



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

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June 8, 2022

The Honorable Steven Bradford
Senate Public Safety Committee, Chair
1020 O Street, Room 545
Sacramento, CA 95814

ASSEMBLY BILL 2198 (FONG)
SUPPORT
Senate Public Safety Committee

Dear Senator Bradford:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 2198 (Fong).

AB 2198 replaces the term "accident" with "crash" in the Vehicle Code when used to describe collisions involving one or more persons driving under the influence of alcohol or drugs, and removes provisions of the Youth Drunk Driver Visitation Program authorizing a court to require supervised visitation by defendant or ward at a chemical dependency hospital.

Law enforcement agencies and courts have started to transition away from using the term accident and use either crash or collision when negligence is claimed or proven. The change from "accident" to "crash" to describe a collision involving impaired driving is consistent with this policy.

As the Assembly Public Safety Committee noted, "This bill would remove the authority to mandate supervised visitation of a defendant at a facility that "cares for advanced alcoholics...to observe persons in the terminal stages of alcoholism or drug abuse." The message of this intervention appears to be that continued alcohol or drug use could lead to a slow death by disease. However, the harms of drunk driving are neither slow nor limited to damage to one's own body. The problem with using alcohol and/or drugs and driving is the increased likelihood of severe injury or death to the driver and/or others, not that they may someday die from cirrhosis or Hepatitis C. Supervised visitation at a facility for people dying of alcohol or substance use disorders only tenuously conveys this message, if at all."

The changes proposed by AB 2198 will help eliminate the false perception that collisions caused by impaired drivers are the result of blameless, random occurrences. These collisions are not unpredictable events. Impaired drivers are statistically much more likely to be involved in a

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collision. Labeling these collisions as accidents is therefore misleading and gives the public an inaccurate impression of the conduct involved in impaired driving.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Gascón", written in a cursive style.

GEORGE GASCÓN
District Attorney

cc: Assembly Member Davies
Members, Senate Public Safety Committee
Eric Csizmar, Senate Republican Caucus