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Miraloma Park Improvement Club

March 13, 2019

Senate Standing Committee on Public Safety

Members:

Senator Nancy Skinner (Chair)

Senator John M.W. Moorlach (Vice Chair)

Senator Steven Bradford

Senator Hannah-Beth Jackson

Senator Holly J. Mitchell

Senator Mike Morrell

Senator Scott D. Wiener

State Capitol, Room 2031

Sacramento, CA 95814

RE: Senate Bill 23 (Wiener) – Forced Entry on Vehicle Break-Ins – Support

Dear Senators:

I am writing to you on behalf of the Miraloma Park Improvement Club and its members. Miraloma Park is a neighborhood of 2,200 homes in San Francisco along Mt. Davidson. Auto break-ins have become very common in Miraloma Park. We had 77 reported incidents in 2017 and 2018 with only 1 arrest.

I write to express our support for Senate Bill 23, which will ensure that individuals who forcibly break into vehicles can be prosecuted for the crime of auto burglary when they've broken a window to gain access to the car, even in the absence of evidence that the vehicle was locked. Every San Franciscan knows that when a vehicle's window has been broken and items have been stolen, it means that yet another auto burglary has occurred. But due to limitations in current law, if prosecutors cannot prove that the vehicle was locked at the time the car window was broken, it is unlikely that a defendant will be held accountable for a felony auto burglary.

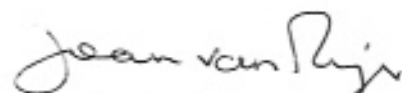
As you may know, prosecutors often prove a vehicle was locked at the time it was broken through testimony from the victim that they had left their vehicle locked. With auto burglars in San Francisco and beyond targeting tourists in

particular, however, getting victims to return to court from out of town (and sometimes local victims, too) can be difficult. Ultimately, the state's current auto burglary statute does not account for basic common sense and enables defenses that violate the spirit and intent of the law.

San Francisco leaders are taking steps to increase SFPD's investigative response and the corresponding arrests for auto burglary incidents. While auto burglaries are down 16% year to date in San Francisco, there's more work to be done. When an arrest is made, however, it's essential that we give prosecutors the tools they need to meet their burden of proof. Currently, District Attorney George Gascon prosecutes over 80% of auto burglary arrests presented to his office. The DA, who sponsored this legislation, is confident that SB 23 will enable prosecutors to hold even more offenders accountable for auto burglaries and that means accountability that is commensurate with the crime. With a definition of automobile burglary that more adequately meets the spirit and intent of the law, we can ensure our District Attorney's Office has the tools it needs to more effectively hold auto burglars accountable.

On behalf of the Miraloma Park Improvement Club, we urge that the Senate Public Safety Committee support SB 23.

Sincerely,



Joan Van Rijn
President
Miraloma Park Improvement Club