



June 22, 2010

Honorable Mark Leno, Chair
Senate Public Safety Committee
State Capitol, Room 2013
Sacramento, CA 95814

RE: AB 1847 - SUPPORT

Dear Senator Leno:

The Riverside Sheriffs' Association, which represents over 3,200 rank and file deputy sheriffs, deputy probation officers, law enforcement investigators and counselors, coroners and bailiffs - the entire law enforcement team in Riverside County - supports AB 1847

Assembly Bill 1847 streamlines the restitution process in DUI prosecutions. It allows the prosecutor to request on the victim's behalf that the criminal court order the wage garnishment and/or a writ of attachment (property) at the same time the restitution is ordered.

Assembly Bill 1847 would not impact cases where the defendant has no ability to pay (i.e., no discernible income, assets, etc.) In those cases, the court will determine the restitution amount and make a finding that the defendant does not have the ability to pay.

Also, Assembly Bill 1847 does not affect the current sentencing provisions for those convicted for DUI nor does it change the laws that determine DUI. The option provided by AB 1847 is a tool available to the prosecution after the defendant has been convicted and only if restitution is ordered by the court.

Very truly yours,

Pat McNamara
President

Timothy H. B. Yaryan
Legislative Counsel and Advocate

cc: Consultants - Senate Committee on Public Safety
Sandra Stresak, Los Angeles City Attorney (Sponsor)
Assemblymember Warren Furutani