



CALIFORNIA ASSOCIATION FOR THE RETARDED
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April 8, 2005

Assemblymember Mark Leno, Chair
Assembly Public Safety Committee
State Capitol
Sacramento CA 95814

AB 1289 (As introduced February 22, 2005)
Firearms Authorization for Peace Officers
April 12, 2005 hearing

Dear Assemblymember Leno:

The California Association for the Retarded (CAR) has taken an oppose position on AB 1289 (Horton), as introduced February 22, 2005. We specifically are concerned about the provision of the bill that would delete the authority of state departmental agencies to determine when their peace officers should carry firearms and to determine the terms and conditions under which they could do so.

CAR is a statewide parent organization with 10 local units that include family advocacy organizations, operators of day programs, and parent groups at state developmental centers. CAR advocates for choice, maintenance of a continuum of services and greater parent/family involvement in decision making processes affecting adult sons and daughters with mental retardation and other developmental disabilities.

Under current law, Section 830.38 of the Penal Code gives the decision on the carrying of firearms to the employing agency. In our area of interest, this would be the Department of Developmental Services (DDS). In the past, the DDS director has never authorized its peace officers at developmental centers to carry firearms.

In addition, the issue of state developmental center peace officers being allowed to carry firearms has been rejected on a number of occasions in prior legislative sessions, in part due to strenuous opposition from parent groups.

Please reject any attempts to change the existing law which currently gives the decision of carrying firearms to the employing agency, the Department of Developmental Services. We have not seen any evidence that would convince us of the need for this change.

Sincerely,

(signed)
Marion Lieberman, President

cc: Members, Assembly Public Safety Committee
Assemblymember Jerome Horton