



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Shannon Buckley, Assistant City Manager

Date: April 23, 2024

Subject: Unlawful Possession of a Catalytic Converter

Recommendation

1. Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADDING CHAPTER 9.60 TO TITLE 9 OF THE LAKE ELSINORE MUNICIPAL CODE (LEMC) REGARDING UNLAWFUL POSSESSION OF A CATALYTIC CONVERTER; and
2. Authorize the City Council to sign letters of support for proposed legislation that deters catalytic converter theft, including AB1519 (Bains) and AB641 (Fong).

Background

Catalytic converter theft has been one of the fastest-growing crimes in the Country, with State Farm Insurance reporting a 400% increase nationwide since 2019. Catalytic converter thefts are on the rise because of the increasing value of the precious metals contained within and the ease with which criminals can remove the devices from the vehicles of unsuspecting residents. Catalytic converters can be sold for as much as \$1,200 each. Currently, law enforcement cannot seize a catalytic converter found to be removed from a vehicle and in someone's possession unless a victim can be identified. Unfortunately, locating the victim without identifying information on the catalytic converter is often impossible. Victims of catalytic converter thefts can pay thousands of dollars to replace them, and repairs can take months due to various supply chain issues. While there have been legislative attempts in Sacramento to crack down on catalytic converter thefts, local agencies in California have begun to pass ordinances to assist law enforcement in holding these thieves accountable for their crimes. Some of those agencies include the County of San Bernardino and the cities of Los Angeles, Upland, and Eastvale.

Catalytic Converter Ordinance

Lake Elsinore residents have and continue to experience catalytic converter thefts over the past several years. Currently, the City of Lake Elsinore does not have a law to define and punish catalytic converter thefts absent an identifiable victim. Further, no law in Lake Elsinore requires individuals to prove to law enforcement how they obtained a detached catalytic converter.

The residents of Lake Elsinore and the Riverside County Sheriff's Department need legislation criminalizing mere possession of catalytic converters absent proof of ownership or lawful possession, for multiple reasons including, but not limited to (1) achieving deterrence by establishing zero tolerance for catalytic converters thefts; (2) establishing sanctions for possessing stolen catalytic converters; (3) preventing criminals from profiting from the sale and recycling of stolen catalytic converters; (4) providing indirect justice to the victims of catalytic converter theft; and (5) minimizing the fiscal and personnel impact on the City of Lake Elsinore and the Riverside County Sheriff's Department by reducing the time invested in deterring and investigating catalytic converter thefts.

Because the Ordinance does not have the potential to cause direct or reasonably foreseeable indirect physical changes in the environment, it is not a project under the California Environmental Quality Act ("CEQA"). (See Pub. Res. Code, § 21065; State CEQA Guidelines, § 15378.)

Discussion

Catalytic converter theft is very costly to victims of this crime, both in dollars and in the time and inconvenience of repairs, and has affected individuals, businesses, and government agencies. Passage of a local ordinance could help hold thieves accountable and discourage theft in unincorporated areas of Riverside County.

Since 2020, the City has experienced a significant increase in the theft of catalytic converters. In 2020, a total of 10 catalytic converter thefts were reported. That number rose to 48 in 2021 and 99 in 2022. The Sheriff's Department has implemented public education efforts to address these thefts. However, due to the lack of legislation defining and prosecuting illegal possession of catalytic converters, many catalytic converter thefts in the City of Lake Elsinore have gone unsolved.

The proposed Ordinance provides the City with a means to protect the public and deter this type of criminal activity. By establishing sanctions for the unlawful possession of a catalytic converter, even without an identifiable victim, the City will enable the Sheriff's Department to prevent criminals from profiting from selling and recycling stolen catalytic converters. This will also provide indirect justice to the victims whose cases go unsolved and help reduce Part I crime statistics, which catalytic converter thefts have negatively impacted. In addition, this will help decrease the fiscal and personnel impact on the City of Lake Elsinore related to investigating catalytic converter thefts.

Other cities across Southern California have adopted, or are in the process of adopting, similar ordinances to protect their communities. While these ordinances are too new to provide relevant data to measure their success, adopting an ordinance in the City of Lake Elsinore will deter the criminals forced out of those municipalities and look for new communities to victimize.

Fiscal Impact

None.

Attachments

Attachment 1 - Ordinance

