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**Fw: Shopping Cart Policy - 2/4 Agenda Item 7.2**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/4/2025 9:13 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (89 KB)  
SJ Shopping Cart LTR.pdf;

**Office of the City Clerk | City of San José**

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**From:** Tim James [REDACTED]  
**Sent:** Tuesday, February 4, 2025 9:07 AM  
**To:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>  
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**Subject:** Shopping Cart Policy - 2/4 Agenda Item 7.2

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Mayor and Councilmembers, Please accept the attached letter regarding Shopping Cart Policy on the February 4 agenda, Item 7.2. Please contact me to discuss further or for additional information. Thank you for your consideration. Tim

Timothy James  
Director, Local Government and Enterprise Risk  
California Grocers Association  
[REDACTED]

February 4, 2025

The Honorable Matt Mahan  
Mayor, City of San Jose  
200 E. Santa Clara St.  
San Jose, CA 95113



RE: Shopping Cart Policy Options

Dear Mayor Mahan,

On behalf of San Jose grocers, we appreciate your interest to prevent shopping cart theft and subsequent abandonment. The taking of a shopping cart from a retailer is illegal under both state and local law. Unfortunately, shopping carts stolen and subsequently abandoned leave the retailer without an important tool and to deal with the impacts of stolen property. Understanding there are multiple victims from this crime, the store, the neighborhoods and the city, we believe it is important to work in partnership as is being done in over a hundred other California jurisdictions.

We fully support and will commit to efforts in partnership with the city to evaluate options to prevent and retrieve abandoned shopping carts (Recommendation A). However, we are currently opposed to changes to state law impacting cart recovery processes as described (Recommendation B). Current state law includes necessary guardrails to prevent grocers from being forced to pay unchecked jurisdiction fees for retrieval on top of the mandatory cart retrieval fees already required by law.

It is important to recognize shopping cart theft and subsequent abandonment varies by each retail location. Most cart thieves do not own a car, rely on public transportation, use the cart to safely cross streets with children, use the cart as walking aid, and likely live within only a mile or two of the store location. Carts are rarely stolen by the homeless as they tend to take a cart already stolen and hang onto that cart for a long period of time. Regardless of the cause, stolen and subsequently abandoned carts deprive the retailer of an essential tool, represent a loss of hundreds of dollars per cart and require the ongoing cost to employ a cart retrieval service.

As described, Recommendation B would add an additional layer of cost by allowing unchecked and forced fees on retailers from the city which would hit grocers in lower economic areas the most. Additionally, any increased cost to grocers results in higher costs to operate, which often finds itself increasing prices. We believe this change would significantly disrupt the partnership built into the exist law, would force grocers to report all cart thefts as crimes for their own protection, and would require the city to fully enforce stolen cart law with citations to individuals.

Thank you for your interest to work with retailers to further prevent stolen shopping carts and their subsequent abandonment. We are fully committed to working with you in partnership and look forward to begin work on Recommendation A. We ask you do not move forward on Recommendation B or other state law changes until grocers have been fully engaged and a complete understanding of the impacts are understood.

Sincerely,

  
Tim James  
Director, Local Government Relations  
California Grocers Association

cc: Members, San Jose City Council  
City Manager, City of San Jose