

ASSEMBLY BILL

No. 2768

Introduced by Assembly Member Poochigian

February 22, 1996

An act to add and repeal Title 11.5 (commencing with Section 14170) of Part 4 of the Penal Code, relating to crime prevention, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2768, as introduced, Poochigian. Crime prevention: rural crimes.

Existing law provides a variety of crime prevention programs, including authority for counties to create task forces on violent crimes against women and for the district attorney to establish a community conflict resolution program.

This bill would require the County of Tulare to develop the Rural Crime Prevention Demonstration Project to be administered by the county district attorney's office pursuant to a joint powers agreement with the county sheriff's office for a 3-year period.

The bill would appropriate \$2,457,698 from the General Fund to the County of Tulare for the personnel and equipment costs necessary to implement this project.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

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

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

3

4 TITLE 11.5. RURAL CRIME PREVENTION
5 DEMONSTRATION PROJECT
6

7 14170. The Legislature finds and declares that
8 California has experienced a severe escalation in crimes
9 in general, both property and personal, and that there has
10 been no concentrated effort applied to the prevention of
11 crimes against the agricultural industry. Currently, no
12 national or state agency keeps track of statistics on rural
13 crime. According to media reports, this state lost millions
14 of dollars worth of crops, livestock, and equipment in 1994
15 and 1995. A majority of these crimes occurred in
16 agricultural-based counties. However, there has been no
17 effort on the part of any state or local agency to accurately
18 record these types of crimes.

19 The Legislature further finds and declares that there
20 are no state or local law enforcement agencies in this state
21 with programs that are specially designed to detect or
22 monitor agricultural-based criminal activities. In
23 addition, local law enforcement agencies do not possess
24 the jurisdictional authority, investigative facilities, or data
25 systems to coordinate a comprehensive approach to the
26 state’s agricultural crime problem.

27 The Legislature additionally finds and declares that the
28 proliferation of agricultural crime in the various rural
29 counties of this state is a threat to the vitality of our rich
30 agrarian tradition. Rural crime, if left unchecked,
31 endangers an entire industry that is vital to America’s
32 continued economic role in the world, and therefore
33 requires a proactive response from the Legislature. The



1 intent of the Legislature in establishing the Rural Crime
2 Prevention Demonstration Project pursuant to this act is
3 to provide for the protection and safety of the state's
4 agriculture industry by creating statewide standards and
5 methods of detecting and tracking agrarian crime.

6 14171. (a) The County of Tulare shall develop the
7 Rural Crime Prevention Demonstration Project which
8 shall be administered by the Tulare County District
9 Attorney's Office under a joint powers agreement with
10 the Tulare County Sheriff's Office entered into pursuant
11 to Chapter 5 (commencing with Section 6500) of Division
12 7 of Title 1 of the Government Code.

13 The parties to this agreement shall form a task force to
14 include the Office of the Tulare County Agricultural
15 Commissioner. The task force shall be an interactive team
16 working together to develop problem solving and crime
17 control techniques, to encourage timely reporting of
18 crimes, and to evaluate the results of these activities. The
19 task force shall operate from a joint facility in order to
20 facilitate investigative coordination. The task force shall
21 also consult with experts from the United States military,
22 the California Military Department, the Department of
23 Justice, other law enforcement entities, and various other
24 state and private organizations as deemed necessary to
25 maximize the effectiveness of this project. Media and
26 community support shall be solicited to promote this
27 project.

28 (b) The staff for this pilot project shall consist of the
29 following persons:

30 (1) A Tulare County sheriff's sergeant selected by the
31 sheriff.

32 (2) Four Tulare County deputy sheriffs selected by the
33 sheriff to provide the necessary patrol and protective
34 services.

35 (3) A deputy district attorney and a criminal
36 investigator selected by the district attorney to
37 investigate, prepare, and vertically prosecute all cases
38 generated as a result of the project.

39 (4) An office assistant and an account clerk selected by
40 the district attorney to support the task force, manage the



1 required budget, tabulate data for research, and prepare
2 all necessary reports.

3 14172. (a) The project shall commence within 120
4 days of this title becoming operative, and shall continue
5 for 36 months. Evaluation of all data collected with
6 respect to this project shall continue during this 36-month
7 period.

8 An additional three months shall be provided for the
9 final compilation of data to be submitted to the
10 Legislature.

11 (b) The County of Tulare shall report annually to the
12 Legislature on the activities and accomplishments of the
13 project. The report shall include all of the following
14 information:

15 (1) A summary of the project’s operation, activities,
16 and costs.

17 (2) An itemized list of the number of arrests made
18 during the life of the project.

19 (3) An account of the county’s investigative role and
20 itemization of the services provided by the county to
21 other law enforcement agencies.

22 14173. The County of Tulare shall adopt rules and
23 regulations for the implementation and administration of
24 this project.

25 14174. At the end of each fiscal year, the County of
26 Tulare shall prepare and submit to the Legislature a
27 detailed cost-benefit analysis of the entire project,
28 wherein the cost to operate the project shall be measured
29 against savings realized from crime prevention, crime
30 suppression, and the number of prosecutions resulting
31 from the project. These savings shall include the
32 reduction of economic loss resulting from crime during
33 the life of the project.

34 14175. This title is repealed as of January 1, 2000,
35 unless a later enacted statute, which is chaptered before
36 this date, deletes or extends the date.

37 SEC. 2. The sum of two million four hundred
38 fifty-seven thousand six hundred ninety-eight dollars
39 (\$2,457,698) is hereby appropriated from the General
40 Fund to the County of Tulare for the personnel and



1 equipment costs necessary to implement the Rural Crime
2 Prevention Demonstration Project as follows:

3 (a) Six hundred forty thousand five hundred
4 twenty-three dollars (\$640,523) for the 1996–97 fiscal
5 year.

6 (b) Nine hundred seventeen thousand seven hundred
7 eighty-five dollars (\$917,785) for the 1997–98 fiscal year.

8 (c) Five hundred seventy-two thousand nine hundred
9 sixty-seven dollars (\$572,967) for the 1998–99 fiscal year.

10 (d) Three hundred twenty-six thousand four hundred
11 twenty-three dollars (\$326,423) for the 1999–2000 fiscal
12 year.

13 SEC. 3. No reimbursement is required by this act
14 pursuant to Section 6 of Article XIII B of the California
15 Constitution because the only costs that may be incurred
16 by a local agency or school district are the result of a
17 program for which legislative authority was requested by
18 that local agency or school district, within the meaning of
19 Section 17556 of the Government Code and Section 6 of
20 Article XIII B of the California Constitution.

21 Notwithstanding Section 17580 of the Government
22 Code, unless otherwise specified, the provisions of this act
23 shall become operative on the same date that the act
24 takes effect pursuant to the California Constitution.

