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# California State Senate

SENATOR

SCOTT WILK

SENATE REPUBLICAN LEADER

TWENTY-FIRST SENATE DISTRICT

COMMITTEES  
GOVERNMENTAL  
ORGANIZATION  
TRANSPORTATION



September 16, 2021

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

RE: Recommended Veto of SB 775 (Becker)

Dear Governor Newsom:

I respectfully write to request your veto of Senate Bill 775, which allows defendants who were convicted of, or plead to, attempted murder or manslaughter, to petition the court to have their conviction vacated and to be resentenced on any remaining counts.

This measure suffers from logistical issues. In many cases where a plea was accepted, there will be no record to provide evidence that the defendant is, or is not, entitled to relief provided by this measure. Instead, this would require a new trial along with testimony from the survivors and witnesses potentially years after the crime was committed. Many individuals in these cases already received a lower sentence through a plea or conviction for offense other than murder. It is neither unreasonable nor unfair to hold them accountable for the crimes in which they participated.

In these types of situations, given the grief and suffering resulting from the original crime, witnesses and survivors may be reticent to reengage in this process, particularly in gang related cases. The result - individuals could receive a lesser sentence, inconsistent with their actual actions and the harm they caused. This would undermine the public's faith in the justice system and diminish the impact of the crime on victims and survivors.

For these reasons, I respectfully request your veto. If you have any questions about my request, please call my office at 916-651-4021 or email me at [Senator.Wilk@senate.ca.gov](mailto:Senator.Wilk@senate.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Scott Wilk".

Scott Wilk  
Senate Republican Leader