

Community Prosecutor Program Update

City Attorney's Office

Michael J. Vigliotta, City Attorney

Steven F. Pomeroy, Community Prosecutor



History of the Community Prosecutor Program

- In 2016, the City Attorney sought better support for the work of the Huntington Beach Police after the State's implementation of Props 47, 57 and AB 109, which reduced punishments and accountability for many crimes.
- Huntington Beach City Charter, Article III, § 309(b) empowers the City Attorney to “prosecute on behalf of the people any or all criminal cases arising from violation of the provisions of this Charter or of City ordinances and such State misdemeanors as the City has the power to prosecute[.]”



History of the Community Prosecutor Program

- The City Attorney recognized a need to address crime concerns within the community that impacted residents' quality of life and local business owners, especially in the downtown area.
- In July 2016, the Orange County District Attorney endorsed the City Attorney's authority to prosecute state misdemeanors under the California Penal Code.
- The City Council supported and provided funding for the Community Prosecutor Program.



History of the Community Prosecutor Program

- The City Attorney implemented the Community Prosecutor Program to support the law enforcement efforts of the Huntington Beach Police Department and to prosecute crimes that impact residents, and their quality of life, particularly in the City's downtown area.
- The Community Prosecutor prosecutes Huntington Beach Municipal Code violations, and certain California Penal Code violations.



Mission Statement

The mission of the Community Prosecutor Program is to enhance the quality of life for all people within the City of Huntington Beach by vigorously and conscientiously prosecuting local crime to promote public peace and safety and protect business and property owners.



Program Goals

- Work cooperatively with the OCDA to prosecute crimes impacting residents' quality of life
- Work cooperatively with the OCDA to prosecute crimes impacting the City's downtown business owners
- Provide prosecutorial support to the Huntington Beach Police Department
- Seek convictions, probation, stay away orders, restitution, etc.
- Seek alternative corrective measures through diversionary programs



Success of the Community Prosecutor Program

“The City Attorney’s Office Prosecutor Program, empowers our officers to address quality-of-life issues that directly impact our community. With dedicated local prosecutors assigned to each case, carefully examining the merits of each unique situation, they can determine the best course of action to reduce repeat offenses while holding individuals accountable for their actions. The support of this program is crucial in maintaining the high quality of life we expect in our community.”

-Huntington Beach Police Chief Eric Parra



Success of the Community Prosecutor Program

“Working closely with our City Prosecutor has truly strengthened how we support clients by aligning legal processes with housing and supportive services. Through consistent communication and coordination with our social worker team, Steven takes the time to understand each client’s progress and helps ensure court involvement does not become a barrier to stability. This partnership has been especially meaningful for clients experiencing mental health and substance use challenges, where timely and thoughtful legal support can often be the turning point that encourages engagement in shelter and services. This collaboration helps remove barriers, builds trust, and leads to more stable, long-term housing outcomes for the individuals we serve.”

-Jessica Kelley, Manager, Homeless & Behavioral Health



The Community Prosecutor

- **Steven Pomeroy**
 - Started September 2021
 - B.A., University of California at Berkeley
 - J.D., Loyola Law School, Los Angeles
 - Former Deputy District Attorney, Humboldt County
 - Resident of Huntington Beach



Common State Crimes

California Penal Code

- Petty Theft – PC 484(a)-488
- Resisting/Obstructing Officers – PC 148(a)(1)
- False Identification to Officers – PC 148.9(a)
- Trespassing – PC 602
- Illegal Lodging – PC 647(e)
- Public Intoxication – PC 647(f)
- Prowling– PC 647(h)
- Vandalism – PC 594



Petty Theft

Penal Code § 484(a)-488

- Thefts under \$950 at local stores including Jack's Surfboards, HSS, Costco, Target, CVS, Nordstrom Rack, Dick's Sporting Goods, REI, etc.



Petty Theft

Penal Code §484(a)-488

Example:

- June 30, 2025: Defendant stole \$180.95 worth of merchandise from a local Target.
- October 10, 2025: Defendant pled guilty.
 - Sentenced to 1-year informal probation, 60-days jail, jail sentence stayed until such time as probation is successfully completed.
 - Defendant subject to search and seizure.
 - Defendant ordered to stay away from store.
 - Merchandise recovered.



Petty Theft

Penal Code §484(a)-488

Example:

- July 22, 2025: Defendant stole items worth \$112.94 from Costco.
- September 23, 2025: Defendant pled guilty.
 - Sentenced to 1-year informal probation, 60-days jail, jail sentence stayed until such time as probation is successfully completed.
 - Defendant subject to search and seizure.
 - Defendant ordered to stay away from store.
 - Merchandise recovered.



Resisting/Obstructing Police Officers

Penal Code § 148(a)(1)

- Willfully resisting, obstructing, or delaying a police officer lawfully performing his or her duties.



Resisting/Obstructing Police Officers

Penal Code §148(a)(1)

Example:

- May 24, 2025: An officer attempted to make an enforcement stop on a bicyclist. Defendant refused to comply with the officer's commands and fled. The officer gave chase and captured him. Officers found the defendant was wanted on a probation violation warrant.
- August 1, 2025: Defendant pled guilty.
 - Sentenced to 180-days Orange County jail
 - Fines and fees.



Resisting/Obstructing Police Officers

Penal Code §148(a)(1)

Example:

- November 10, 2025: Officers found a passed-out subject. Upon waking him, an officer conducted a wants and warrants check. The Defendant had five active warrants for his arrest. At the jail, the defendant physically resisted being taken into the jail. Several officers were required to gain Defendant's compliance.
- January 6, 2026: Defendant pled guilty.
 - Sentenced to 36-days Orange County jail.
 - Fines and fees.



Trespassing

Penal Code §602(o)(1)

- Entering and remaining on property after being asked to leave.

Example:

- January 20, 2026: Defendant returned repeatedly to the Newland Center after he was asked to leave.
- February 23, 2026: Defendant pled guilty.
 - Sentenced to 1-year of probation.
 - Sentenced to 36-days Orange County jail.
 - Ordered to stay 100-yards away from the shopping mall.



Illegal Lodging

Penal Code §647(e)

- Lodging in any public or private place without permission.

Example:

- November 24, 2025: During a routine patrol check downtown, officers observed a subject sleeping in front of a liquor store, directly under a sign warning against trespassing and unlawfully lodging.
- January 6, 2026: Defendant pled guilty.
 - Sentenced to 30-days Orange County jail.
 - Fines and fees.



Common Local Crimes

Huntington Beach Municipal Code

- **HBMC 13.10.030** – Unlawful Camping
- **HBMC 9.44.010** – Drinking in Public Places
- **HBMC 13.52.040** – Loitering in City-Owned Parking Structure
- **HBMC 9.20.020** – Urinating/Defecating in Public
- **HBMC 13.08.240, 13.48.130** – Beach, Pier, and Park Curfew
- **HBMC 13.08.115, 13.48.115** – Smoking at Beach, Pier, or Park



Unlawful Camping

Huntington Beach Municipal Code §13.10.030(A)

- Camping on any public or private property

Example:

- December 3, 2025: Defendant was reported sleeping under a blanket on top of a makeshift mattress at the rear of a business on Beach Blvd. Defendant was offered and refused housing resources.
- April 23, 2026: Defendant pled guilty.
 - Sentenced to 30-days Orange County jail.
 - Fines and fees.



Diversion for Homeless Individuals

Homeless defendants may have their cases dismissed if they engage with services, including:

- Attending Huntington Beach social worker office hours
- Entering into the Huntington Beach Navigation Center or another shelter
- Engaging in Drug, Alcohol, and Mental Health Treatment
- Enrolling in Homeless Outreach Court
 - Orange County Collaborative Court where comprehensive services are made available

Potential criminal penalties incentivize service-resistant individuals to accept assistance.



Proposition 36

- California's Proposition 36 went into effect December 18, 2024. It increased penalties for certain drug and theft crimes, allowing for felony charges for repeat offenders and implementing treatment-mandated programs.
- It's still early to measure the Proposition's effectiveness, but it's likely to deter some repeat theft offenders, and push more people into drug treatment.



A Prosecutor's Duty to Victims

- Under Marsy's Law, prosecutors have a constitutional responsibility to ensure victims are treated with fairness, dignity, and respect through criminal proceedings.
 - Responsibilities include:
 - Advocating for victim restitution
 - Victim's rights to safety, privacy, and participation
 - Connecting victims with support services and resources
 - Ensuring participation in sentencing and release decisions



Case Statistics

July 1, 2025 – June 30, 2026

Total Criminal Cases Filed: 1,132

- **294 Convictions**
 - 240 (82% sentenced with a jail term)
- **147 Diversion Resolutions**
 - Diversion terms may include attendance of AA/NA meetings, rehab programs, community service work, and/or courses addressing theft, anger, etc.
- **268 Dismissals** (mental health, prior sentencing, etc.)
- **423 Pending Cases** (open or with a warrant out)

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