

Organized Retail Theft Vertical Prosecution Grant Programs

SEC. 170.

Item 5227-118-0001 is added to Section 2.00 of the Budget Act of 2022, to read:

5227-118-0001—For local assistance, Board of State and Community Corrections	10,000,000
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Schedule:

4945-Corrections Planning and Grant Programs	
(1)	10,000,000

Provisions:

The funding appropriated in this item shall be available for competitive grants for district attorneys for the Organized Retail Theft Vertical Prosecution Grant Program for the purpose of addressing increased levels of retail theft property crimes by

1. using a vertical prosecution model.

In awarding the funds, the Board of State and Community Corrections shall, at minimum, require the grantee to demonstrate the following requirements on its application for the competitive grant:

2.
 - (a) How the additional funds will meaningfully address the increase in organized retail theft in the jurisdiction and the existing hurdles of implementing a vertical prosecution model in their jurisdiction to prosecute these crimes without this grant.
 - (b) How the funding will be used in facilitating collaboration with online marketplaces and retailers to address the increase in property crimes in the jurisdiction.
 - (c) How the jurisdiction plans to use alternatives to incarceration, including diversion or restorative justice programs, to reduce organized retail theft and help reduce recidivism.
 - (d) How the jurisdiction will be able to sustain this program upon the expiration of this one-time grant funding.

3. The county receiving the competitive grant shall do the following:

- (a) Employ a vertical prosecution methodology for organized retail theft crimes.

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Dedicate at least one deputy district attorney and one district attorney investigator whose primary role is the investigation and prosecution of organized retail theft crimes.

(b)

Provide the Board of State and Community Corrections with annual data on the number of organized retail theft cases filed by that county, the number of organized retail theft convictions obtained, and the sentences imposed for those convicted of organized retail theft in that county. The county shall also provide the number of instances where vertical prosecution was used to obtain those convictions and the sentences imposed. The county shall also provide the number of theft-related property crimes that were charged overall in the jurisdiction that did not use the vertical prosecution model and the resulting number of convictions.

(c)

On or before January 1, 2027, the Board of State and Community Corrections shall submit to the Legislature and the Governor a report relating to the information provided in subdivision (c) of Provision 3, and how the funding was used, and a description of the outcomes of the grant.

4.

Funding received by district attorney offices pursuant to this program shall be used to supplement, and not supplant, existing financial resources.

5.

Of the amount identified in Schedule (1), up to 5 percent shall be available to the Board of State and Community Corrections for transfer to Schedule (1) of Item 5227-001-0001 for costs to administer the grant program. Funds transferred pursuant to this provision are available for encumbrance or expenditure until June 30, 2027.

6.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB178