

June 16, 2026

Honorable Jesse Arreguín
Chair, Senate Committee on Public Safety
California State Senate
1020 N Street, Room 545
Sacramento, CA 95814



RE: Support AB 2108 (Sharp-Collins) - Theft Diversion

Dear Chair Arreguín,

On behalf of the California Retailers Association (CRA), we write in support of Assembly Bill 2108 (Sharp-Collins), which creates a diversion consideration process for nonviolent theft offenses. AB 2108 strengthens the safety of our communities by scaling up proven strategies, meeting individuals where they are, and investing in a solution that prioritizes long-term safety.

The California Retailers Association believes diversion plays an important role in reducing recidivism and the retail industry stands ready as a partner to guide nonviolent theft offenders towards workforce development programs. When the legislature passed a comprehensive retail theft package in 2024, the California Retailers Association supported Assemblymember Zbur's AB 2943 (Chapter 168, Statutes 2024), which, among other things, extended to 2031 diversion or deferred entry of judgment programs for people who commit a theft offense. Supporting AB 2108 further exemplifies the retail industry's commitment to combating recidivism through diversion programs.

The California Retailers Association is the only statewide trade association representing all segments of the retail industry including general merchandise, department stores, mass merchandisers, on-line marketplaces, restaurants, convenience stores, supermarkets and grocery stores, retail pharmacies, and specialty retail such as auto, vision, jewelry, hardware, and home stores.

Diversion is a critical intervention tool in the justice system that provides tailored resources to the defendant. Research demonstrates that diversion programs can significantly reduce recidivism by focusing on the root causes behind an individual's conduct and providing resources to address their unmet needs. A 2018 multistate study on pretrial diversion programs found that participants were considerably less likely to end up with a conviction than similarly

situated defendants.¹ The study also found that the programs also significantly reduced re-arrests within the following two years.² Pretrial diversion offers a rare alternative to avoid the negative outcomes of prolonged incarceration while decreasing cost pressures on our prisons and jails.

Under current law, there is not a consistent framework across all 58 counties for theft diversion. This inconsistency allows for an inequitable diversion consideration process that lacks equal opportunity for defendants to be considered for diversion on a case-by-case basis. AB 2108 mirrors and builds upon the success seen with drug diversion through Penal Code § 1000 and brings a familiar structure and needed uniformity to the use of diversion in appropriate theft cases. This bill provides more access for defendants to be connected with appropriate resources or programs to help foster their success in the community.

AB 2108 is a smart public safety solution that builds upon existing successful diversion infrastructure, while establishing appropriate guardrails and maintaining the discretion of the court. For the above reasons, on behalf of the California Retailers Association we urge your “AYE” vote on AB 2108 when it comes before you in the Assembly Public Safety Committee.

Ryan Allain



Vice President, Government Relations
California Retailers Association

¹ National Institute of Justice, [NIJ's Multisite Evaluation of Prosecutor-Led Diversion Programs](#).

² National Institute of Justice, [NIJ's Multisite Evaluation of Prosecutor-Led Diversion Programs](#).