

## Why I Would Not Support SB-82

If someone walked into a store, pushed the cashier to the ground, and stole all the money in the cash register, would they be charged with a felony and be sentenced to time in jail? Under California Senate Bill SB-82, there would be a high chance that they would only be charged with a fine and a simple misdemeanor, which can be expunged. This bill aims to create a new type of theft that cannot be charged as a permanent felony. While this benefits criminals, it is unfair to victims of thefts and should not be passed without amendment.

The first reason why I oppose SB-82 is because it unnecessarily establishes a lesser type of petty theft with milder punishment. California Legislative Information states that petty theft in the first degree is “taking property from the person of another or from a commercial establishment by means of force or fear without the use of a deadly weapon or causing great bodily injury...”, and petty theft in the second degree, which SB-82 would create, is “all petty theft that is not in the first degree...” (“Bill Text - SB-82 Petty Theft”). This means that if the victim of a theft is not physically injured and if the value of the taken property is less than \$950, the crime will only be charged as a misdemeanor. Criminals should still have to face the same consequences as before for breaking the law and stealing property from others, even if “force or fear” are not used. With harsher punishments, there will be a greater possibility of them learning from their mistakes and eventually turning their lives around.

Another reason why I do disagree with this bill is that it provides a means of “vacating the sentence of, and resentencing, a currently incarcerated defendant who [has] been convicted of robbery”, as well as “a person who [has] previously served a term of imprisonment for robbery and who would not be convicted of robbery based on the changes made in this bill...” (“Bill Text

- SB-82 Petty Theft”). This indicates that if SB-82 is passed, criminals who have already been convicted for robbery may have their sentences annulled or changed. New bills should not influence the sentences of people who have already been convicted, because they committed their crimes under previous laws. Therefore, they should be required to complete and receive their original sentences and punishments.

The final reason why I do not support this bill is because even if the victim of a theft is not physically injured from the crime, they can still be emotionally and mentally hurt by it. Although it might seem that the victim is not outwardly injured, they can still suffer, according to the National Criminal Justice Reference Service, a “broad range of psychological and social injuries”, such as “intense feelings of anger, fear, isolation, low self-esteem, helplessness, and depression...” (“The Impact of Crime”). These survivors may have to seek help from therapists, which can be very expensive and time consuming. Meanwhile, SB-82 states that if the criminal does not cause bodily harm to the victim, they will only be charged with a misdemeanor. If the criminal has already been convicted, they can even choose to return to court to be resentenced, which can reignite victims’ post-traumatic stress disorders and anxiety, negatively affecting their mental and emotional health. It is clear to see that if the criminals are charged for lesser crimes, it is not fair to the victims.

Although SB-82 is a bill with good intentions, it needs reworking before its advantages outweigh its disadvantages for all affected parties. Its goal is to define a new type of petty theft with lesser consequences, and it will even make it possible for criminals to be resentenced for past crimes. Under SB-82, some types of petty theft will only be charged as a misdemeanor instead of a felony, which is very unfair to the victims, as they still must mentally, emotionally,

and financially recover from the crime. Because of these reasons, I do not support California Senate Bill SB-82 and believe that it should not be passed.

## Works Cited

“Bill Text.” *Bill Text - SB-82 Petty Theft.*, California Legislative Information, 18 Mar. 2021, 9:00 PM, [leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB82](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB82).

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