



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

Ken Stripling

DATE: March 22, 2022

SUBJECT: STATE LEGISLATION: SENATE BILL 1108

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council support Senate Bill 1108 (Bates) and transmit position statements to Senator Bates, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Newsom, the League of California Cities, and other stakeholder organizations.

BACKGROUND

Authored by Senator Patricia Bates (R-36-Laguna Niguel), Senate Bill 1108 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 This provision of state law was originally repealed with the passage of Proposition 47 (2014).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 47.19 percent in favor and 52.81 against.

Proposition 47 (2014) reduced penalties for certain 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 store, which could be prosecuted as a felony and sentenced 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, 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 twenty times and over thirty-five individuals have been arrested ten or more times since March 2020 by Santa Clarita Valley Sheriff Deputies.

The City Council supported the companion bill to Senate Bill 1108, Assembly Bill 1597 (Waldron), at the February 8, 2022, regular City Council meeting.

Additionally, the recommendation to support Senate Bill 1108 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."

Senate Bill 1108 has a hearing scheduled in the Senate Public Safety Committee on March 29, 2022.

The City Council Legislative Committee met on March 8, 2022, and recommends that the City Council adopt a "support" position on Senate Bill 1108.

ALTERNATIVE ACTION

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

Senate Bill 1108 - Bill Text