

1 [Supporting California Senate Bill No. 905 (Wiener) - Closing the “Locked Door” Loophole In
2 Auto Break-In Burglary Cases]

3 **Resolution supporting California State Senate Bill No. 905, introduced by Senator Scott**
4 **Wiener, to close the “locked door loophole” that creates barriers to successfully**
5 **prosecuting auto burglary.**

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7 WHEREAS, Vehicle break-ins have been a persistent problem in the Bay Area and
8 particularly San Francisco where more than a thousand such incidents occur each month,
9 resulting in significant property loss and discouraging tourism to the City; and

10 WHEREAS, Recent trends show that auto break-ins have dropped significantly during
11 the last quarter of 2023, including a 53% drop in thefts from vehicles in October 2023
12 compared to October 2022 as well as a 48% decrease in larceny theft between November
13 20th to New Year’s Day 2023 compared to the same period in 2022; and

14 WHEREAS, The reduction in smash-and-grab reports and larceny theft incidents
15 coincides with increased resources employed by the San Francisco Police Department to
16 combat these crimes, including bait cars, plainclothes officers, and video surveillance; and

17 WHEREAS, In order to convict a suspect, existing state law mandates that prosecutors
18 prove a vehicle was locked at the time of the incident, regardless of overwhelming evidence
19 that a person entered a vehicle without permission, such as a broken window; and

20 WHEREAS, Existing law also requires that victims physically come to court to testify as
21 to whether their car door was locked or not, which can often sabotage clear cases of guilt; and

22 WHEREAS, The City and County of San Francisco must explicitly make it clear that
23 any individual who commits auto burglary will be arrested and prosecuted in the best effort to
24 make our streets safer for residents and visitors; and

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1 WHEREAS, California State Senate Bill No. 905 will further deter more burglaries from
2 happening, making San Francisco safer by empowering law enforcement to prosecute more
3 clear cases of guilt; now, therefore, be it

4 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
5 supports California State Senate Bill No. 905; and, be it

6 FURTHER RESOLVED, That the Clerk of the Board send a copy of this Resolution to
7 Governor Gavin Newsom, President pro-Tempore Toni G. Atkins, and Speaker of the State
8 Assembly Robert Rivas.

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