



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

GEORGE GASCÓN • District Attorney
SHARON L. WOO • Chief Deputy District Attorney
JOSEPH F. INIGUEZ • Chief of Staff

DANIEL FELIZZATTO • Legislative Advocate
TAMAR TOKAT • Legislative Advocate

May 15, 2023

The Honorable Connie Petrie-Norris
California State Assembly
1021 O Street, Suite 4320
Sacramento, CA 95814

ASSEMBLY BILL 508 (PETRIE-NORRIS)
SUPPORT

Dear Assembly Member Petrie-Norris:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 508 (Petrie-Norris).

AB 508 provides that if a corporate entity is granted probation based on conviction of an "environmental crime," the term of probation can be set at up to five years.

AB 508 defines an environmental crime for purposes of extending probation as any of the following:

- Specified provisions of the Fish and Game Code related to the unlawful taking of birds, mammals, fish, reptiles, or amphibians; the sale, purchase or capture of desert tortoises; the unlawful use of explosives in state waters inhabited by fish; and discharge of specified substances into the waters of the State;
- Specified provisions of the Food and Agriculture Code related to pesticides;
- Specified provision of the Harbors and Navigation Code related to discharging cargo overboard from a vessel, and discharging oil upon navigable waters;
- Specified provisions of the Health and Safety Code known as the Medical Waste Management Act, and the Aboveground Petroleum Storage Act.
- Specified provisions of the Health and Safety Code relating to non-vehicular air pollution control, hazardous waste control, underground storage of hazardous substances, and hazardous materials release;
- Specified provisions of the Government Code known as the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act;
- Specified provisions of the Penal Code related to malicious discharge of any substance capable of causing substantial damage or harm to the operation of a public sewer system; illegal dumping; grease waste hauling violations; depositing hazardous substances; animal cruelty; importation, possession for sale, or sale of endangered species; and possession or sale of a dead seal;

May 15, 2023
Page Two

- Vehicular transportation of hazardous material, and hazardous material transportation in violation of regulations of the Department of the California Highway Patrol; and,
- Specified provisions of the Water Code mandating compliance with the Federal Clean Water Act.

AB 508 will help ensure corporations and other business entities who violate California environmental laws and are placed on probation complete the corresponding terms and conditions by expanding the probation time limit to a maximum of five years. This will ensure that corporate violators complete the requirements of their probation, including changing policies, training, and updating their industrial processes.

The need for extended regulatory oversight was exemplified in the 2022 oil spill case in Orange County, where the defendants (two corporations and an LLC) pled no contest to the criminal charges of failing to immediately report a discharge of oil into waters of the state, water pollution, and killing of protected wildlife. The defendant was ordered to pay state criminal fines totaling \$4.9 million dollars and was placed on probation. The probation terms included significant training requirements, updating internal procedures, submitting new contingency plans, revising inspection timeframes, amongst other requirements. A one-year probation term does not allow nearly enough time for the appropriate regulatory oversight to ensure the defendant has made the necessary changes to ensure such a violation does not occur again.

AB 508 is a noncontroversial, commonsense legislation that is narrowly tailored to address a specific problem in the enforcement of California's environmental laws.

It makes little sense to have some of the strongest environmental statutes on the books if we cannot effectively enforce them when they are violated, especially by a corporate defendant. For these reasons our Office is pleased to support AB 508.

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,



GEORGE GASCÓN
District Attorney