

File No. 240660

Committee Item No. _____

Board Item No. 83

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: June 11, 2024

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OTHER

- Senate Bill 690 - 2/26/23
- CSAC and LCC Standing - 6/5/24
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Prepared by: Lisa Lew

Date: June 7, 2024

Prepared by: _____

Date: _____

1 [Supporting California State Senate Bill No. 690 (Rubio) - The Phoenix Act 2.0]

2

3 **Resolution supporting California State Senate Bill No. 690, introduced by Senator**
4 **Susan Rubio, to extend the statute of limitations for prosecution of domestic violence**
5 **from five years to 15 years.**

6

7 WHEREAS, Domestic violence is a severe and pervasive issue that affects
8 countless individuals and families, causing long-lasting physical, emotional, and
9 psychological harm; and

10 WHEREAS, Despite often occurring behind closed doors, domestic violence is all
11 too common for Californians with 34.9% of women and 31.1% of men experiencing intimate
12 partner violence or stalking in their lifetime (NCBI); and

13 WHEREAS, Statistics indicate that between 2016 and 2018, domestic violence
14 cases increased by more than 42% in California, while about half of all domestic violence
15 cases continue to go unreported (NCBI); and

16 WHEREAS, In 2022, there were more than 162,000 domestic violence calls to law
17 enforcement in California; and

18 WHEREAS, Survivors of domestic violence often face significant barriers in reporting
19 their abuse, including fear of retaliation, trauma, financial dependency, and social stigma,
20 which can delay their ability to come forward; and

21 WHEREAS, Research indicates that the recovery process for survivors of domestic
22 violence is prolonged, often taking several years for victims to heal sufficiently to report
23 their abuse; and

24

25

1 WHEREAS, According to the National Institutes of Health, the trauma from domestic
2 violence can have lasting effects, with many survivors needing extensive time to overcome
3 their fear and emotional scars to seek justice and support (NCBI); and

4 WHEREAS, Current statute of limitations laws in California may prevent justice from
5 being served in many cases of domestic violence, as the current five-year limitation is
6 insufficient for many survivors to come forward; and

7 WHEREAS, SB 690, proposed by Senator Rubio, seeks to extend the statute of
8 limitations for prosecuting domestic violence from five years to 15 years, providing
9 survivors with a more realistic and supportive timeframe to report their abuse and seek
10 legal recourse; and

11 WHEREAS, Extending the statute of limitations would align legal timelines with the
12 reality of survivors' recovery processes, thereby enhancing the chances of holding
13 perpetrators accountable and delivering justice to more victims; and

14 WHEREAS, The fiscal implications of this bill, including increased costs for court
15 proceedings and potential incarceration, are justified by the anticipated increase in justice
16 served and the societal benefits of addressing domestic violence more effectively; now,
17 therefore, be it

18 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
19 supports California State Senate Bill No. 690; and, be it

20 FURTHER RESOLVED, That the Clerk of the Board send a copy of this Resolution
21 to Governor Gavin Newsom, President pro-Tempore Mike McGuire, Speaker of the State
22 Assembly Robert Rivas, State Senator Scott Wiener, Assemblymember Matt Haney,
23 Assemblymember Phil Ting, and Senator Susan Rubio.

24
25

Introduced by Senator RubioFebruary 16, 2023

An act to amend Section 803.7 of the Penal Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

SB 690, as introduced, Rubio. Domestic violence.

Existing law makes the infliction of corporal injury resulting in a traumatic condition upon specified victims, including the offender's spouse or former spouse, punishable by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not more than one year, or a fine of up to \$6,000, or by both that fine and imprisonment. Existing law authorizes prosecution for that criminal act to be commenced within 5 years, and applies this provision to criminal acts that are committed on or after January 1, 2020, and to criminal acts for which the statute of limitations that was in effect prior to January 1, 2020, has not run as of January 1, 2020.

This bill would authorize prosecution for that crime to be commenced within 15 years. The bill would apply to crimes that are committed on or after January 1, 2024, and to crimes for which the statute of limitations that was in effect prior to January 1, 2024, has not run as of January 1, 2024. By extending the statute of limitations for a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known, and may be cited, as the
2 Phoenix Act.

3 SEC. 2. Section 803.7 of the Penal Code is amended to read:
4 803.7. (a) Notwithstanding any other law, prosecution for a
5 violation of Section 273.5 may be commenced within ~~5~~ 15 years
6 of the crime.

7 (b) This section applies to crimes that are committed on or after
8 January 1, ~~2020~~, 2024, and to crimes for which the statute of
9 limitations that was in effect prior to January 1, ~~2020~~, 2024, has
10 not elapsed as of January 1, ~~2020~~. 2024.

11 SEC. 3. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the penalty
16 for a crime or infraction, within the meaning of Section 17556 of
17 the Government Code, or changes the definition of a crime within
18 the meaning of Section 6 of Article XIII B of the California
19 Constitution.

From: [Logan, Sam \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Stefani, Catherine \(BOS\)](#)
Subject: Reso Supporting SB 690
Date: Wednesday, June 5, 2024 11:57:00 AM
Attachments: [SB 690 Support Resolution Draft.doc](#)
[SB 690 Text.pdf](#)
[Introduction Form - SB 690 Support.pdf](#)

Hello,

Please see attached for the introduction documents for a resolution in support of California State Senate Bill No. 690 (Senator Rubio) Attached is a word document of the resolution text and a PDF document of the state legislation's text.

The California State Association of Counties and the League of California Cities have a watch position for this bill. I am confirming that this matter is routine and not contentious in nature.

Please let me know if there are any questions about this resolution introduction.

Best,

Sam Logan | Legislative Aide
Office of Supervisor Catherine Stefani
San Francisco Board of Supervisors, District 2
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www.sfbos.org/Stefani
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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Stefani

Subject:

SB 690 Support

The text is listed:

Resolution supporting California Senate Bill No. 690 to extend the statute of limitations for prosecution of domestic violence from five years to 15 years

Signature of Sponsoring Supervisor: /s/ Catherine Stefani

For Clerk's Use Only