



Office of the San Diego City Attorney

Mara W. Elliott
City Attorney

April 15, 2021

The Hon. Reginald Byron Jones-Sawyer
Chairman, Committee on Public Safety
California State Assembly
Legislative Office Building
1020 N Street, Room 111
Sacramento, CA 95814

Assembly Bill 124 (Kamlager): Amending the Penal Code to Allow Sentence Reductions for Victims of Domestic Violence and Human Trafficking – Support

Dear Chairman Jones-Sawyer:

The San Diego City Attorney's Office is pleased to support Assembly Bill (AB) 124.

AB 124 would amend the California Penal Code to protect from unfair criminal sentencing defendants who have been victims of intimate partner violence, commercial sexual exploitation, or human trafficking.

This legislation will prevent the revictimization of those who may have been forced to participate in human trafficking or other crimes. These defendants – usually women – often do so out of fear or necessity, with little recourse and few other options available to them. Commonly, victims are coerced into a life of crime by an abusive partner. Multiple studies have found that the majority of female prisoners nationwide have experienced physical or sexual abuse in their past.

This bill would require sentencing judges to consider whether a defendant's history of trauma resulting from intimate partner violence, commercial sexual exploitation, or human trafficking may have been a factor in the defendant's criminal actions.

This bill would also amend California Penal Code Section 1170 to allow defendants to petition the Court for resentencing, and potentially reduced time in custody, when they can show that their trauma led to their incarceration.

Survivors of violence should be met with compassion and empathy, and our criminal justice system must change to recognize that principle. This bill would help survivors who have been criminalized obtain the justice they deserve, and would provide a much-needed opportunity to help victims of the illegal sex trade to reclaim their lives and start anew.

For these reasons, my Office strongly supports AB 124 and urges its passage.

Sincerely,



Mara W. Elliott