

Negative: SB-82 Essay

In 2019, FBI data showed that there were more than 1.6 million theft related crimes in California. With such a large number of cases being committed, disciplinary action must be taken in order to curtail the number of offenses committed. Changing legislation in order to practice leniency towards miscreants is absolutely the last thing the state of California should do, since it would inflate crime rates, making the state an unsafe place. California Senate Bill SB-82 Petty Theft (2021) should be stopped since it encourages crime, fails to account for victims, and stresses state systems.

Senate Bill 82 reclassifies certain crimes as petty theft and prevents them from being prosecuted as burglary and/or robbery. The passing of Senate Bill 82 would result in near-duplicate definitions between petty theft and robbery. Passing this bill is equivalent to re-establishing the charge of robbery as petty theft, which has substantially softer sentencing, and incentivizing more criminal activity, which would add onto the 1.6 million theft-related crimes in 2019. In addition, it is proven that stricter laws will reduce the rate of criminal activity. The passing of the Three-Strikes Law in California resulted in a 20% reduction of crime, which proves that stricter legislation deters criminals. Senate Bill 82 works in the reverse direction and will add salt to the public-safety wounds in California.

Another feature of Senate Bill 82 is that it allows for the resentencing of criminals who were sentenced for robbery if they meet certain criteria. Offenders who previously could have been sentenced to 9 years in prison and ordered to pay a \$10,000 fine could walk out with just 1 year in jail and a \$1000 maximum fine. This is unjust for the victims, who have undergone a trauma. As Citrus Heights Police Chief Ron Lawrence states, "Even if no physical injury occurs there's still emotional and psychological pain inflicted on the victims of robbery." Lawrence

brings up a valid point; Senate Bill 82 fails to account for the psychological pain and suffering induced by theft and robbery. In one such case in a San Francisco Chinatown laundromat, Fox News 26 reports that a man was beaten and robbed; if SB-82 is passed, this crime would be passed off as petty theft and will certainly encourage other people to beat and rob without worrying about severe consequences. The proposed bill would also order victims to re-testify in court about their experiences, which may cause the victims to experience the trauma for a second time and contribute to PTSD attacks. Therefore, forcing victims to re-testify in order to help their assailant receive a reduced sentence is the last thing that the state legislature should do.

If Senate Bill 82 were to pass, multiple government systems would be jammed. The California court system would be overwhelmed by the number of resentencing trials it would have to resolve. Senate Bill 82 allows incarcerated individuals who were charged with robbery to appeal their sentences and replace them with petty theft sentences. Given the FBI theft statistics from 2019, there would be a struggle for the courts to complete these instances of resentencings due to the sheer number of crimes committed. This bill risks an infraction of the 6th Amendment, which guarantees the right to a speedy and just trial. If court resources are stretched from the resentencing trials, the 6th amendment may be infringed upon, allowing even more people to escape prosecution. Police resources would be also stretched, since there would be an increase in crime resulting from more lenient punishment. This surge in crime would also result in less time and resources dedicated to high profile crimes, such as murder and rape. Everyone except the criminals would suffer if Senate Bill 82 were to pass; Police would be forced to work overtime and stretch their resources, victims of high profile crimes would be ignored, and the judges and courts would be overwhelmed.

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With such a large number of theft related crimes committed each year, California needs to find a way to curtail theft to create a safe environment both for California residents and for the massive number of domestic and international visitors to our beautiful state. Senate Bill 82 works in the reverse by imposing lenient punishments for offenders and will lower the efficiency of our state systems. We must prevent Senate Bill 82 from passing in order to prevent increasing crime rates, unjust treatment towards victims, and overworking state systems.

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