



Office of the San Diego City Attorney

Mara W. Elliott
City Attorney

March 17, 2022

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

Re: Assembly Bill 2040 (Maienschein): Protective Order Violations – Support

Dear Chairman Jones-Sawyer:

The San Diego City Attorney's Office is pleased to sponsor Assembly Bill (AB) 2040.

Protective order violations are a serious problem in our society and are frequently a precursor to violence and death. Most protective order violations are misdemeanors under the California Penal Code, though these violations do encompass a broad spectrum of harmful behaviors. AB 2040 identifies one of the most egregious of those behaviors as warranting greater penalties.

Protective order violators who forcibly enter or trespass in the home of their victims create a special type of terror.

Victims return home to discover an invasion of their personal safety and privacy. They won't know if their abuser is still there, hiding in a closet or under a bed, and their terror remains acute until they have conducted a thorough search. They understand that their abuser had access to information in their calendars and appointment books, details about their social lives, their confidantes, and their safety plans, and other specific information that can be used to track their whereabouts. The immediate danger of these invasive violations and the impact they have on the mental health of victims – and their children – are egregious. Many victims choose to flee.

AB 2040 adds a mandatory statutory custodial sanction that will deter abusers, and allow victims time to regroup, change locks, or move their families to protect them from danger. It will also aid judges by flagging elevated protective order violations so that the information can be considered in bail and sentencing decisions.

For these reasons, my Office is proud to have sponsored AB 2040 and to strongly support its passage.

Sincerely,

Mara W. Elliott
San Diego City Attorney