



March 31, 2022

The Honorable Steven Bradford
Chair, California Senate Public Safety Committee
Sacramento, CA 95814

Re: Support for [S.B. 1262](#), concerning access to court records for access to work and apartments

Dear Chair Bradford,

On March 23, 2022, over two-dozen national and California organizationsⁱ wrote to you expressing strong support for your bill, S.B. 1262. Today, several more businesses and associations, signed below, write in support S.B. 1262, which allows consumers to start work and be placed in rental housing as quickly as possible. The bill does not create new law, but, rather, it restores the status quo for access to court records.

Senate Bill 1262 restores the long-standing accessibility of driver's license numbers (DLN) and dates of birth (DOB) in California court electronic indexes. Due to the prevalence of common names, this critical information is necessary to establish whether a court record belongs to a specific job or rental housing applicant. Without a return to the status quo, an applicant's name could produce hundreds or thousands of records unrelated to that individual.

The more than 20-year practice of using that information to filter through records was dismantled in May 2021. Last year, a California Court of Appeals decision incorrectly interpreted California Rule of Court [Rule 2.507](#) as prohibiting any electronic access in indexes of DOBs or DLNs, including the ability to use this information as search filters.ⁱⁱ This decision drastically limits the results returned to users of electronic indexes. This decision caused the background check process to slow to a crawl or grind to a halt.

If organizations, including those who are legally mandated to perform background checks on applicants, can no longer use search filters such as date of birth and driver's license number in conducting routine court records checks, they will be left with nothing but names, and little or no way to associate a court record with a specific individual. This is especially problematic with the prevalence of common names. Hundreds—indeed, thousands—of potential false positives will result, rendering record search results meaningless.

Many businesses and nonprofits are required to perform background checks before they can put people to work. Even if not required, some organizations or apartment owners will conduct checks to ensure that they are maintaining a safe environment. The *Hamrick* decision has made those record checks impossible to complete, resulting in significant delays or denials of job or housing applications.

When a person wants a job or apartment, they often need that opportunity right away. It is vital that we restore the ability to timely review applicant's records. Without S.B. 1262, those applicants are at risk of being denied access to work and housing. Your bill allows us to process background checks more efficiently and accurately.

We thank you for your authorship of S.B. 1262, and we look forward to its passage.

Signed,

California Staffing Association
Danville Area Chamber
Gilroy Chamber of Commerce
Laguna Niguel Chamber of Commerce
Santa Maria Valley Chamber of Commerce
Valley Industry & Commerce Association

ⁱ American Financial Services Association, American Staffing Association, Apartment Association of Greater Los Angeles, Asian American Hotel Owners Association, Brea Chamber of Commerce, Carlsbad Chamber of Commerce, California Apartment Association, California Bankers Association, California Building Industry Association, California Cable & Telecommunications Association, California Chamber of Commerce, California Credit Union League, California Financial Services Association, California Hospital Association, California Hotel & Lodging Association, California Restaurant Association, California Retailers Association, California Staffing Association, Coalition for Sensible Public Record Access, Consumer Data Industry Association, Corona Chamber of Commerce, Family Business Association of California, Fountain Valley Chamber of Commerce, Fremont Chamber of Commerce, Fresno Chamber of Commerce, Greater Conejo Valley Chamber of Commerce, Greater High Desert Chamber of Commerce, Imperial Valley Regional Chamber of Commerce, La Cañada Flintridge Chamber of Commerce, and Community Association, Long Beach Area Chamber of Commerce, Los Angeles Area Chamber of Commerce, Mission Viejo Chamber of Commerce, National Credit Reporting Association, Newport Beach Chamber of Commerce, NFIB, Official Police Garages of Los Angeles, Professional Background Screening Association, Rancho Cordova Chamber of Commerce, San Jose Chamber of Commerce, Simi Valley Chamber of Commerce, Southern California Rental Housing Association, Sue Weaver CAUSE, Tulare Chamber of Commerce, West Ventura County Business Alliance.

ⁱⁱ [All of Us or None of Us - Riverside Chapter v. Hamrick](#), (2021) 64 Cal.App.5th 751 [279 Cal.Rptr.3d 422] ("*Hamrick*").