



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

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Senator Scott Wiener
1021 O Street, Suite 8620
Sacramento, CA 95814

**Senate Bill 905
SUPPORT**

Dear Senator Wiener:

The Los Angeles County District Attorney's Office is pleased to support Senate Bill 905 (Wiener).

The existing auto burglary statute requires proof that a car was locked. Although this may be proven by circumstantial evidence of forced entry, it is a question of fact for the jury in the absence of testimony from the car's owner or a tourist who had rented the burglarized vehicle and is unavailable to testify in court that the car was locked prior to the burglary. Additionally, the organized resale of goods stolen from vehicles is a statewide problem where auto burglars steal valuable items such as laptops, cameras, and cell phones and then resell them.

SB 905 creates two new alternate felony-misdemeanor offenses: (1) forcibly entering a vehicle with the intent to commit a theft or a felony; and (2) unlawfully possessing property acquired through theft from a vehicle, unlawful entry of a vehicle, burglary of a locked vehicle, or vehicle tampering, if the value of the property exceeds \$950, the property is not possessed for personal use, and the person has the intent to sell or exchange the property or the intent to act with another person to sell or exchange the property with intent to sell. SB 905 further specifies that the value of a defendant's unlawfully possessed property may be aggregated with any other such property possessed by the defendant with the requisite intent within the previous two years. In determining whether a defendant had the intent to sell or exchange the property for value, the bill allows a court to consider evidence about whether the defendant has sold or exchanged any other property acquired from theft of a vehicle within the previous two years.

By providing additional tools for prosecutors to hold the perpetrators of these offenses accountable, SB 905 aims to combat the rise in auto burglaries and the organized resale of stolen goods.

If you have any questions or need additional information, please contact Tamar Tokat in our Legislative Office at 916-442-0668.

Very Truly Yours,

GEORGE GASCÓN
District Attorney