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33 Years of Feminism From Marching in the Streets to a Seat at the Table

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August 10, 2021

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, CA 95814

RE: AB 124 (Kamlager) Criminal Procedure. Justice for Survivors – SUPPORT

Dear Senator Portantino,

The Santa Barbara Women's Political Committee (SBWPC) is pleased to sponsor AB 124 (Kamlager), the Justice for Survivors Act, which will support survivors of violence, including human trafficking, intimate partner violence, and sexual violence, by providing trauma-informed sentencing relief and trial advocacy considerations.

Criminal justice procedures need to take into account the full context of a person's situation and experiences, including age, impacts of trauma, stages of development, and offer a more humane and compassionate response to survivors who have already experienced harm. AB 124 is a common-sense, holistic, survivor-centered bill that will lead to decreased recidivism, decreased long-term carceral costs, and increased healing and reunification within society.

SBWPC's mission is dedicated to furthering gender equality and other feminist values. We advocate for a diverse set of positions which include crimes against women such as interpersonal violence, human trafficking, sexual assault and more - <https://sbwpc.org/positions/>.

AB 124 will create cost-savings by facilitating and encouraging early disposition of cases. The bill expands the affirmative defense available to survivors when an alleged crime is the result of trafficking and encourages prosecutors to consider trauma and its influence on behavior when engaging in plea negotiations. It gives judges the discretion to consider the influence of trauma at sentencing and will allow courts to consider whether a survivor's experience of abuse was a contributing factor in the commission of the offense when evaluating a reduced sentence. Providing evidence of trauma through human trafficking, sexual violence, or intimate partner violence would not require additional hearings, nor would it require expert testimony. In addition, by encouraging mitigated sentencing for survivors based on their circumstances, AB 124 has the potential to decrease state costs. The current vacatur process for human trafficking survivors (SB 823, Block) is limited in that it only provides relief in cases involving nonviolent offenses, which can prevent survivors from accessing occupational licenses, housing, and employment.

For these reasons, SBWPC respectfully requests your "Aye" vote.

Sincerely,



Luz Reyes-Martín
President, SBWPC

CC: Senator Patricia C. Bates, Vice Chair Senator Steven Bradford, Senator Brian W. Jones, Senator Sydney Kamlager, Senator John Laird, Senator Bob Wieckowski

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