

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2805

**Introduced by Assembly Member Olsen
(Coauthor: Assembly Member Gray)
(Coauthor: Senator Cannella)**

February 19, 2016

An act to add Title 11.8 (commencing with Section 14190) to Part 4 of the Penal Code, relating to cargo theft.

LEGISLATIVE COUNSEL'S DIGEST

AB 2805, as amended, Olsen. Cargo theft: prevention program.

Existing law establishes the Motor Carriers Safety Improvement Fund and provides that the fund is available for appropriation by the Legislature to cover the costs for the Department of the California Highway Patrol to deter commercial motor vehicle cargo thefts and provide security of highway carriers and cargoes throughout the state.

This bill would permit specified counties to enter into an agreement to form the California Agriculture Cargo Theft Crime Prevention Program, which the bill would require to be jointly administered by the county sheriff's department of each participating county under a joint powers agreement.

The bill would require the parties to the agreement to form a task force known as the California Agriculture Cargo Theft Crime Prevention Task Force. The bill would require the task force to be an interactive team working together to develop crime prevention, problem solving, and crime control techniques, to encourage timely reporting of crimes, and to evaluate the results of these activities. The bill would permit the task force to operate from a joint facility in order to facilitate

investigative coordination. The bill would allow the task force to develop a uniform procedure for all participating counties to collect data on agricultural cargo theft crimes.

~~This bill would state the intent of the Legislature to enhance crime prevention efforts by establishing a pilot program to strengthen the ability of law enforcement agencies in California to detect and monitor cargo theft crimes, and to authorize a cargo theft crime prevention program that provides for the protection and safety of California businesses and citizens by creating statewide standards and methods of detecting and tracking cargo theft crime.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Title 11.8 (commencing with Section 14190) is
2 added to Part 4 of the Penal Code, to read:

3
4 TITLE 11.8. CALIFORNIA AGRICULTURE CARGO THEFT
5 CRIME PREVENTION PROGRAM
6

7 14190. (a) It is the intent of the Legislature in enacting this
8 title to enhance crime prevention efforts by establishing a pilot
9 program to strengthen the ability of law enforcement agencies in
10 California to detect and monitor cargo theft crimes.

11 (b) The Legislature finds and declares all of the following:

12 (1) California has experienced an escalation in cargo theft crimes
13 and there has been no concentrated effort applied to the prevention
14 of cargo theft crimes.

15 (2) According to media reports, the state loses five million
16 dollars (\$5,000,000) to six million dollars (\$6,000,000) per day in
17 cargo theft. These crimes impact all sectors of California’s
18 economy, including agriculture, retail, and technology.

19 (3) Local law enforcement agencies do not possess the
20 jurisdictional authority, investigative facilities, or data systems to
21 coordinate a comprehensive approach to the state’s cargo theft
22 crime problem.

23 (4) The proliferation of cargo theft crimes in the state is a threat
24 to the vitality of our economy. Cargo theft crime, if left unchecked,
25 endangers multiple industries that are vital to America’s continued

1 economic role in the world, and therefore requires a proactive
2 response from the Legislature.

3 (c) It is further the intent of the Legislature to authorize a cargo
4 theft crime prevention program in this title that provides for the
5 protection and safety of California businesses and citizens by
6 creating statewide standards and methods of detecting and tracking
7 cargo theft crime.

8 *14191. (a) All or any of the counties of Butte, Colusa, Fresno,*
9 *Glenn, Kern, Kings, Los Angeles, Madera, Merced, Sacramento,*
10 *San Benito, San Joaquin, Stanislaus, Sutter, Tehama, Tulare, Yolo,*
11 *and Yuba, may enter into an agreement to form the California*
12 *Agriculture Cargo Theft Crime Prevention Program, which shall*
13 *be jointly administered by the county sheriff's department of each*
14 *participating county under a joint powers agreement entered into*
15 *pursuant to Chapter 5 (commencing with Section 6500) of Division*
16 *7 of Title 1 of the Government Code.*

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

35 (c) *The California Agriculture Cargo Theft Crime Prevention*
36 *Program may develop cargo theft crime prevention programs*
37 *containing a system for reporting cargo theft crimes that enable*
38 *the swift recovery of stolen goods and the apprehension of criminal*
39 *suspects for prosecution. The task force may develop computer*
40 *software and use communication technology to implement the*

1 reporting system, although the task force is not limited to the use
2 of these means to achieve the stated goals.
3 (d) The California Agriculture Cargo Theft Crime Prevention
4 Task Force may develop a uniform procedure for all participating
5 counties to collect, and each participating county may collect,
6 data on agricultural cargo theft crimes. The task force may also
7 establish a central database for the collection and maintenance
8 of data on agricultural cargo theft crimes and designate one
9 participating county to maintain the database.

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