



June 28, 2007

Honorable Gloria Romero, Chair
Senate Public Safety Committee
State Capitol, Room 2031
Sacramento, CA 95814

RE: AB 160 - OPPOSE

Dear Senator Romero:

The Riverside Sheriffs' Association, which represents over 2,800 rank and file Deputy Sheriffs, Deputy Probation Officers, Deputy Correctional Officers, District Attorney Investigators, and Deputy Coroners – the entire law enforcement team in Riverside County - respectfully must oppose AB 160.

While we have no trouble with the concept of a Sentencing Commission making recommendations on sentencing policy to the Legislature, we must respectfully take issue with the scope of authority of the Commission proposed in this bill.

AB 160 provides that the recommendations of the Commission will become law *unless specific action is taken by the Legislature rejecting those recommendations*. We believe that such a mechanism not only raises serious separation of powers issues, but we also believe that it constitutes unwise public policy. One of the most important functions of government is to provide for public safety. As such, decisions impacting the public safety of neighborhoods should be affirmatively made in a transparent fashion by *elected officials* who are accountable to the neighborhoods that sent them to Sacramento. Under AB 160, as few as nine non-elected persons could wind up remaking California sentencing law. We do not believe that such a broad delegation of legislative authority to a group of non-elected officials is sound public safety policy.

We would remove our opposition if the offending delegation language was removed.

Very truly yours,

Pat McNamara
President

Timothy H. B. Yaryan
Legislative Counsel and Advocate

cc: RSA
Members/Consultants, Senate Public Safety Committee
Assemblymember Sally Lieber