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September 25, 2017

The Honorable Jerry Brown
Office of the Governor
State Capitol, Suite 1173
Sacramento, CA 95814

Re: Senate Bill 620 – Oppose

Time Sensitive

Dear Governor Brown:


The Orange County District Attorney's Office (OCDA) strongly opposes Senate Bill 620 that would change firearm sentencing enhancement requirements by allowing felons who use a gun during the commission of their crimes to receive lower sentences. Under Penal Code 12022.53, "10-20-life: Use a Gun and You're Done" law, anyone who uses a gun in committing very specific violent felonies including murder, kidnapping, robbery, carjacking and rape, is subject to an enhancement which adds 10 years in prison for use of a gun, 20 years for firing the gun, and 25 years to life for killing or seriously injuring someone by firing the gun during the commission of said crime. The enhancement is in addition to and consecutive to the underlying felony conviction. Penal Code Section 12022.5 provides for mandatory consecutive sentences of three, four or 10 years in prison for use of a gun during the commission of any felony.

SB 620 would allow the judge, at the time of sentencing, to strike or dismiss firearm sentencing enhancement under these provisions. This will directly result in our most violent felons receiving lower sentences. It is incomprehensible that, at a time when California is continually increasing gun regulations to make lawful gun possession more onerous, the state is on the verge of lowering criminal penalties for the use a firearm by dangerous felons.

The gun enhancement laws have been a very effective vehicle in which to deliver public safety through the incarceration of criminals who commit the worst crimes while using a gun. SB 620 would weaken this important public safety protection.

I respectfully urge you to veto Senate Bill 620 and prioritize public safety for our community.

Sincerely,


Tony Rackauckas
District Attorney

TR:vlb