Resolution supporting Senate Bill 962, introduced by Senator Leno, the Smartphone Theft Prevention Act, to require the installation of theft-deterring technological solutions on all smartphones sold in the State of California.

WHEREAS, The theft of mobile devices accounts for one third of all property crimes in the United States, making it the number one property crime; and

WHEREAS, Smartphone theft accounts for over half of all robberies in the City and County of San Francisco; and

WHEREAS, Smartphone users are easy targets because of how easily devices can be stolen and re-sold; and

WHEREAS, Mobile device manufacturers and service providers have a corporate responsibility to ensure the users of their services and products are not targeted or victimized; and

WHEREAS, Street-level crime supplies a vast global black market in stolen personal devices; and

WHEREAS, There is a need for a ubiquitous theft prevention solution such as a “kill switch” that would act as a strong disincentive to curtail the behavior of thieves; and

WHEREAS, The existing Federal Communication Commission stolen smartphone database has not proven effective due to placing the burden on the victim to add it to the database, its limitation to the big four domestic carriers, and its inapplicability to phones stolen and then sold abroad; and
WHEREAS, The wireless industry earns an estimated $30 billion annually from the replacement of lost or stolen devices and $7.8 billion in insurance protection plan premiums; and

WHEREAS, The wireless industry has previously rejected the voluntarily installation of “kill switch” technology; and

WHEREAS, SB 962, the Smartphone Theft Prevention Act, would require all advanced communications devices (smartphones and tablets) sold in California to come pre-equipped with a theft-deterring technological solution that renders the essential functions of the device useless when stolen; and

WHEREAS, SB 962 would allow the consumer to affirmatively opt-out of using the technological solution, but every device must come pre-equipped and enabled with this technology in order for the deterrent value of the solution to be as effective as possible; and,

WHEREAS, SB 962 would not require any solution that infringes on the individual’s privacy; and

WHEREAS, The effect of SB 962 would be to remove the re-sale value of stolen devices, thus reducing the current incentive for thieves to prey on smartphone users; and

WHEREAS, San Francisco District Attorney George Gascon co-chairs the global effort Secure Our Smartphones and has worked tirelessly to support SB 962 and prevent smartphone theft through the installation of kill switch technology; and

WHEREAS, The California State Senate failed to vote in support of SB 962 on April 24, 2014, but could take the measure up again in May 2014; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the California State Legislature to pass SB 962, the Smartphone Theft Prevention Act.
File Number: 140449  Date Passed: May 06, 2014

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May 06, 2014 Board of Supervisors - ADOPTED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 5/6/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board