



September 28, 2009

Honorable Arnold Schwarzenegger, Governor  
State of California  
State Capitol, First Floor  
Sacramento, CA 95814

RE: SB 431 – SIGN

Dear Governor Schwarzenegger:

The Riverside Sheriffs' Association, which represents over 3,200 rank and file deputy sheriffs, sheriffs, deputy probation officers, law enforcement investigators and counselors, coroners and bailiffs – the entire law enforcement team in Riverside County - supports SB 431 and asks that it be signed into law.


Current law holds county probation departments responsible for the supervision of adult offenders placed on probation by the superior court. Most of those placed on probation reside in the county where the crime, prosecution, and grant of probation occurred.

There are an undetermined number of adult probationers who reside in a different county than the probation department responsible for their supervision. These are adult probationers under wasteful duplicative probation supervision of multiple departments while there are other probationers who are entirely unsupervised by either the sentencing county or the county in which they reside. In such situations significant public safety risk exists due to inadequate supervision in the county of residence. Present Penal Code Section 1203.9, allows jurisdictional transfer of adult probationers between counties to facilitate supervision in the county of residence. The process does not provide for the orderly transfer of cases to the county of residence. Current law allows for courtesy supervision and authorizes discretion to both the sending and receiving counties for transfer. SB 431 would require the transfer of jurisdiction to the county of residence unless a determination is made on the record by the sentencing court that the transfer would be inappropriate. It also requires a noticed-motion for the transfer to allow the court of the proposed receiving county to provide comments for the record regarding the suitability of the transfer.

With this new community coordination, in SB 431, there is hope for a better approach to probationer's transfer as well as for public safety in general.

Very truly yours,

  
Pat McNamara  
President

  
Timothy H. B. Yaryan  
Legislative Counsel and Advocate

cc: State Senator John Benoit  
RSA  
Office of Planning and Research

6215 RIVER CREST DR., SUITE A • RIVERSIDE, CA 92507  
(951) 653-5152 • FAX (951) 653-1943 • (800) 655-4772