



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

Ken Stripling

DATE: February 8, 2022

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 1597

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to support Assembly Bill 1597 (Waldron) and transmit position statements to Assembly Member Waldron, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Newsom, League of California Cities, and other stakeholder organizations.

BACKGROUND

Authored by Assembly Member Marie Waldron (R-75-Escondido), Assembly Bill 1597 reinstates prosecutorial authority to charge someone with a felony and imprisonment of up to three years if they have been previously convicted three or more times of petty theft, shoplifting, grand theft, burglary, auto theft, robbery, elder financial abuse, or knowingly receiving stolen property. This provision of state law was originally repealed with the passage of Proposition 47 (2014).

Upon passage by the state legislature and approval by the Governor, this amendment to Proposition 47 (2014) is to be placed on the general election ballot on November 8, 2022, and requires a majority vote for final approval.

Proposition 47 (2014) titled, "The Safe Neighborhoods and Schools Act," was approved by voters (59.6 percent - 40.4 percent) on November 4, 2014, and went into effect on November 5, 2014. At the City level, the measure failed with 47.2 percent of voters in favor and 52.8 percent of voters against.

Proposition 47 (2014) reduced penalties for certain nonserious and nonviolent property and drug offenses from felonies or wobblers, which could be charged as either a felony or misdemeanor, to misdemeanors. Under previous state law, shoplifting property worth \$950 or less, a type of petty theft, was a misdemeanor. However, such crimes could also be charged as burglary,

instead, if the shoplifter intended to shoplift upon entering the property, which could be prosecuted as a felony and sentenced to up to three years in prison.

With the approval of Proposition 47 (2014), shoplifting property worth \$950 or less is a misdemeanor, regardless of intent, and holds a sentence of up to one year in county jail and/or a fine up to \$1,000.

According to the California Department of Justice, larceny-theft increased by approximately 10.7 percent and shoplifting increased by approximately 11.7 percent statewide a year after Proposition 47 (2014) went into effect. Similarly, in Los Angeles County, larceny-theft increased by approximately 10.3 percent and shoplifting increased by approximately 10.9 percent over that same period of time.

Coupled with Special Directives issued by Los Angeles County District Attorney George Gascon, including the elimination of pretrial bail for misdemeanor, non-serious felony, and non-violent felony charges and automatically declining or dismissing several misdemeanor charges, repeat offenders, which can be used as an indicator to measure how recently adopted policies have impacted public safety, make up a significant portion of arrests in the Santa Clarita Valley. Specifically, repeat offenders were over a third of all arrests made by the Santa Clarita Valley Sheriff's Station in 2021. To provide greater detail on the severity of repeat offenders, two individuals have been arrested more than 20 times and over 35 individuals have been arrested 10 or more times since March 2020 by the Santa Clarita Valley Sheriff's Station.

The recommendation to support Assembly Bill 1597 is consistent with the City of Santa Clarita 2022 Executive and Legislative Platform. Specifically, Component 2 under the "State" section advises that the City Council, "Support legislative efforts to address the negative impacts of AB 109, Proposition 47, and Proposition 57 on local governments and provide local law enforcement with the appropriate tools to reduce criminal activity."

Assembly Bill 1597 was introduced on January 3, 2022, and referred to the Assembly Committee on Public Safety on January 14, 2022. This bill may be heard in the Committee beginning on February 3, 2022.

The City Council Legislative Committee met on January 24, 2022, and recommends that the City Council adopt a "support" position on Assembly Bill 1597.

ALTERNATIVE ACTION

1. Adopt an "oppose" position on Assembly Bill 1597.
2. Adopt a "neutral" position on Assembly Bill 1597.
3. Take no action on Assembly Bill 1597.
4. Refer Assembly Bill 1597 back to the Legislative Committee.
5. Other direction, as provided by the City Council.

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted FY 2021-22 budget.

ATTACHMENTS

Assembly Bill 1597 - Bill Text