



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

John A. Mirisch, Mayor

July 22, 2019

The Honorable Scott Wiener
California State Senate, 11th District
State Capitol, Room 5100
Sacramento, CA 95814

Re: SB 23 (Wiener) Unlawful Entry of a Vehicle
City of Beverly Hills – SUPPORT

Dear Senator Wiener,

On behalf of the City of Beverly Hills, I am pleased to write to you in **SUPPORT** of your **SB 23**, which creates a new and separate crime of forcibly entering a vehicle with the intent to commit theft.

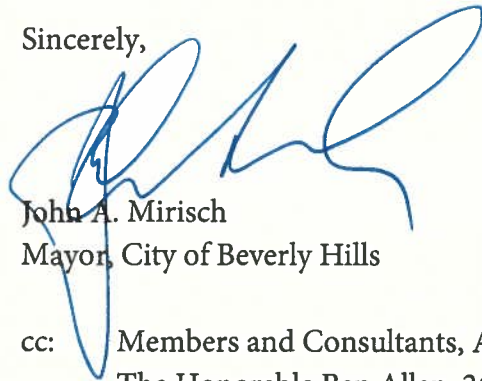
Under existing law, entering a vehicle while its doors are locked with the intent to commit a theft inside the vehicle is considered a burglary. Burglary of a vehicle is the only burglary section in state law that specifically states that the doors to enter must be locked at the time of entry. The fact that a victim's window may have been broken does not, by itself, establish that the vehicle doors were locked and therefore that a vehicle burglary occurred. This evidence is especially needed in cases where the victim is unavailable or unknown, which is common amongst tourist victims since they typically do not return for trials.

SB 23 would close this statutory loophole by making forcibly entering a vehicle with the intent to commit a crime a felony-misdemeanor punishable by imprisonment in a county jail for a period not to exceed one year for the misdemeanor or 16 months, two years, or three years for a felony. This bill would eliminate the prosecutor's duty to establish that a vehicle was locked, and instead require the prosecutor to prove forcible entry. This will ensure that individuals who forcibly enter a vehicle with the intent to commit a crime, regardless of whether or not the vehicle was locked, are held accountable for their actions.

For several years, our City has advocated in support of initiatives that would reverse the harmful effects caused by decriminalizing certain existing crimes. We are a strong supporter of the Reducing Crime and Keeping California Safe Act, which is a proposition that will appear on the November 2020 ballot. This act, amongst other items, will reform theft laws to restore accountability for serial thieves and organized theft gangs. **SB 23** will be another tool for our law enforcement officers to help prevent property crime in Beverly Hills.

For these reasons, the City of Beverly Hills is pleased to **SUPPORT** your **SB 23**. Thank you for authoring this important measure.

Sincerely,



John A. Mirisch
Mayor, City of Beverly Hills

cc: Members and Consultants, Assembly Public Safety Committee
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Andrew K. Antwih, Shaw / Yoder / Antwih, Inc.