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FOR IMMEDIATE RELEASE
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Kern County District Attorney Files First New Case Under Proposition 36
People v. Dustin Towery; Kern County Superior Court Case #BF202452A

(Bakersfield) - Kern County District Attorney Cynthia Zimmer announced today that the Kern County District Attorney's Office has filed felony charges under Penal Code Section 666.1, a new law put into place by California voters with the passage of Proposition 36 and made effective on December 18, 2024.

On December 19, 2024, the Bakersfield Police Department's Organized Retail Theft Unit conducted a "Blitz" operation at the 11000 block of Stockdale Highway [The Shops at Riverwalk]. Blitz operations are conducted in coordination with retail store loss protection agents and enable law enforcement to have immediate response to apprehend retail theft suspects. During the operation, loss protection agents from Target notified officers of a theft that had occurred where defendant Dustin Towery and another suspect worked in conjunction to steal two electric scooters from the store and fled out a rear emergency exit without paying for the items. The two electric scooters' combined value was \$879.00.

Officers were on-site nearly immediately, and Towery fled from officers, ultimately hiding underneath a parked vehicle. Towery was arrested and the electric scooters recovered and returned to the store. The District Attorney's Office has filed felony charges against Towery under Penal Code Section 666.1, one of the centerpiece laws under the newly passed Proposition 36. Penal Code Section 666.1 makes felony charges appropriate when a person commits a theft of property valued at less than \$950 and that person has two or more previous theft-related convictions. Dustin Towery is alleged to have suffered six prior theft-related convictions ranging from 2018-2020 for offenses including multiple burglaries and possession of several stolen vehicles.

Dustin Towery remains in custody, and is scheduled for felony arraignment today, December 23, 2024 at 3:00pm. Like all criminal defendants, Dustin Towery is presumed innocent until proven guilty in a court of law. District Attorney Cynthia Zimmer commented on the case filing "Californians overwhelmingly supported this new law, which gives police and prosecutors the tools to once again provide real accountability for repeat theft offenders. I look forward to putting these tools to work and bring order back to our communities that for too long have suffered at the hands of repeat theft offenders."