

Reginald Byron Jones-Sawyer, Sr.

59th Assembly District



AB 1065: Organized Retail Crime

SUMMARY

AB 1065 would create a new “Organized Retail Crime” felony in California law, and would allow law enforcement, in most cases, to take an individual into custody, even on misdemeanor charges rather than simply issuing a citation.

BACKGROUND

In 2017, the National Retail Federation (NRF) conducted the Organized Retail Crime Survey and found that organized retail theft continues to be pervasive within the industry. The survey stated that 95% of merchants reported having been a victim of coordinated theft, resulting in revenue losses estimated at \$30 billion per year.

NRF defines organized retail crime as theft/fraudulent activity conducted with the intent to convert illegally obtained merchandise, cargo, cash, or cash equivalent into financial gain, often through subsequent online or offline sales. Organized retail crime typically involves a criminal enterprise that organizes multiple theft rings at a number of retail stores and employs a fencing operation to sell the illegally-obtained goods for financial gain. Organized retail crime can also simply involve the recruitment of others to steal on another’s behalf.

Despite this growing trend in various forms of “Organized Retail Crime,” California has never adopted a Penal Code section making it a crime. Therefore, new laws facilitating better collaboration between law enforcement and businesses are necessary to improve our justice system’s responses to chronic theft.

THIS BILL

AB 1065 does the following:

- 1) Creates a new crime “Organized Retail Crime” felony.
- 2) Allows law enforcement to take an individual into custody on an arrest for any misdemeanor, if they have been convicted, cited, or arrested of theft from retailers twice within the previous 180 days.
- 3) Expands jurisdiction for theft cases and allows authorities to combine theft incidents across multiple counties.

COST ANALYSIS

Minor and absorbable costs.

SUPPORT

California Retailers Association (co-sponsor)
United Food and Commercial Workers, State Council (co-sponsor)
Joint Authors: Assemblymembers Ting, Cervantes, and Weber
Principal Coauthors: Senators Skinner, and Wiener
Coauthors: Senators Anderson, and Roth, and
Assemblymembers: Chau, and Gonzalez Fletcher

OPPOSITION

None on file.

CONTACT

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