

1 **[Motion to Support AB 1497 (Haney)]**

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3 **Supplemental Information:**

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5 See attached document [Letter of Support]

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May 1st, 2023

The Honorable Reginald Jones-Sawyer
Chair, Assembly Public Safety Committee
Legislative Office Building
1020 N Street, Room 111
Sacramento, California 95814

RE: AB 1497 (Haney) - SUPPORT

Dear Assemblymember Jones-Sawyer,

The Youth Commission is pleased to support AB 1497 (Haney), which seeks to ensure that no survivors of violence – particularly Black and brown women, youth, queer, or transgender victims – are excluded from legal remedies that open up pathways to healing and a fresh start for them and their families.

The Youth Commission is composed of seventeen youths, between the ages of 12 to 23, who represent the diverse communities of San Francisco. Created by the voters under a 1995 amendment to the City Charter, the Youth Commission advises the Board of Supervisors and the Mayor of San Francisco on policies and laws related to young people. The Youth Commission is also charged with providing comments and recommendations on all proposed laws that primarily affect youth before the Board takes final action.

In California, 34% of women will experience domestic violence in their lifetimes. Gender-based violence – including domestic violence, human trafficking, and sexual violence – impacts all communities, but Black, brown, and indigenous women and queer and trans people are disproportionately impacted. Black women are almost three times more likely than white women to die at the hands of a current or former partner. Over 80% of American Indian and Alaska Native women had experienced violence in their lifetime, and one in three had experienced violence within the past year. And transgender and gender non-conforming people are six times more likely to be sexually assaulted as children, have a greater risk of sexual violence across their lifetimes, and are vastly overrepresented in prisons.

A horrifying reality of our current legal system is that over 90% of human trafficking victims are criminalized while being trafficked. Survivors are often arrested and punished simply for protecting their or their families' lives.

Too often, victims and survivors of violence are blocked from the opportunity to heal because their trauma is used against them, ignored, or not accounted for during legal proceedings. Consequently, judges and juries are left with insufficient information and options to make key decisions about survivors' lives, including in criminal charges and sentencing. The criminalization and penalization of victims by California's legal system leaves survivors



without access to healing or crucial resources like housing, employment, education, and financial independence, and subjects them to continued cycles of violence, homelessness, and poverty.

AB 1497 would guarantee that survivors have a chance for their experiences to be heard during legal proceedings as well as a chance to rebuild their lives. Specifically, this bill would:

- Prevent the unjust conviction of victims who survived contexts of abuse, coercion, and exploitation through an expanded affirmative defense.
- Allow judges and jurors to consider an individual's relevant mental health diagnosis and treatment in more cases, broadening key decision-makers understanding of each individual and their unique circumstances.
- Permit judges to consider survivors' experiences when making sentencing decisions, allowing for the opportunity for healing and family reunification.
- Ensure that no survivors of abuse, coercion, and exploitation are excluded from forms of post-conviction relief that allow survivors a fresh start including access to employment, housing, education, and other opportunities.

For all these reasons, the Youth Commission is pleased to support AB 1497 and respectfully requests your "Aye" vote.

Sincerely,

Emily Nguyen, Chair

Yoselin Colin, Chair of the Transformative Justice Committee

Adopted on 05/01/2023
2022-2023 San Francisco Youth Commission

CC:
Assemblymember Juan Alanis, Vice Chair
Assemblymember Mia Bonta
Assemblymember Isaac Bryan
Assemblymember Tom Lackey
Assemblymember Liz Ortega
Assemblymember Miguel Santiago
Assemblymember Rick Chavez Zbur