

For the FDSA, May is always filled with remembrance of the officers and deputy sheriffs whose lives were lost during the prior year. This year is no different. We pause to remember their service and sacrifice. Since the pandemic hit last year, these ceremonies have been put on hold. This year- the events were again canceled. They are planning to resume for the annual events in May of 2022.

The month of May is also somber as we honor two deputy sheriff's whose lives were lost in service to the residents of Fresno County. Deputy Dennis Phelps (EOW 05/20/2002) and Deputy Josh Lancaster (05/29/2003) were killed one year apart.

Many of you who have spent the past two decades or longer at the Fresno County Sheriff's Office may remember these deputies personally. Since I took the position of FDSA President in August of 2008, I have made it a priority to honor the fallen deputies on each anniversary of their death. In addition, I also send a handwritten note to their loved ones reminding them we continue to honor their service.

2021 FDSA Board of Directors Official Election Results

President:

- Eric Schmidt

Second Vice President:

- Greg Little

Board of Directors:

- John Robinson
- Tyler Hitter

Thank you to those who voted in the Board of Directors Election. We had slightly more than 50 percent voter turnout. We always hope to have a high voter turnout during elections. If you haven't signed up for FDSA messages on our website, I would encourage you to at your earliest opportunity. It's a great way to stay informed and in the loop on what's happening within the organization.

I would like to thank outgoing second Vice President Anthony Gomez for his many years serving the members of the FDSA. Anthony started on the FDSA Board in 2006. He ran for and won election for second vice president in 2013 and has served in that role ever since. Anthony has been a part of the negotiations team, insurance trust, grievance/legal defense and active in the Central Cal Chapter of PORAC, sitting as the Chapter President. I want to thank him for donating his time to this organization to make

it a better place for all of its members. Thank you Anthony for all you have done for the Fresno Deputy Sheriff's Association over the years.

PORAC News

There is a lot of legislation on the line at the State Capitol that would impact law enforcement. PORAC is at the forefront of these issues. There's legislation we are watching very closely and other bills that we are actively opposing. Our lobbyists from Aaron Read and Associates did have some good news to report recently.

Below I have attached a chart that has the initials "AO" on the list of bills. The "held" bills did not pass out of Appropriation Committee on Thursday, so they are dead. This means- for the moment they die and can be brought back in a year with different language. Many do not make it back to the table for consideration.

Here are the bills that did not make further past the current committee they were in.

AB 826 – Microchip firearms

This is what the penal code would have been changed to:

SECTION 1.

Section 13660 is added to the Penal Code, to read:

13660.

(a) All handguns purchased or acquired on or after July 1, 2023, which are described in subdivision (b), shall, within 90 days of purchase or acquisition, be equipped with a microscopic array of characters used to identify the make, model, and serial number of the handgun, etched or otherwise imprinted in one or more places on the interior surface or internal working parts of the handgun, and that are transferred by imprinting on each cartridge case when the firearm is fired.

(b) (1) This section applies to all of the following:

(A) Any handgun owned by any state, county, city, city and county, or other law enforcement agency.

(B) Any handgun used, possessed, or otherwise carried by a state, county, city, city and county, or other peace officer while on duty.

(2) This section does not apply to a handgun that is a revolver.

(c) All handguns described in subparagraph (B) of paragraph (1) of subdivision (b) shall, within 90 days of acquisition, be entered as an institutional weapon into the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System

(CLETS) by the state, county, city, city and county, or other law enforcement agency. Any law enforcement agency without access to the AFS shall arrange with the sheriff of the county in which the agency is located to input this information via this system.

AB1224 – Sentencing laws

AB 1224, as introduced, Levine. Sentencing: special circumstances.

Existing law provides for various specified special circumstances, including the murder of a peace officer, firefighter, or witness, which, if found true as specified, require a defendant found guilty of murder in the first degree to be sentenced to death or imprisonment for life without the possibility of parole. Existing law, added by Proposition 115 of the June 5, 1990, statewide primary election, prohibits a judge from striking or dismissing any special circumstance admitted by plea or found true by a jury or court, as specified. Existing law provides for amendment of these provisions by a $2/3$ vote of each house of the Legislature.

This bill would amend Proposition 115 by repealing the provision prohibiting a judge from striking a special circumstance and by, instead, authorizing a judge, on the judge's own motion or upon the application of either party, and in the furtherance of justice, to order the dismissal of a special circumstance finding or admission. The bill would authorize a judge to order the dismissal of a special circumstance finding or admission retroactively when the trial court judgment has become final and the sentence has been executed, or the imposition of the sentence has been suspended, including when the sentence previously pronounced was life imprisonment without the possibility of parole or the death penalty, as specified.

This bill would state that its provisions are severable.

AB 1509: Firearms Enhancements

Existing law imposes a sentence enhancement in the state prison of 10 years for personally using a firearm in the commission of specified felonies, 20 years for personally and intentionally discharging a firearm in the commission of those felonies, and 25 years to life for personally and intentionally discharging a firearm and causing great bodily injury or death to any other person during the commission of those felonies.

This bill would reduce those enhancements to 1, 2, and 3 years, respectively.

Existing law imposes a sentence enhancement of 5, 6, or 10 years in the state prison for, with intent to inflict great bodily injury or death, discharging a firearm from a motor vehicle in the commission of a felony and inflicting great bodily injury or death in the commission of a felony.

This bill would reduce that enhancement to 1, 2, or 3 years in the state prison.

This bill would additionally authorize a person serving a term for those provisions as they read on or before December 31, 2021, to petition the court for a recall of sentence and to request resentencing in accordance with these changes.

As the summer approaches- I want to wish you as many days under 100 degrees as we can get and plenty of good memories made with family and friends!

All my best,

Eric