

**Office of the District Attorney
Alameda County**
Nancy E. O'Malley, District Attorney



**Rene C. Davidson Courthouse
1225 Fallon Street, Suite 900
Oakland, CA 94612**

April 2, 2019

The Honorable Rebecca Bauer-Kahan
California State Assembly
State Capitol, Room
Sacramento, CA 95814

Re: Assembly Bill 1216- SPONSOR and SUPPORT

Dear Assemblymember Bauer-Kahan,

As the Alameda County District Attorney, I am pleased to sponsor and support AB 1216. This bill would authorize the counties of Alameda and Contra Costa to establish a pilot program to employ two full-time law enforcement officers, one from each county, for the purpose of working together to enforce illegal dumping laws in those counties.

Illegal Dumping is an environmental justice issue that disproportionately affects disadvantaged communities. Illegal dumping impacts the sense of well-being of children and other residents who live in neighborhoods where it's rampant. Dumping "hot spots" become breeding grounds for vermin and otherwise impact public health. Some residents and businesses are forced to pick up debris daily in front of their homes and businesses. Unscrupulous commercial haulers save significant money illegally disposing construction debris, dirt, etc. while taxpayers pick up the tab, paying increasingly significant costs to clean up the tremendous amounts of garbage dumped on our city streets, highways, parks, and in our waterways. Illegal dumping diminishes property values and revenues to local governments. It affects everyone.

The current lack of investigation into illegal dumping has led to an overall lack of enforcement of our illegal dumping laws -- which has encouraged the normalization of illegal dumping. Although cities commonly receive investigative leads relating to illegal dumping from the public, many police agencies don't have the time to investigate these leads because they are focused on violent crimes and other more serious offenses. Illegal dumping investigations are typically time-consuming because, even if a suspect and license plate are captured on video, the suspect is commonly *not* the registered owner of the associated vehicle. These investigations require a significant amount of follow-up to develop sufficient evidence to file a criminal complaint or citation.

Having two sworn peace officers working together full-time will provide for some measure of enforcement, which, if publicized, will help deter illegal dumping by the many who currently believe they will never get caught. In addition to solving cases, the full-time designation of the peace officers will help the officers build networks between law enforcement agencies, public works, and other partners to address this intransigent problem, and will allow for the building of expertise regarding investigations. Their suspect interviews may also shed light on root causes and possible local solutions. The pilot will also provide the officers the time to conduct any potential special operations.

Importantly, this pilot will also help reinvigorate the view that illegal dumping crimes deserve investigation and enforcement. Thank you for your leadership on this important issue. I look forward to working with you.

Sincerely,

NANCY E. O'MALLEY
District Attorney