



January 14, 2026

Honorable John Stephens  
Mayor, City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626

**Re: Concerns with Draft Self-Checkout Ordinance and Request for Discussion**

Dear Mayor Stephens,

On behalf of the California Retailers Association (CRA), I write to express our concerns with the City of Costa Mesa's draft ordinance regulating the use of self-checkout technology in retail establishments. While we share the City's commitment to protecting workers and customers, we believe the proposed ordinance is unnecessary, duplicative of state law, and likely to impose unintended costs on consumers and local businesses without improving public safety.

**Comprehensive State Retail Theft Protections**

The draft ordinance does not account for the historic, [bipartisan 2024 retail theft package enacted by the Legislature and signed by Governor Gavin Newsom](#). This package represents the most significant overhaul of California's retail theft laws in decades and provides powerful, statewide tools to address the very concerns cited by the ordinance, including:

- **Expanded probable cause** authority allowing peace officers to arrest individuals for shoplifting based on probable cause, even when the offense was not committed in the officer's presence, including reliance on video evidence, sworn witness statements, or other corroborating indicators.<sup>1</sup>
- **Aggregation of theft values** across incidents, victims, and counties to reach felony thresholds, closing loopholes exploited by organized retail theft rings.<sup>2</sup>
- **Retail theft restraining orders** authorizing courts to prohibit individuals convicted of retail theft, vandalism, or assault of a retail employee from entering impacted stores or, for chain retailers, multiple locations for up to two years.<sup>3</sup>
- **New felony offenses and enhanced penalties** for possession of stolen property with intent to resell, large-scale organized retail theft, arson, and related conduct.<sup>4 5 6</sup>
- **Permanent funding for the California Highway Patrol Organized Retail Crime Task Forces** and expanded authority for multi-county prosecution of retail theft and organized retail crime offenses.<sup>7 8 9</sup>
- **Explicit protections** prohibiting local jurisdictions or law enforcement agencies from citing, fining, or threatening nuisance actions against businesses solely for reporting retail theft, absent knowingly false reports.<sup>10</sup>

<sup>1</sup> [Assembly Bill 2943 \(Zbur, 2024\)](#)

<sup>2</sup> [Assembly Bill 2943 \(Zbur, 2024\)](#)

<sup>3</sup> [Assembly Bill 3209 \(Berman, 2024\)](#)

<sup>4</sup> [Senate Bill 1416 \(Newman, 2024\)](#)

<sup>5</sup> [Assembly Bill 1960 \(Rivas, 2024\)](#)

<sup>6</sup> [Senate Bill 1242 \(Min, 2024\)](#)

<sup>7</sup> [Assembly Bill 1802 \(Jones-Sawyer, 2024\)](#)

<sup>8</sup> [Senate Bill 982 \(Wahab, 2024\)](#)

<sup>9</sup> [Assembly Bill 1779 \(Irwin, 2024\)](#)

<sup>10</sup> [Assembly Bill 2943 \(Zbur, 2024\)](#)

These reforms were negotiated in partnership with retailers, law enforcement, prosecutors, and state leaders and are fully funded to ensure effective implementation statewide. Local ordinances that attempt to regulate store operations risk duplicating or conflicting with this comprehensive framework.

### **Concerns with Specific Provisions of the Costa Mesa Draft Ordinance**

The City’s draft ordinance includes mandatory staffing ratios at self-checkout areas, age-based restrictions on self-checkout use, transaction and item-count limits, and civil penalties for noncompliance. These provisions remove flexibility for retailers to design store layouts and staffing models based on store size, customer volume, and existing security measures, while increasing operating costs and creating consumer frustration. There is no evidence that these mandates reduce retail theft or improve worker safety, and they will disproportionately impact working families, seniors, and customers making routine purchases.

### **Pending Cal/OSHA Workplace Violence Regulations**

In addition to the retail theft reforms, California is implementing new workplace violence prevention requirements pursuant to [Senate Bill 553](#) (Cortese, Chapter 101, Statutes of 2023). SB 553 requires employers to:

- Develop and implement written workplace violence prevention plans tailored to site-specific hazards;
- Provide employee training on violence prevention, de-escalation strategies, and incident response; and
- Maintain logs of violent incidents and conduct investigations where appropriate.

Cal/OSHA is in the process of finalizing additional regulations related to engineering controls and staffing protocols, with implementation continuing through December 31, 2026. Imposing overlapping local mandates while the state framework is still being implemented risks confusion, inconsistent compliance standards, and unnecessary burdens on Costa Mesa employers.

### **Request for Collaboration**

I respectfully request the opportunity to meet with you and City staff to discuss how Costa Mesa can leverage these new state protections and workplace safety standards to improve public safety without imposing mandates that increase costs for consumers and local businesses.

As the individual who negotiated the 2024 retail theft package directly with legislative leadership and the Governor, I am personally committed to working collaboratively with Costa Mesa to ensure the safety of retail employees and customers while supporting the City’s economic vitality.

Please feel free to contact me at (916) 443-1975 or [cra@calretailers.com](mailto:cra@calretailers.com) to schedule an in-person or virtual meeting at your convenience.

Respectfully,



Rachel Michelin  
President  
California Retailers Association

Cc: Costa Mesa City Council  
Cecilia Gallardo-Daly, Costa Mesa City Manager  
Kimberly Barlow, Costa Mesa City Attorney  
Jay Barkman, Government Affairs Manager, City of Costa Mesa  
Congressman David Min, Congressional District 47  
Assemblymember Cottie Petrie-Norris; Assembly District 73