

**Introduced by Senator Denham**February 22, 2007

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An act to amend Sections 14170, 14171, and 14173 of, to amend the heading of Title 11.5 (commencing with Section 14170) of Part 4 of, and to repeal Title 11.7 (commencing with Section 14180) of Part 4 of the Penal Code, relating to crime, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

SB 495, as introduced, Denham. Crime: California Agricultural Crime Prevention Program.

Existing law establishes the Central Valley Rural Crime Prevention Program, a program addressing agricultural and rural-based crime in specified counties. Existing law also establishes the Central Coast Rural Crime Prevention Program based upon the Central Valley Rural Crime Prevention Program.

This bill would recast these provisions to authorize the counties identified in the Central Valley Rural Crime Prevention Program and the Central Coast Rural Crime Prevention Program to participate in the California Agricultural Crime Prevention Program. This bill would provide that funds appropriated to counties that were authorized to participate in the former Central Valley Rural Crime Prevention Program shall be equal to those provided under that program and shall be distributed according to a specified schedule, that funding for participation of the counties that were authorized to participate in the former Central Coast Rural Crime Prevention Program shall include, but is not limited to, appropriations from local government and private contributions and shall be equal to that provided to each of the counties under that program, and that funding for participation in the California

Agricultural Crime Prevention Program for the Counties of Butte, Colusa, Glenn, Humboldt, Imperial, Napa, Riverside, Sacramento, San Bernardino, San Diego, Sonoma, Ventura, and Yolo shall be provided as it becomes available.

This bill would make other conforming changes.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The heading of Title 11.5 (commencing with  
2 Section 14170) of Part 4 of the Penal Code is amended to read:

3  
4 TITLE 11.5. ~~CENTRAL VALLEY RURAL CALIFORNIA~~  
5 AGRICULTURAL CRIME PREVENTION PROGRAM  
6

7 SEC. 2. Section 14170 of the Penal Code is amended to read:  
8 14170. (a) It is the intent of the Legislature in enacting this  
9 measure to enhance crime prevention efforts by establishing a pilot  
10 program to strengthen the ability of law enforcement agencies in  
11 rural areas to detect and monitor agricultural- and rural-based  
12 crimes.

13 (b) The County of Tulare has developed the Rural Crime  
14 Demonstration Project administered by the Tulare County District  
15 Attorney’s office under a joint powers agreement with the Tulare  
16 County Sheriff’s office entered into pursuant to Chapter 5  
17 (commencing with Section 6500) of Division 7 of Title 1 of the  
18 Government Code.

19 The parties to that agreement formed a task force to include the  
20 office of the Tulare County Agricultural Commissioner. The task  
21 force is an interactive team working together to develop problem  
22 solving and crime control techniques, to encourage timely reporting  
23 of crimes, and to evaluate the results of these activities. The task  
24 force conducts joint operations in order to facilitate investigative  
25 coordination. The task force consults with experts from the United  
26 States military, the California Military Department, the Department  
27 of Justice, other law enforcement entities, and various other state  
28 and private organizations as deemed necessary to maximize the

1 effectiveness of the task force. Media and community support have  
2 been solicited to promote the task force.

3 The Rural Crime Demonstration Project has proven its cost  
4 effectiveness. It is appropriate that the project be expanded into a  
5 program that will allow the County of Tulare to continue to operate  
6 the task force formed under the above described joint powers  
7 agreement, and to permit the Counties of ~~Fresno, Kern, Kings,~~  
8 ~~Madera, Merced, San Joaquin, and Stanislaus~~ *Butte, Colusa,*  
9 *Fresno, Glenn, Humboldt, Imperial, Kern, Kings, Madera, Merced,*  
10 *Monterey, Napa, Riverside, Sacramento, San Benito, San*  
11 *Bernardino, San Diego, San Joaquin, San Luis Obispo, Santa*  
12 *Barbara, Santa Cruz, Sonoma, Stanislaus, Ventura, and Yolo* to  
13 establish their own programs, pursuant to the provisions of this  
14 title, and to collectively establish a task force for the prevention  
15 of ~~rural~~ *agricultural* crime in those counties.

16 (c) The Legislature finds and declares that California has  
17 experienced an escalation in agricultural crimes in general, both  
18 property and personal, and that there has been no concentrated  
19 effort applied to the prevention of crimes against the agricultural  
20 industry. Currently, no national or state agency keeps track of  
21 statistics on agricultural and rural crime. According to media  
22 reports, this state lost millions of dollars worth of crops, livestock,  
23 and equipment in 1994 and 1995. A majority of these crimes  
24 occurred in agricultural-based counties. However, there has been  
25 no effort on the part of any state or local agency to accurately  
26 record these types of crimes.

27 The Legislature further finds and declares that there are no state  
28 or local law enforcement agencies in this state with programs that  
29 are specially designed to detect or monitor agricultural- and  
30 rural-based criminal activities. In addition, local law enforcement  
31 agencies do not possess the jurisdictional authority, investigative  
32 facilities, or data systems to coordinate a comprehensive approach  
33 to the state's agricultural and rural crime problem.

34 The Legislature additionally finds and declares that the  
35 proliferation of agricultural and rural crime in the various rural  
36 counties of this state is a threat to the vitality of our rich agrarian  
37 tradition. Agricultural and rural crime, if left unchecked, endangers  
38 an entire industry that is vital to America's continued economic  
39 role in the world, and therefore requires a proactive response from  
40 the Legislature. The intent of the Legislature in authorizing the

1 ~~Central Valley Rural~~ *California Agricultural* Crime Prevention  
2 Program pursuant to this act is to provide for the protection and  
3 safety of the state's agriculture industry by creating statewide  
4 standards and methods of detecting and tracking agrarian and rural  
5 crime.

6 SEC. 3. Section 14171 of the Penal Code is amended to read:

7 14171. (a) Each of the Counties of ~~Fresno, Kern, Kings,~~  
8 ~~Madera, Merced, San Joaquin, Stanislaus, and Tulare Butte, Colusa,~~  
9 *Fresno, Glenn, Humboldt, Imperial, Kern, Kings, Madera, Merced,*  
10 *Monterey, Napa, Riverside, Sacramento, San Benito, San*  
11 *Bernardino, San Diego, San Joaquin, San Luis Obispo, Santa*  
12 *Barbara, Santa Cruz, Sonoma, Stanislaus, Tulare, Ventura, and*  
13 *Yolo* may develop within its respective jurisdiction a ~~Central Valley~~  
14 ~~Rural California Agricultural~~ Crime Prevention Program, which  
15 shall be administered by the county district attorney's office of  
16 each respective county under a joint powers agreement with the  
17 corresponding county sheriff's office entered into pursuant to  
18 Chapter 5 (commencing with Section 6500) of Division 7 of Title  
19 1 of the Government Code.

20 (b) The parties to each agreement shall form a ~~regional~~ task  
21 force that shall be known as the ~~Central Valley Rural California~~  
22 *Agricultural* Crime Task Force, that includes the respective county  
23 office of the county agricultural commissioner, the county district  
24 attorney, the county sheriff, and interested property owner groups  
25 or associations. The task force shall be an interactive team working  
26 together to develop crime prevention, problem solving, and crime  
27 control techniques, to encourage timely reporting of crimes, and  
28 to evaluate the results of these activities. The task force shall  
29 operate from a joint facility in order to facilitate investigative  
30 coordination. The task force shall also consult with experts from  
31 the United States military, the California Military Department, the  
32 Department of Justice, other law enforcement entities, and various  
33 other state and private organizations as deemed necessary to  
34 maximize the effectiveness of this program. Media and community  
35 support shall be solicited to promote this program. Each of the  
36 designated counties shall adopt rules and regulations for the  
37 implementation and administration of this program.

38 (1) In order to receive funds for this program, each designated  
39 county shall agree to participate in a ~~regional~~ task force, to be

1 known as the ~~Central Valley Rural~~ *California Agricultural Crime*  
2 Task Force, and shall appoint a representative to that task force.

3 (2) The ~~Central Valley Rural~~ *California Agricultural Crime*  
4 Task Force shall develop *agricultural-rural* crime prevention  
5 programs containing a system for reporting ~~rural~~ *agricultural*  
6 crimes that enables the swift recovery of stolen goods and the  
7 apprehension of criminal suspects for prosecution. The task force  
8 shall develop computer software and use communication  
9 technology to implement the reporting system, although the task  
10 force is not limited to the use of these means to achieve the stated  
11 goals.

12 (3) The ~~Central Valley Rural~~ *California Agricultural Crime*  
13 Task Force shall develop a uniform procedure for all participating  
14 counties to collect, and each participating county shall collect, data  
15 on agricultural crimes. The task force shall also establish a central  
16 database for the collection and maintenance of data on agricultural  
17 crimes and designate one participating county to maintain the  
18 database. State funds the counties receive to operate their ~~rural~~  
19 *agricultural* crime prevention programs may be used to implement  
20 the requirements of this paragraph. This paragraph does not prohibit  
21 counties from using their own funds to implement the paragraph’s  
22 provisions, however, it is the Legislature’s intent that this paragraph  
23 shall not be construed as creating a state-mandated local program.

24 (c) The staff for each program shall consist of the personnel  
25 designated by the district attorney and sheriff for each county in  
26 accordance with the joint powers agreement.

27 SEC. 4. Section 14173 of the Penal Code is amended to read:

28 14173. ~~It is the intent of the Legislature that any funds~~

29 (a) *Funds appropriated to the ~~Central Valley Rural~~ Counties of*  
30 *Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus,*  
31 *and Tulare for participation in the California Agricultural Crime*  
32 *Prevention Program shall be equal to those provided under the*  
33 *former Central Valley Rural Crime Prevention Program and shall*  
34 *be distributed according to the following schedule:*

35		
36	Fresno .....	23%
37	Kern .....	17%
38	Kings .....	8.5%
39	Madera .....	5.5%
40	Merced .....	8.5%

1	San Joaquin .....	8.5%
2	Stanislaus .....	8.5%
3	Tulare .....	20.5%

4

5     ***(b) Funding for participation of the Counties of Monterey, San***  
6 ***Benito, San Luis Obispo, Santa Barbara, and Santa Cruz in the***  
7 ***California Agricultural Crime Prevention Program shall include,***  
8 ***but is not limited to, appropriations from local government and***  
9 ***private contributions and shall be equal to that provided to each***  
10 ***of the counties under the former Central Coast Rural Crime***  
11 ***Prevention Program.***

12     ***(c) Funding for participation of the Counties of Butte, Colusa,***  
13 ***Glenn, Humboldt, Imperial, Napa, Riverside, Sacramento, San***  
14 ***Bernardino, San Diego, Sonoma, Ventura, and Yolo in the***  
15 ***California Agricultural Crime Prevention Program shall be***  
16 ***provided as it becomes available.***

17     SEC. 5. Title 11.7 (commencing with Section 14180) of Part  
18 4 of the Penal Code is repealed.

19     SEC. 6. This act is an urgency statute necessary for the  
20 immediate preservation of the public peace, health, or safety within  
21 the meaning of Article IV of the Constitution and shall go into  
22 immediate effect. The facts constituting the necessity are:

23     In order to preserve public safety it is necessary that these  
24 provisions take effect immediately.

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