



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS  
770 L Street, Suite 1240 • Sacramento, California 95814-3368  
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TANI G. CANTIL-SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

STEVEN JAHR  
*Administrative Director of the Courts*

CORY T. JASPERSON  
*Director, Office of Governmental Affairs*

April 23, 2014

Hon. Tom Ammiano, Chair  
Assembly Public Safety Committee  
State Capitol, Room 3146  
Sacramento, California 95814

Subject: AB 2645 (Dababneh), as proposed to be amended – Support/Sponsor  
Hearing: Assembly Public Safety Committee – April 29, 2014

Dear Assembly Member Ammiano:

The Judicial Council is pleased to support and sponsor AB 2645, which modifies intercounty transfer procedures to require transferring courts to determine the amount of any victim restitution before transfer unless the court is unable to determine the amount within a reasonable time.

Under existing law, transferring courts must consider restitution orders and victim issues before deciding the appropriateness of a proposed intercounty transfer. (Pen. Code § 1203.9(e)(3).)<sup>1</sup> Despite the California Rules of Court requirement that courts consider: (1) whether transfer would impair the ability of the receiving court to determine a restitution amount; (2) impair the ability of the victim to collect court-order restitution; and (3) to the extent possible, establish the amount of restitution before transfer; courts often transfer cases without first determining victim restitution amounts and without any indication that the restitution amount was properly considered (Cal. Rules of Court, rules 4.530(f)(3) & 4.530(g)(2).). As a result, receiving courts are often unable to determine accurate restitution amounts because the relevant witnesses and

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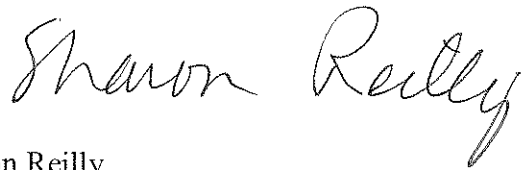
<sup>1</sup> All statutory references are to the Penal Code.

information are not readily available in the receiving county. Those transfers also create significant hardships on victims who risk losing restitution if they are unable to travel to the receiving county to pursue or clarify a request for restitution in person.

To improve victim access to restitution and promote efficiencies in determining restitution amounts, AB 2645 amends section 1203.9 to: (1) prohibit transfers until restitution amounts have been determined unless a transferring court finds that a determination cannot be made within a reasonable amount of time from the date of the motion to transfer; (2) require courts that transfer cases without first determining restitution to retain jurisdiction to determine the amount as soon as practicable; and (3) clarify that, in all other aspects, the receiving court receives full jurisdiction over the matter AB 2645 will facilitate the collection of victim restitution without compromising public safety.

For these reasons, the Judicial Council is sponsoring and supporting AB 2645.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Reilly". The signature is written in black ink and is positioned above the typed name and title.

Sharon Reilly  
Senior Attorney

SR/yc-s

cc: Members, Assembly Public Safety Committee  
Hon. Matt Dababneh, Member of the Assembly  
Ms. Sandy Uribe, Counsel, Assembly Public Safety Committee  
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor  
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy



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June 4, 2014

Hon. Loni Hancock, Chair  
Senate Public Safety Committee  
State Capitol, Room 2082  
Sacramento, California 95814

Subject: AB 2645 (Dababneh), as amended May 6, 2014 – Support/Sponsor  
Hearing: Senate Public Safety Committee – June 10, 2014

Dear Senator Hancock:

The Judicial Council is pleased to support and sponsor AB 2645, which modifies intercounty transfer procedures to require transferring courts to determine the amount of any victim restitution before transfer unless the court is unable to determine the amount within a reasonable time.

Under existing law, transferring courts must consider restitution orders and victim issues before deciding the appropriateness of a proposed intercounty transfer. (Pen. Code § 1203.9(e)(3).)<sup>1</sup> Despite the California Rules of Court requirement that courts consider: (1) whether transfer would impair the ability of the receiving court to determine a restitution amount; (2) impair the ability of the victim to collect court-order restitution; and (3) to the extent possible, establish the amount of restitution before transfer; courts often transfer cases without first determining victim restitution amounts and without any indication that the restitution amount was properly considered (Cal. Rules of Court, rules 4.530(f)(3) & 4.530(g)(2).). As a result, receiving courts

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are often unable to determine accurate restitution amounts because the relevant witnesses and information are not readily available in the receiving county. Those transfers also create significant hardships on victims who risk losing restitution if they are unable to travel to the receiving county to pursue or clarify a request for restitution in person.

To improve victim access to restitution and promote efficiencies in determining restitution amounts, AB 2645 amends section 1203.9 to: (1) prohibit transfers until restitution amounts have been determined unless a transferring court finds that a determination cannot be made within a reasonable amount of time from the date of the motion to transfer; (2) require courts that transfer cases without first determining restitution to retain jurisdiction to determine the amount as soon as practicable; and (3) clarify that, in all other aspects, the receiving court receives full jurisdiction over the matter. AB 2645 will facilitate the collection of victim restitution without compromising public safety.

For these reasons, the Judicial Council is pleased to sponsor and support AB 2645.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Reilly". The signature is fluid and cursive, with the first name "Sharon" and last name "Reilly" clearly distinguishable.

Sharon Reilly  
Senior Attorney

SR/yc-s

cc: Members, Senate Public Safety Committee  
Hon. Matt Dababneh, Member of the Assembly  
Mr. Jerome McGuire, Counsel, Senate Public Safety Committee  
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor  
Mr. Eric Csizmar Consultant, Senate Republican Office of Policy



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*Director, Office of Governmental Affairs*

June 30, 2014

Hon. Edmund G. Brown, Jr.  
Governor of California  
State Capitol, First Floor  
Sacramento, California 95814

Subject: AB 2645 (Dababneh), as amended May 6, 2014 – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to support and sponsor AB 2645, which modifies intercounty transfer procedures to require transferring courts to determine the amount of any victim restitution before transfer unless the court is unable to determine the amount within a reasonable time.

Under existing law, transferring courts must consider restitution orders and victim issues before deciding the appropriateness of a proposed intercounty transfer. (Pen. Code § 1203.9(e)(3).)<sup>1</sup> Despite the California Rules of Court requirement that courts consider: (1) whether transfer would impair the ability of the receiving court to determine a restitution amount; (2) impair the ability of the victim to collect court-order restitution; and (3) to the extent possible, establish the amount of restitution before transfer; courts often transfer cases without first determining victim restitution amounts and without any indication that the restitution amount was properly considered (Cal. Rules of Court, rules 4.530(f)(3) & 4.530(g)(2).). As a result, receiving courts are often unable to determine accurate restitution amounts because the relevant witnesses and

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Hon. Edmund G. Brown, Jr.

June 30, 2014

Page 2

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For these reasons, the Judicial Council requests your signature on AB 2645.

Sincerely,

A handwritten signature in black ink that reads "Sharon Reilly". The signature is written in a cursive, flowing style.

Sharon Reilly  
Senior Attorney

SR/yc-s

cc: Hon. Matt Dababneh, Member of the Assembly

Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor