



Office of the San Diego City Attorney

Mara W. Elliott  
City Attorney

February 27, 2023

Assembly Member Jones-Sawyer, Chair  
Assembly Public Safety Committee  
1020 N Street (LOB), Room 111  
Sacramento, California 95814

*Re: Support – AB 508 (Petrie-Norris): Environmental Crimes Probation Term*

Dear Chair Jones-Sawyer:

As City Attorney of San Diego, whose Office prosecutes environmental crimes on behalf of the People of the State of California, I write in support of AB 508 by Assembly Member Petrie-Norris. AB 508 would expand probation time limits from one (1) year to a maximum term of up to five (5) years for environmental criminal cases. This additional probation time will give the criminal justice system a longer period of time to protect the environment and the health and safety of the local community.

As background, most environmental defendants are placed on informal probation and do not report to a probation department. The terms and conditions of this informal probation are narrowly tailored to the specific regulatory crime that was violated with the goal of preventing its recurrence and abating the harm caused. The need for extended regulatory oversight was illustrated by the 2022 oil spill case in Orange County, where the defendant pleaded no contest to the criminal charges of failing to immediately report a discharge of oil into waters of the state, water pollution, and the killing of protected wildlife. The defendant was ordered to pay state criminal fines totaling \$4.9 million and was placed on probation. The probation terms included vast training requirements, updating internal procedures, submitting updated contingency plans, and revising inspection timeframes. Such requirements are believed to be an effective way to prevent recurrence of such an egregious violation, but a one-year probation term is insufficient for the appropriate regulatory oversight to ensure compliance.

AB 508 will ensure that oversight continues for a period long enough for the environmental violators to comply with the terms and conditions of their probation, which can include such time-consuming requirements as revising corporate policies, procedures, and training programs, and updating industrial processes. AB 508 is needed to help protect the health and safety of the people of California and our environment. The Office of the San Diego City Attorney is proud to support this legislation.

We respectfully ask for your “aye” vote when this bill comes before the Assembly Public Safety Committee.

Sincerely,



Mara W. Elliott  
San Diego City Attorney