTRAIN); Placer County Deputy Sheriffs' Association; Pomona Police Officers' Association; Riverside Police Officers Association; Riverside Sheriffs' Association; Rowland Water District;

Southern California Public Power Authority; Sunline Transit Agency; Solid Waste Association of North America, California Chapters; United States Telecom Association DbA USTelecom - the Broadband Association; Valley Ag Water Coalition; Walnut Valley Water District

Opposition: ACLU California Action; California Public Defenders Association; Californians United for a Responsible Budget; LA Defensa

Assembly Floor Vote: 79 - 0

PURPOSE

The purpose of this bill is to increase fines for crimes related to the possession or purchase of specified items previously owned by a public utility provider or public agency; to expand the list of items that a junk dealer is prohibited from possessing to include specified items previously owned by a public agency or local government; to expand record-keeping requirements for junk dealers, as specified; and to establish the crime of organized metal theft, as provided.

Existing law defines “junk” to mean all secondhand and used machinery and all ferrous and nonferrous scrap metals and alloys, including any secondhand and used furniture, pallets, or other personal property, other than livestock or parts or portions thereof. (Bus. & Prof. Code, § 21600.)

Existing law states scrap metals and alloys includes but is not limited to materials and equipment commonly used in construction, agriculture operations, and electrical power generation, railroad equipment, oil well rigs, nonferrous materials, stainless steel, and nickel which are offered for sale to any junk dealer or recycler, but does not include scrap iron, household generated waste, or aluminum beverage containers, as specified. (Bus. & Prof. Code, § 21600.)

Existing law states that a “junk dealer” includes any person engaged in the business of buying, selling and dealing in junk, any person purchasing, gathering, collecting, soliciting or traveling about from place to place procuring junk, and any person operating, carrying on, conducting or maintaining a junk yard or place where junk is gathered together and kept or stored for shipment, sale or transfer. (Bus. & Prof. Code, § 21601.)

Existing law requires every junk dealer and every recycler to keep a written record of all sales and purchases made in the course of his or her business. (Bus. & Prof. Code, § 21605.)

Existing law requires every junk dealer and every recycler to include the following in the above written record:

- The place and date of each sale or purchase of junk made in the conduct of their business as a junk dealer or recycler.
- Methods of identification, as specified.

- The name and address of each person to whom junk is sold or disposed of, and the license number of any motor vehicle used in transporting the junk from the junk dealer's or recycler's place of business.
- A description of the item or items of junk purchased or sold, including the item type and quantity, and identification number, if visible.
- A statement indicating either that the seller of the junk is the owner of it, or the name of the person they obtained the junk from, as shown on a signed transfer document. (Bus. & Prof. Code, § 21606, subd. (a).)

Existing law makes it a misdemeanor to make, or cause to be made, any false or fictitious statement regarding any information in the above written record. (Bus. & Prof. Code, § 21606, subd. (b).)

Existing law requires every junk dealer and every recycler to report the information in the written record to the chief of police or to the sheriff, as specified. (Bus. & Prof. Code, § 21606, subd. (c).)

Existing law specifies that a junk dealer or recycler who fails in any respect to keep written records, or to include any of the information required to be included, is guilty of a misdemeanor and every junk dealer or recycler who refuses to share those written records with law enforcement, as specified, or who destroys that record within two years, is guilty of a misdemeanor, as specified. (Bus. & Prof. Code, § 21608.)

Existing law prohibits a junk dealer or recycler from providing payment for nonferrous material, which includes materials such as copper, unless, in addition to meeting written record requirements, additional requirements are met, as provided. (Bus. & Prof. Code, § 21608.5, subd. (a).)

Existing law prohibits a junk dealer or recycler from possessing any reasonably recognizable, disassembled, or inoperative fire hydrant or fire department connection, as specified, that was owned or previously owned by an agency, in the absence of a written certification on the letterhead of the agency owning or previously owning the material described in the certification that the agency has either sold the material described or is offering the material for sale, salvage, or recycling, and that the person possessing the certification and identified in the certification is authorized to negotiate the sale of that material. (Bus. & Prof. Code, § 21609.1, subd. (a).)

Existing law requires a junk dealer or recycler who unknowingly takes possession of one or more of the items listed above as part of a load of otherwise non-prohibited materials without a written certification to notify the appropriate law enforcement agency by the end of the next business day upon discovery of the prohibited material, and provides that written certification shall relieve the junk dealer or recycler from any civil or criminal penalty for possession of the prohibited material. (Bus. & Prof. Code, § 21609.1, subd. (b).)

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, and divides theft into two degrees, petty theft and grand theft. (Pen. Code §§ 484, subd. (a), & 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 makes it a crime to buy or receive stolen property, and provides that if the value of the property is less than \$950, the offense is a misdemeanor punishable by imprisonment in county jail for one year, but if the value of the property is over \$950, the offense is punishable as an alternate misdemeanor-felony (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 commits any of the following acts is guilty of organized retail theft:

- Acts in concert with one or more persons to steal merchandise from one or more merchant’s premises or online marketplace 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 such merchandise, knowing or believing it to have been stolen.
- Acts as an agent of another individual or group of individuals to steal merchandise from one or more merchant’s premises or online marketplaces as part of an organized plan to commit theft.
- Recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake the violation of any statute defining theft of merchandise. (Pen. Code, § 490.4, subd. (a).)

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 provides that every person who is a dealer in or collector of junk, metals, or secondhand materials, or the agent, employee, or representative of such dealer or collector, and who buys or receives any wire, cable, copper, lead, solder, mercury, iron, or brass which he or she knows or reasonably should know is ordinarily used by, or ordinarily belongs, to a railroad or other transportation, telephone, telegraph, gas, water, or electric light company, or a county, city, city and county, or other political subdivision of this state engaged in furnishing public utility service, without using due diligence to ascertain that the person selling or delivering the same

has a legal right to do so, is guilty of criminally receiving that property. This crime is punishable as a wobbler. (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 any of the following 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, as specified:
 - A fire hydrant or any reasonably recognizable part of that hydrant.
 - Any fire department connection, including, but not limited to, reasonably recognizable bronze or brass fittings and parts.
 - Manhole covers or lids, or any reasonably recognizable part of those manhole covers and lids.
 - Backflow devices and connections to that device, or any part of that device.
- Punishes this offense by up to a \$3,000 fine, in addition to any other penalty provided by law (Pen. Code, § 496e.)

This bill requires every junk dealer and every recycler to include the following information in the written record of all sales and purchases made on the course of their business:

- The time of the transaction.
- The amount paid.
- The name of the employee handling the transaction.
- The weight of the junk purchased or sold.
- Any identifying marks engraved or etched on the metal, including serial numbers, if any.

This bill requires that the statement required from the seller of the junk must be signed by the seller and include the legal name, date of birth, and place of residence, including street number, street name, city, state, and ZIP Code, of the seller.

This bill expands the list of materials covered by the prohibition against the possession of stolen or previously owned public agency materials to include the following:

- Reasonably recognizable street lights, traffic signals, and their reasonably recognizable related equipment, including, but not limited to controller devices, light-emitting diode (LED) fixtures, ornamental or historical, modern, or pedestrian poles made of concrete,

steel, brass, cast iron, or aluminum, solar street lighting components, as specified, colocation equipment, conductors, wiring, cabling, cameras, air quality sensors, digital banners and signs, and pedestrian and cycling counters.

- Sewer flow monitoring station equipment.
- Sewer pump station instrumentation and controls.
- Stormwater auto sampling equipment and instrumentation.
- Stormwater pump station instrumentation and controls.
- Irrigation wiring.
- Plaques.
- Communications or broadband infrastructure equipment.
- Electric vehicle chargers.
- Water meters and water meter components.

This bill increases the additional fine that may be imposed for this offense from \$3,000 to \$5,000.

This bill provides that the crime of buying or receiving public utility materials, when charged as a felony, may be punished by a fine of not more than \$10,000, in addition to or in lieu of any term of imprisonment.

This bill establishes the crime of organized metal theft, which is defined as the commission of any of the following acts:

- Acting in concert with one or more persons to steal specified metal materials, including those previously owned by a public utility or public agency, with the intent to sell, exchange or dismantle for value.
- Acting in concert with two or more persons to receive specified metal materials, including those previously owned by a public utility or public agency, knowing or believing them to have been stolen.
- Acting as an agent of another individual or group of individuals to steal specified metal materials, including those previously owned by a public utility or public agency, as part of an organized plan to commit metal theft.
- Recruiting, coordinating, organizing, supervising, directing, managing, or financing another to undertake any of the acts described in the first two bullet points of this list or in any other statute defining theft of metal.

This bill punishes organized metal theft as follows:

- If violations related to acting in concert or acting as an agent 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 a wobbler.
- Any other violation relating to acting in concert or acting as an agent is punishable as an aggravated misdemeanor.
- A violation related to other prohibited conduct (recruiting, coordinating, organizing, etc.) is punishable as a wobbler.

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

- The defendant has previously acted in concert with another person or persons 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 metal materials without permission or authorization and 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.

This bill provides that in a prosecution for organized metal theft, the prosecutor shall not be required to charge any other co-participant of the organized metal theft.

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

COMMENTS

1. Need for This Bill

According to the Author:

Copper theft is a growing crisis in California, threatening public safety, straining municipal resources, and literally leaving communities in the dark. Despite existing laws, cities across the state continue to face a surge in thefts, costing taxpayers millions in infrastructure repairs and emergency responses. These crimes go beyond financial losses; they create unsafe conditions for residents and businesses by leaving streets, neighborhoods, and business corridors in complete darkness.

AB 476 takes a comprehensive approach to combating this issue by strengthening theft prevention and enforcement. This bill enhances reporting requirements for junk dealers and recyclers, establishes a licensing requirement for copper sellers, modernizes restrictions on the possession of scrap metal from critical public infrastructure, and revises penalties to better reflect the true cost of damages to the public. These measures will increase transparency, discourage illicit sales, and ensure accountability throughout the recycling and resale process. When copper is stolen from streetlights, traffic signals, and telecommunications lines, it directly endangers residents by depriving them of essential public services.

AB 476 prioritizes public safety and ensures that taxpayer dollars are no longer wasted on preventable infrastructure repairs. This legislation is a necessary step toward safeguarding our communities, protecting public infrastructure, and putting an end to the cycle of copper theft that has burdened our cities for far too long.

2. Recent Surge in Metal Theft

Recent reports suggest that the increasing frequency of theft of copper wiring from certain public utility infrastructure has led to significant interruptions in telecommunications and other public utility services such as street lighting. According to the Bureau of Street Lighting, which maintains over 200,000 streetlights in the City of Los Angeles:

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.¹

In response to skyrocketing metal theft, LA City leaders created the Heavy Metal Task Force in early 2024 to combat the epidemic, and early enforcement actions led to 82 arrests and the recovery of more than 2,000 pounds of copper wire.² Other cities, such as Anaheim, have experienced a similar spike in metal theft crimes. In addition, on June 5, 2025, the Attorney General issued an information bulletin to all California law enforcement agencies noting the spike in metal 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.³

3. Changes to Existing Metal Theft Statutes Proposed by This Bill

Existing law imposes an array of requirements on junk dealers, including a requirement that they keep a written record of all sales and purchases made in the course of their business. This written record must include several specified pieces of information, including the place and date of the transaction, a description of the items purchased or sold, and identification information regarding the seller. Making a false or fictitious statement regarding this information is a misdemeanor.⁴ An earlier spike in metal theft in the 2000s led the Legislature to enact additional requirements for junk dealers and recyclers, including mandating the collection of thumb prints and photographs from sellers, requiring individuals selling certain nonferrous materials to provide proof of ownership when selling those items, and limiting payment for nonferrous materials to either cash or check after a three-day waiting period.⁵

In 2012, the Legislature passed SB 1387 (Emmerson) Chapter 656, Statutes of 2012, which specifically prohibited junk dealers or recyclers from possessing fire hydrants, a fire department connection (such as a brass fitting) manhole covers or backflow devices unless the junk dealer or recycler has a written certification on letterhead from that agency stating that the material can be sold, and that the person selling the material has authorization from the agency to sell the material.⁶ SB 1387 also established a criminal penalty for the possession of fire hydrants, fire department connections, manhole covers or backflow devices previously owned by a public agency or local government, when those materials have been stolen and the possessor knew the property to be stolen, or when the possessor failed to report possession of the items as required.⁷ The penalty for this offense is a fine of not more than \$3,000, in addition to any other penalty provided by law. Another provision of existing law makes it a crime for junk dealers to purchase or receive certain materials that they know or reasonably should know belong to a public utility provider, without using due diligence to ascertain that the person has the legal right to transfer or

¹ LA Lights, *Outages and Issues*. [Safe Streets: LA Bureau of Street Lighting](#)

² "More than 80 arrests made in new effort to battle theft of copper, metal in LA." ABC 7. 1 August, 2024. [Los Angeles efforts to battle theft of copper, scrap metal have led to 80 arrests, metal recovery, officials say - ABC7 Los Angeles](#)

³ "State Statutes Applicable to Copper Wire Theft." Information Bulletin No. 2025-DLE-12. June 5, 2025. [2025-DLE-12 State Statutes Applicable to Copper Wire Theft](#)

⁴ Bus. & Prof. Code § 21606.

⁵ See AB 844 (Berryhill), Ch. 731, Stats. of 2008 and SB 691 (Calderon), Ch. 730, Stats. of 2008. Codified at B&P § 21608.5

⁶ Codified at B&P § 21609.1

⁷ Pen. Code, § 496e.

sell it. A violation of this crime is punishable as an alternate misdemeanor/felony or by a fine of up to \$1,000, or both.⁸

This bill seeks to deter theft of copper wire from public utility infrastructure by increasing the criminal fines that may be imposed for the unlawful purchase of specified metals, and increasing the fine for, and expanding the type of materials prohibited by, unlawful possession of stolen public agency materials. First, it increases the criminal fine that may be imposed on junk dealers who knowingly purchase specified metals that ordinarily belong to public utilities from \$1,000 regardless of whether the crime is charged as a misdemeanor or felony, to \$10,000 if the crime is prosecuted as a felony.⁹ While this does increase the maximum fine associated with this crime from \$1,000 to \$10,000, this is largely consistent with the typical maximum fines that are imposed misdemeanors (\$1,000) and felonies (\$10,000).¹⁰ Second, the bill increases the fine associated with, and the type of materials included in, the offense of knowingly possessing certain stolen public agency materials, from \$3,000 to \$5,000. Specific materials proposed to be included in the crime of knowingly possessing certain stolen public agency materials are listed on pp. 5-6 of this analysis.

Crucially, the amount spelled out in statute as a fine for violating a criminal offense are base figures, as these amounts are subject to statutorily-imposed penalty assessments, such as fees and surcharges. The fines in this section have not been increased since 2006, however the penalty assessments have increased approximately 40% since 2006 thus increasing the fine that a person actually pays. Current penalty assessments total roughly 310% of the initial fine, so a fine of \$1000 for a first offense, for instance, will actually cost an individual \$4,100.¹¹ While increased financial penalties may be a necessary deterrent for serious and serial offenders, they also run the risk of being financially ruinous, especially for the higher range of felony financial penalties. For a max fine of \$10,000, the total amount owed would be roughly \$40,000. While the \$10,000 penalty fine is consistent with the fine for other penalties, the Author and Committee may wish to consider whether such a fine is congruous with the severity of the conduct.

4. Organized Metal Theft

In 2018, in response to a spate of retail theft across the state, the Legislature passed AB 1065 (Jones-Sawyer) Chapter 803, Statutes of 2018, which created the crime of organized retail theft and allowed the crime to be punished as a wobbler. AB 1065 contained a sunset date, which was extended several times since its enactment, and was removed in 2024, making the crime of organized retail theft permanent.¹² The crime of organized retail theft generally prohibits acting in concert to steal retail merchandise, acting in concert to receive or possess merchandise knowing it to be stolen, acting as an agent of another to steal merchandise as part of an organized plan, or engaging in a host of specified types of conduct (recruiting, coordinating, supervising, financing, etc.) to undertake these acts. The organized retail theft statute also enumerates the

⁸ Pen. Code, § 496a.

⁹ The maximum fine for a misdemeanor under this provision would still be \$1,000.

¹⁰ Pen. Code, § 18, 19, 672.

¹¹ Until the budget year 2002-2003, there was 170% in penalty assessments applied to every fine; the current penalty assessments are approximately 310% plus a flat fee of \$79. (See Penal Code § 1464; Penal Code § 1465.7; Penal Code § 1465.8 Government Code § 70373; Government Code § 7600.5; Government Code § 76000 *et seq*; Government Code §76000.10 Government Code § 76104.6; Government Code §76104.7)

¹² SB 982 (Wahab and Niello), Ch. 171, Stats. of 2024.

types of evidence that may be considered by a trier of fact for the purpose of determining whether the defendant acted in concert with another person or persons.

Recent amendments to this bill added provisions establishing the crime of organized metal theft, mirroring verbatim the organized retail theft statute, except that this bill prohibits acting in concert, as an agent, or engaging in other various conduct (recruiting, coordinating, supervising, financing, etc.) in order to steal, receive, purchase, or possess items listed in Penal Code Section 496a (the unlawful purchase by junk dealers of specified materials previously owned by a public utility provider) or Penal Code Section 496e (unlawful possession of public agency materials by a junk dealer).

5. Double Referral

This bill makes several changes to the written record requirement to which junk dealers are subject, particularly by expanding the scope of information required to be collected and recorded by the junk dealer when completing a transaction. For a more thorough analysis of these recording provisions, see the analysis completed by the Senate Committee on Business, Professions, and Economic Development.

6. Committee Amendment

In order to address the issue raised in Comment 3 regarding the severity of the felony fine, the Author has agreed to an amendment to lower the fine to \$5,000 for the felony crime of purchasing or receiving specified public utility materials.

7. Argument in Support

According to the League of California Cities:

Metal theft has become a widespread and costly issue, 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.

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 476 provides much-needed enforcement tools to deter copper wire theft and hold perpetrators accountable for the harm they cause to public safety and infrastructure reliability.

8. Argument in Opposition

According to ACLU California Action:

While we understand the author's intent to address recent copper thefts in Los Angeles, the answer is not further criminalization. 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 up to three years 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. The situations that motivate AB 476's new crime are all covered by existing law. AB 476's increased punishment schemes for group theft of metals will not deter crime. AB 476 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. Yet, as affirmed by the Federal Department of Justice, harsher punishments do not deter crime, nor do they make victims whole.

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