



® April 24, 2017

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

The Honorable Lorena Fletcher Gonzalez
Chair, Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, CA 95814

**Re: AB 1401 (Maienschein) - Juveniles: protective custody warrant
As Amended April 19, 2017 – SUPPORT
Set to be heard May 2, 2017 - Assembly Appropriations Committee**

Dear Assembly Member Gonzalez Fletcher,

The California State Association of Counties (CSAC) is pleased to support Assembly Bill 1401, by Assembly Member Brian Maienschein. This measure, as amended, would make changes to the issuance of protective custody warrants.

Under existing law, the juvenile court is allowed to order the removal of a child from his or her home when a petition is filed simultaneously, or if social workers investigate child abuse and neglect and find that there is imminent danger or bodily harm. There is some ambiguity in existing law regarding the issue of obtaining warrants without filing a petition. Some courts will issue warrants without a petition, because they believe that authority is inherent in their judicial powers to protect the interests of a minor. However, in some counties, judges will not do so without a warrant.

AB 1401 would clarify this ambiguity by allowing social workers, under certain circumstances, to seek a court order to remove a child without filing a petition while still retaining the judge's discretion as to whether a warrant is appropriate or needed as a precondition. This bill would provide an additional tool for social workers and help to protect vulnerable children.

It is for these reasons that CSAC supports AB 1401 and respectfully requests your AYE vote. Should you have any questions regarding our position please do not hesitate to contact me at dkernan@counties.org or 916.650.8131.

Sincerely,

A handwritten signature in cursive script that reads 'Darby Kernan'.

Darby Kernan
Legislative Representative

cc: The Honorable Brian Maienschein, California State Assembly
Members and Consultant, Assembly Appropriations Committee
Paul Dress, Consultant, Assembly Republican Caucus