

1 [Supporting California State Senate Bill No. 23 (Wiener) - Unlawful Entry of a Vehicle]

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3 **Resolution supporting California State Senate Bill No. 23, authored by Senator Scott**  
4 **Wiener and co-authored by Assembly Members Joaquin Arambula, Sabrina Cervantes,**  
5 **Phillip Chen, David Chiu, Jordan Cunningham, Tom Lackey, Freddie Rodriguez, and**  
6 **Phil Ting, to expand the definition of vehicle burglary to include any unlawful entry.**

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8 WHEREAS, San Francisco is experiencing an epidemic of auto break-ins; and

9 WHEREAS, More than thirty thousand auto break-ins were reported to the San

10 Francisco Police Department during 2017; and

11 WHEREAS, Auto break-ins have been rising in every police district in San Francisco,  
12 some by as much as 86 percent; and

13 WHEREAS, Auto break-ins are increasingly impacting local San Francisco residents  
14 who are hit with hundreds of dollars in costs to replace smashed windows and stolen property;  
15 and

16 WHEREAS, Victims of auto break-ins include visitors to San Francisco who often rent  
17 cars and often do not return to testify; and

18 WHEREAS, In September 2017, the Board of Supervisors adopted Ordinance  
19 No. 201-15 a copy of which is on file with the Board of Supervisors in File No. 161065, which  
20 requires rental car companies to provide written notice and post signage in the vehicle and  
21 rental car office educating drivers about how to prevent break-ins; and

22 WHEREAS, Under current state law, a prosecutor must prove the car's doors were  
23 locked prior to the break-in in order to establish guilt; and

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1           WHEREAS, This current standard does not account for the reality that most auto  
2 break-ins occur by smashing a window or other unlawful entry making it difficult to hold auto  
3 burglars accountable; and

4           WHEREAS, San Francisco's District Attorney has also identified this legal standard as  
5 a barrier to effectively deterring and prosecuting these crimes; and

6           WHEREAS, On December 4, 2018, Senator Scott Wiener introduced California State  
7 Senate Bill No. 23 (SB23) which expands the definition of vehicle burglary to include any  
8 unlawful entry, so that prosecutors can prove an auto burglary occurred by either showing the  
9 car door was locked or unlawful entry was used; and

10          WHEREAS, This common sense change will make it clear prosecutors can prove an  
11 individual committed an auto burglary if the individual broke a vehicle's window; and

12          WHEREAS, We need every tool at our disposal to combat and deter auto break-ins in  
13 San Francisco to restore confidence in residents and visitors that they can park their cars on  
14 the street without fear that the windows will be shattered and the contents of their cars stolen;  
15 now, therefore, be it

16          RESOLVED, The Board of Supervisors of the City and County of San Francisco hereby  
17 urges the California State Legislature and the Governor to pass SB23; and, be it

18          FURTHER RESOLVED, The San Francisco Board of Supervisors hereby directs the  
19 Clerk of the Board to send a copy of the resolution to the Governor of California, the California  
20 State Senate, and the California State Assembly.

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