



CALIFORNIA STATE SENATOR

**SUZETTE MARTINEZ
VALLADARES**

REPRESENTING DISTRICT 23

Senate Bill 265 – Looting During a State of Emergency

Summary

Senate Bill 265 would make looting a home during a state or local emergency a felony.

Background

The recent wildfires in Los Angeles, which have ravaged entire neighborhoods and left thousands displaced, highlight not only the catastrophic impact of natural disasters but also the darker side of human behavior in such times of crisis. In total, up to 60 individuals have been arrested for burglarizing homes that had been evacuated, taking advantage of the chaos and vulnerability of others. These acts of looting add an additional layer of hardship to an already devastated community. While first responders and volunteers are focused on saving lives, extinguishing flames, and helping displaced families, the presence of burglars diverts critical resources, making an already overwhelming situation even more dire.

California has long been familiar with the destructive force of wildfires, with entire towns turned to ash in a matter of days. While these events create immense challenges for those affected, it's the aftermath that often proves the most difficult to navigate—especially when looters take advantage of the vulnerability of those who are already suffering.

Currently in California individuals caught burglarizing an evacuated home can only be charged with a misdemeanor. This is

troublesome, given the heightened risks posed by these crimes during emergencies. Misdemeanor charges, in this context, seem woefully insufficient, especially when looting disrupts recovery efforts and adds more trauma to victims already dealing with the loss of their homes and possessions.

To deter such behavior, California must strengthen its legal response. Those caught looting during an emergency should face felony charges. This would send a strong message that such behavior is not only illegal but utterly unacceptable during times of crisis.

Which code section is affected?

This bill would amend Section 463 of the Penal Code.

Proposal

SB 265 would make 2nd degree burglary during and within an affected county in a state of emergency or local emergency, also known as looting, a felony.

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Supporters:

Pending