

AMENDED IN SENATE AUGUST 16, 2016

AMENDED IN SENATE AUGUST 4, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2805

Introduced by Assembly Member Olsen
(Coauthors: Assembly Members Gray, Grove, Lackey, and Mathis)
(Coauthors: Senators Berryhill and 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: working group.

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 create the California Agriculture Cargo Theft Prevention Working Group, to be coordinated by the Department of the California Highway Patrol, and to consist of volunteer members from the county offices of the agricultural commissioner, the interested district attorney, the interested sheriff, and the agricultural industry stakeholders of each participating county. The bill would require the working group to address issues, including, but not limited to, agriculture cargo theft, problem solving, and theft control techniques. The bill would allow the working group to develop cargo theft prevention

programs, including a system for reporting agriculture cargo theft in a timely manner and a uniform procedure for all participating counties to collect data on agriculture cargo theft.

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

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

1 *SECTION 1. (a) It is the intent of the Legislature in enacting*
2 *this act to enhance crime prevention efforts by establishing a*
3 *working group to strengthen the ability of law enforcement*
4 *agencies in California to detect and monitor agriculture cargo*
5 *theft crimes.*

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

7 *(1) California has experienced an escalation in cargo theft*
8 *crimes.*

9 *(2) In 2015, agriculture cargo theft of nut products totaled more*
10 *than four billion dollars (\$4,000,000,000), which is an increase*
11 *of more than 85 percent over 2014.*

12 *(3) The California Highway Patrol is the statewide coordinator*
13 *for combating cargo-related theft.*

14 *(4) Local law enforcement agencies do not possess the*
15 *jurisdictional authority, investigative facilities, or data systems to*
16 *coordinate a comprehensive approach to the state’s cargo theft*
17 *problem.*

18 *(5) The proliferation of agriculture cargo theft in the state is a*
19 *threat to the vitality of our economy. Agriculture cargo theft, if*
20 *left unchecked, endangers an industry that is vital to America’s*
21 *continued economic role in the world, and therefore requires a*
22 *proactive response from the Legislature.*

23 *(c) It is further the intent of the Legislature to authorize an*
24 *Agriculture Cargo Theft Prevention Working Group in this act to*
25 *provide for coordination and communication between state and*
26 *local law enforcement agencies and agricultural industry*
27 *stakeholders.*

28 ~~SECTION 1.~~

29 *SEC. 2. Title 11.8 (commencing with Section 14190) is added*
30 *to Part 4 of the Penal Code, to read:*

1 TITLE 11.8. CALIFORNIA AGRICULTURE CARGO THEFT
2 PREVENTION WORKING GROUP
3

4 ~~14190. (a) It is the intent of the Legislature in enacting this~~
5 ~~title to enhance crime prevention efforts by establishing a working~~
6 ~~group to strengthen the ability of law enforcement agencies in~~
7 ~~California to detect and monitor agriculture cargo theft crimes.~~

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

9 ~~(1) California has experienced an escalation in cargo theft~~
10 ~~crimes.~~

11 ~~(2) In 2015, agriculture cargo theft of nut products totaled more~~
12 ~~than four billion dollars (\$4,000,000,000), which is an increase of~~
13 ~~more than 85 percent over 2014.~~

14 ~~(3) The California Highway Patrol is the statewide coordinator~~
15 ~~for combating cargo-related theft.~~

16 ~~(4) Local law enforcement agencies do not possess the~~
17 ~~jurisdictional authority, investigative facilities, or data systems to~~
18 ~~coordinate a comprehensive approach to the state's cargo theft~~
19 ~~problem.~~

20 ~~(5) The proliferation of agriculture cargo theft in the state is a~~
21 ~~threat to the vitality of our economy. Agriculture cargo theft, if~~
22 ~~left unchecked, endangers an industry that is vital to America's~~
23 ~~continued economic role in the world, and therefore requires a~~
24 ~~proactive response from the Legislature.~~

25 ~~(e) It is further the intent of the Legislature to authorize an~~
26 ~~Agriculture Cargo Theft Prevention Working Group in this title~~
27 ~~to provide for coordination and communication between state and~~
28 ~~local law enforcement agencies and agricultural industry~~
29 ~~stakeholders.~~

30 ~~14191.~~

31 *14190.* (a) The California Agriculture Cargo Theft Prevention
32 Working Group shall be coordinated by the Department of the
33 California Highway Patrol and may consist of volunteer members
34 from the county offices of the agricultural commissioner, the
35 interested district attorney, the interested sheriff, and the
36 agricultural industry stakeholders of each participating county.
37 The working group shall address issues, including, but not limited
38 to, agriculture cargo theft prevention, problem solving, and theft
39 control techniques.

1 (b) The California Agriculture Cargo Theft Prevention Working
2 Group may consult with experts, including, but not limited to, the
3 Armed Forces of the United States, the Military Department, the
4 Department of Justice, other law enforcement entities, and other
5 state and private organizations in order to maximize the
6 effectiveness of the working group.

7 (c) The California Agriculture Cargo Theft Prevention Working
8 Group may develop cargo theft prevention programs, including a
9 system for reporting agriculture cargo theft in a timely manner
10 that enables the swift recovery of stolen goods and the
11 apprehension of those responsible for the thefts.

12 (d) The California Agriculture Cargo Theft Prevention Working
13 Group may develop a uniform procedure for all participating
14 counties to collect, and each participating county may collect, data
15 on agriculture cargo theft in order to evaluate the results of the
16 working group's activities pursuant to this title.