



July 1, 2003

Honorable Bruce McPherson, Chair
Senate Public Safety Committee
State Capitol, Room 2031
Sacramento, CA 95814

RE: AB 1012 (Steinberg) – OPPOSE

Dear Senator McPherson:

The Riverside Sheriffs' Association, which represents over 2,000 rank and file Deputy Sheriffs, Deputy Probation Officers, District Attorney Investigators, and Deputy Coroners – the entire law enforcement team in the County of Riverside – regretfully must oppose AB 1012.

AB 1012 requires that the principal of a school seek the consent of a parent or guardian prior to making the pupil available for questioning, and would prohibit making the pupil available for questioning until the parent can be present. AB 1012 grants extraordinary rights to a juvenile while the juvenile is at school. We think this is special protection, and it is unnecessary, since it would tie the hands of law enforcement from making legitimate inquiries, and could even result in greater harm to the school or its pupils.

For example, if a child has knowledge of dangerous drugs or weapons that another child has brought to school, or intends to use, the delay in questioning that child could result in great harm to others. In many cases, the officer may have no prior knowledge of the threat of harm *except as a result of interrogating the child*. The urgent circumstances exception provided in the bill would not apply because of the lack of the officer's prior knowledge of risk of harm.

While AB 1012 is well intended, tying law enforcement's hands by making timely and legitimate questioning difficult – if not impossible – serves no purpose other than to obstruct justice or, even worse, create an unnecessary risk of harm.

Very truly yours,

Pat McNamara
President

cc: RSA

Members, Consultants - Senate Public Safety Committee

Timothy H. B. Yaryan
Legislative Counsel and Advocate