



Office of the San Diego City Attorney

Mara W. Elliott  
City Attorney

April 19, 2021

The Honorable Chair Steven Bradford  
Senate Committee on Public Safety  
State Capitol, Room 2031  
Sacramento, CA 95814

*RE: SUPPORT LETTER FOR SB 538 (Rubio) E-Filing: Domestic & Gun Violence  
Restraining Orders & Remote Testimony, AS PROPOSED TO BE AMENDED*

Dear Chair Bradford,

As the City Attorney of San Diego, I am proud to support Senate Bill 538 to strengthen protections for survivors of domestic violence by requiring California's Superior Courts to allow parties to electronically file for Domestic Violence Restraining Orders (DVROs) and Gun Violence Restraining Orders (GVROs). The bill also allows parties and witnesses to appear remotely at the hearing.

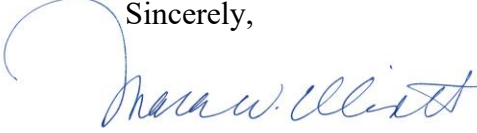
My Office operates the San Diego Family Justice Center, from which victims have been able to testify in court proceedings during the COVID-19 pandemic. Remote access to the criminal justice system is critical to many victims being able to secure the protections they deserve under the law. The fear of traveling to and participating in an open court hearing often prevents their participation, and for good reason: Studies show the two most dangerous times for domestic violence victims are when they are separating from their abusers and when they are seeking restraining orders.

SB 538 will allow restraining orders to be automatically integrated into a court's electronic case management system by way of e-filing. This would allow judges and court staff to share and view filings simultaneously, and from multiple locations, improving court efficiencies and cost savings. The amendments would allow greater access to victims seeking a gun violence restraining order by removing the fee.

California continues to face systemic barriers preventing survivors of abuse from seeking DVROs and GVROs. Transportation, dependent care, poverty, and employment obligations all present hurdles for individuals seeking restraining orders. Furthermore, in the case of domestic violence victims, many have described the courthouse as the most anxiety-inducing place they must go while pursuing safety for themselves, their children, and their family members. Victims find the courthouse intimidating and confusing, they must see their perpetrator in a confined space, and are often harassed or intimidated or by the abuser. These issues deprive domestic violence victims and their families of access to justice, and of the safety they seek and deserve.

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For these reasons, the Office of the City Attorney of San Diego is proud to support SB 538 and respectfully requests an “AYE” vote.

Sincerely,  
  
Mara W. Elliott

cc: Senate Committee on Public Safety Members, the Honorable Senator Susan Rubio