



**PORAC Sponsor, Active Support and
Active Oppose Bills**

May 24, 2023

Bill Number	Author	Title	Position	Location
AB 33	(Bains D)	Fentanyl Addiction and Overdose Prevention Task Force	AS	A. SECOND READING
AB 44	(Ramos D)	California Law Enforcement Telecommunications System: tribal police	AS	A. THIRD READING
AB 46	(Ramos D)	Personal income taxes: exclusion: Military Services Retirement and Surviving Spouse Benefit Payment Act	AS	A. THIRD READING
AB 88	(Sanchez R)	Criminal procedure: victims' rights	AS	A. THIRD READING
AB 89	(Sanchez R)	Parole hearings: attorney notice	AS	A. THIRD READING
AB 93	(Bryan D)	Criminal procedure: consensual searches	AO	A-THIRD READING
AB 280	(Holden D)	Segregated confinement	AO	A. SECOND READING
AB 303	(Davies R)	Firearms: prohibited persons	AS	A-THIRD READING
AB 355	(Alanis R)	Firearms: assault weapons: exception for peace officer training	AS	A-THIRD READING
AB 428	(Waldron R)	California Department of Reentry	AS	A. APPR. SUSPENSE FILE
AB 436	(Alvarez D)	Vehicles	AO	S. TRANS.
AB 702	(Jackson D)	Local government financing: juvenile justice	AO	A. 2 YEAR
AB 733	(Fong, Mike D)	Firearms: sale by government entity	AO	A-THIRD READING
AB 742	(Jackson D)	Law enforcement: police canines	AO	A. SECOND READING
AB 793	(Bonta D)	Privacy: reverse demands	AO	A-THIRD READING
AB 797	(Weber D)	Local government: police review boards	AO	A. 2 YEAR

Bill Number	Author	Title	Position	Location
AB 807	(McCarty D)	Police use of force	AO	A. APPR. SUSPENSE FILE
AB 808	(Mathis R)	Crimes: rape	AS	A. 2 YEAR
AB 1058	(Patterson, Jim R)	Controlled substances: fentanyl	AS	A. 2 YEAR
AB 1067	(Patterson, Jim R)	Vehicle accidents: fleeing the scene of an accident	AS	A. APPR. SUSPENSE FILE
AB 1090	(Jones-Sawyer D)	County officers: sheriffs	AO	A. 2 YEAR
AB 1149	(Grayson D)	Human trafficking Act: California Multidisciplinary Alliance to Stop Trafficking (California MAST)	AS	A. APPR. SUSPENSE FILE
AB 1246	(Nguyen, Stephanie D)	Public Employees' Retirement System optional settlements	AS	S. RLS
AB 1260	(Patterson, Joe R)	Parole: notice of release date	AS	A. 2 YEAR
AB 1507	(Gallagher R)	Firearms: state property	AS	A. 2 YEAR
AB 1602	(Alvarez D)	Crimes: disorderly conduct	AS	A. 2 YEAR
SB 2	(Portantino D)	Firearms	AO	S. THIRD READING
SB 8	(Blakespear D)	Firearms liability insurance	AO	S. 2 YEAR
SB 13	(Ochoa Bogh R)	Controlled substances	AS	S. 2 YEAR
SB 14	(Grove R)	Violent felonies: serious felonies: human trafficking	AS	S. CONSENT CALENDAR
SB 44	(Umberg D)	Controlled substances	AS	S. 2 YEAR
SB 50	(Bradford D)	Vehicles: enforcement	AO	S. THIRD READING
SB 58	(Wiener D)	Controlled substances: decriminalization of certain hallucinogenic substances	AO	S. THIRD READING
SB 94	(Cortese D)	Recall and resentencing: special circumstances	AO	S. THIRD READING
SB 236	(Jones R)	Human trafficking: vertical prosecution program	AS	S. THIRD READING

Bill Number	Author	Title	Position	Location
SB 268	(Alvarado-Gil D)	Crimes: serious and violent felonies	AS	S. CONSENT CALENDAR
SB 288	(Nguyen R)	Public records: parole calculations and inmate release credits	AS	S. 2 YEAR
SB 316	(Niello R)	Shoplifting: increased penalties for prior crimes	AS	S. 2 YEAR
SB 359	(Umberg D)	Prisons: credits	AS	A. PUB. S
SB 377	(Skinner D)	Firearms	AO	S. THIRD READING
SB 449	(Bradford D)	Peace officers: Peace Officer Standards Accountability Advisory Board	AO	S. THIRD READING
SB 519	(Atkins D)	Corrections	AO	S. THIRD READING
SB 637	(Min D)	Financial institutions doing business with firearms manufacturers: ban on doing business with the state	AO	S. 2 YEAR
SB 719	(Becker D)	Law enforcement agencies: radio communications	AO	S. 2 YEAR
SB 761	(Laird D)	Department of Justice: civil rights investigations	AO	S. 2 YEAR
SB 838	(Menjivar D)	Victim compensation: use of force by a law enforcement officer	AO	S. APPR. SUSPENSE FILE
SJR 1	(Cortese D)	Social Security Act: repeal of benefit reductions	AS	S. CONCURRENCE
SCR 28	(Seyarto R)	Purple Heart Day	AS	S. INACTIVE FILE
SCR 44	(Caballero D)	Sexual assault	AS	A. CONSENT CALENDAR



March 15, 2023

The Honorable Jasmeet Bains
Member, California State Assembly
1021 O Street, Room 5730
Sacramento, CA 95814

AB 33 (Bains) – Active Support

Dear Assemblymember Bains,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to support AB 33 regarding the Fentanyl Addiction and Overdose Prevention Task Force.

AB 33 would establish the Fentanyl Addiction and Overdose Prevention Task Force to undertake various duties relating to fentanyl abuse, including, among others, collecting and organizing data on the nature and extent of fentanyl abuse in California and evaluating approaches to increase public awareness of fentanyl abuse. The bill would require the task force to be cochaired by the Attorney General and the Surgeon General, or their designees, and would specify the membership of the task force.

The fentanyl crisis is a major issue in California. A study from California Department of Public Health (CDPH) found that in 2021 there were 5,961 linked to fentanyl. These tragic numbers highlight the need for a Fentanyl Addiction and Overdose Prevention Task Force.

For this reason, PORAC supports AB 33. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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April 24, 2023

The Honorable James Ramos
California State Assembly
1021 O Street, Room 8310
Sacramento, CA 95814

AB 44(Ramos) – Active Support

Dear Assemblymember Ramos,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to support AB 44 relating to California Law Enforcement Telecommunications System: tribal police.

Current law establishes the California Law Enforcement Telecommunications System (CLETS) within the Department of Justice to facilitate the exchange and dissemination of information between law enforcement agencies in the state. Current law also establishes a CLETS advisory committee, appointed by the Attorney General, to assist in the management of the system. This bill would require the department to grant access to the system to the law enforcement agency of a federally recognized Indian tribe meeting certain qualifications.

Collaboration between local law enforcement and tribal nations is an important part of ensuring the protection of the indigenous people living and working on those tribal lands. PORAC believes that by allowing qualified tribal law enforcement agencies access to California Law Enforcement Telecommunications System (CLETS), qualified Tribes will assist in providing additional crime-fighting tools needed to protect the tribal members. PORAC feels that AB 44 provides appropriate safeguards by the Department of Justice to help protect against any abusive or inappropriate uses of the CLETS system.

Again, PORAC supports the passage of AB 44. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 9, 2023

The Honorable James Ramos
California State Assembly
1021 O Street, Room 8310
Sacramento, CA 95814

AB 46(Ramos) – Active Support

Dear Assemblymember Ramos,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to support AB 46 relating to personal income taxes: exclusion: Military Services Retirement and Surviving Spouse Benefit Payment Act.

AB 46 would, for taxable years beginning on or after January 1, 2024, and before January 1, 2034, exclude from gross income retirement pay received by a taxpayer from the federal government for service performed in the uniformed services, as defined, during the taxable year. This bill would also exclude from gross income annuity payments received by a qualified taxpayer, as defined, pursuant to a United States Department of Defense Survivor Benefit Plan during the taxable year.

PORAC supports fighting for more benefits for service members and their families. AB 46 AB 46 recognizes members of the Armed Forces and their contribution to our nation and seeks to exempt their retirement pay once they retire after twenty years of service.

Again, PORAC strongly supports the passage of AB 46. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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February 9, 2023

The Honorable Kate Sanchez
California State Assembly
1021 O Street, Room 4340
Sacramento, CA 95814

AB 88 (Sanchez) – Active Support

Dear Assemblymember Sanchez,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to support AB 88 relating to criminal procedure: victims' rights.

The Sixth Amendment of the U.S. Constitution states, "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial." Long and drawn-out criminal procedures are non-beneficial and often harmful to all parties involved. As Americans we have the right to quick and speedy criminal procedures and it is the duty of California Legislators to pass legislation that better help meet that right.

Under current Ca law, resentencing can be granted without a hearing upon stipulation of the parties. This bill would require a victim of the crime who wishes to be heard regarding the resentencing to notify the prosecution of their request for a hearing within 15 days of being notified that resentencing is being sought, and would require the court to provide an opportunity for the victim to be heard.

PORAC is committed to ensuring that criminal procedures move as quick and as smooth as possible. PORAC believes that by limiting the amount of notice that the department requires to 15 days, it will be beneficial to all parties involved.

Again, PORAC strongly supports the passage of AB 88. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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February 9, 2023

The Honorable Kate Sanchez
California State Assembly
1021 O Street, Room 4340
Sacramento, CA 95814

AB 89 (Sanchez) – Active Support

Dear Assemblymember Sanchez,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to support AB 89 relating to parole hearings: attorney notice.

Current law requires the Board of Parole Hearings, among other responsibilities, to conduct parole suitability hearings and determine whether an inmate is suitable for parole. Current law authorizes the victim, the victim's next of kin, the victim's family members, or 2 representatives designated by the victim or next of kin, to appear, personally or by counsel, at parole suitability hearings and to express their views concerning the inmate and the case. Typically, district attorneys send a representative to appear at a parole hearing on behalf of crime victims to argue that an inmate is unsuitable for release, emphasize the seriousness of the inmate's crimes, and rebut any inaccurate or misleading arguments made by the inmate or inmate's attorney about the circumstances of the crime, legal issues in the case, or the seriousness of the offense.

This bill would require the district attorney's office or the Attorney General's office that prosecuted the case to provide reasonable notice to the board and to the crime victim, victim's next of kin, or members of the victim's family if they will not be sending a representative to a parole hearing, thereby creating a state-mandated local program.

PORAC is committed to ensuring that existing rights of crime victims are protected. PORAC believes that by providing adequate notice of whether a district attorney's office will be supporting them at a parole hearing, crime victims have the opportunity to better prepare themselves for parole hearings.

Again, PORAC strongly supports the passage of AB 89. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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February 28, 2023

The Honorable Isaac Bryan
California State Assembly
1021 O Street, Room 5630
Sacramento, CA 95814

AB 93 (Bryan) - Active Oppose

Dear Assemblymember Bryan,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to AB 93 relating to criminal procedure: consensual searches.

AB 93 would prohibit a peace officer or law enforcement agency from conducting a warrantless search of a vehicle, person, or their effects, based solely on a person's consent, as specified. The bill would specify that consent to conduct a search is not lawful justification for a search.

PORAC believes that if an officer receives consent from an individual to conduct a search of their vehicle, person, or their effects, it is that officer's duty to conduct a search. It is a necessary step in order to maintain law and order.

Again, PORAC opposes AB 93. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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April 24, 2023

The Honorable Chris Holden
Member, California State Assembly
1021 O Street, Room 5650
Sacramento, CA 95814

AB 280 (Holden) – Active Oppose

Dear Assemblymember Holden,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to AB 280 regarding segregated confinement.

AB 280 would require every jail, prison, public or privately operated detention facility, and a facility in which individuals are subject to confinement or involuntary detention to develop and follow written procedures governing the management of segregated confinement, as specified, and to make those written procedures publicly available. The bill would require those facilities to document the use of segregated confinement by, among other things, providing written orders of that confinement to the individual confined. The bill will prohibit those facilities from involuntarily placing an individual in segregated confinement if the individual belongs to a designated population, including, among others, that the individual has a mental or physical disability or that the individual is under 26 years of age or over 59 years of age. The bill would require the facility to periodically check on the individual and have a medical or mental health professional periodically assess the individual. This bill would require a facility to offer out-of-cell programming to individuals in segregated confinement for at least 4 hours per day, not including time spent on an unpaid work assignment or in paid employment. The bill would require a facility to maximize the amount of time that an incarcerated person held in segregated confinement spends outside of their cell by providing outdoor and indoor recreation, education, clinically appropriate treatment therapies, and skill-building activities, and would require facilities to develop and provide appropriate programming to individuals that pose a significant safety risk to themselves or others.

This bill limits the use of segregated confinement and requires specified facilities in the State in which individuals are subject to confinement or involuntary detention to follow specified procedures related to segregated confinement.

Segregated confinement in our jails and prisons is used to ensure the safety of staff, officers and those incarcerated. It is a way to protect those at high risk of sexual assault and physical abuse in a prison or jail's general population. This bill would severely restrict the use of segregated confinement in state and local detention facilities.

Ultimately, AB 280 would create a situation that will make it nearly impossible for jails and prisons to operate safely.

Again, PORAC strongly opposes AB 280. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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February 28, 2023

The Honorable Juan Alanis
California State Assembly
1021 O Street, Room 4640
Sacramento, CA 95814

AB 355 (Alanis) – Active Support

Dear Assemblymember Sanchez,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to support AB 355 relating to firearms: assault weapons: exception for peace officer training.

AB 355 would exempt from the prohibition the loaning of an assault weapon to, or the possession of an assault weapon by, a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the commission, while engaged in firearms training.

PORAC is committed to fighting for more rights for peace officers. Individuals enrolled in peace officer training go through rigorous courses and tests which make these individuals more than responsible gun owners.

Again, PORAC strongly supports the passage of AB 355. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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April 12, 2023

The Honorable Marie Waldron
Member, California State Assembly
1021 O Street, Room 6140
Sacramento, CA 95814

AB 428 (Waldron) –Active Support

Dear Assemblymember Waldron,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to announce our support for AB 428 regarding California Department of Reentry.

AB 428 would establish the California Department of Reentry, independent from the Department of Corrections and Rehabilitation (CDCR), to provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts to ensure successful reentry services are provided to incarcerated individuals. The bill would require the department to focus on programming through the period of incarceration that supports successful reentry to society, facilitate the smooth transition of individuals from prison to release by developing individualized reentry plans for each individual, and would recommend and design facilities within existing state prisons to create a better environment for overall mental and physical health, among other things.

PORAC believes that the best way to tackle the high recidivism rates in California is by helping incarcerated individuals with a reentry system that gives them the training, education and services needed to provide them with opportunities for success.

For these reasons, PORAC supports AB 428. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 17, 2023

The Honorable Lena Gonzalez
California State Senate
1021 O Street, Room 772
Sacramento, CA 95814

AB 436 (Alvarez) – Active Oppose

Dear Senator Gonzalez,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to AB 436 relating to vehicles.

Current law prohibits a local authority from enacting or enforcing an ordinance on matters covered by the Vehicle Code unless expressly authorized by the Vehicle Code. Current law authorizes local authorities to adopt rules and regulations by ordinance or resolution regarding specified matters, including, among others, crossing guards, the operation of bicycles, the removal of illegally parked vehicles, and cruising, as defined. AB 436 would remove the authorization for a local authority to adopt rules and regulations by ordinance or regulation regarding cruising.

We believe all the rationale used for the original laws banning cruising still holds true today. In addition, we have seen a host of associated crimes at similar events. These include, but are not limited to:

- Narcotics activity
- Driving under the influence
- Violent assaults
- Use/possession of firearms
- Negative impact on normal business operations
- Gang violence
- DMV/Court fraud in attempts to make purpose built cars "street legal"

Associated criminal activity is rampant with our already vibrant Takeover/Sideshow meets, Park and Chills and Street Racing. There is nothing to support that "open cruising" would help alleviate these issues as these meets tend to draw some of the same crowds. At a time when law enforcement staffing is at historic lows, this could create a atmosphere untenable with current resources..

For these reasons, PORAC opposes AB 436. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 2, 2023

The Honorable Corey Jackson
Member, California State Assembly
1021 O Street, Room 6120
Sacramento, CA 95814

AB 702 (Jackson) – Active Oppose

Dear Assemblymember Jackson,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to AB 702 regarding local government financing: juvenile justice.

This bill would revise and recast required components of the multiagency juvenile justice plan to, among other things, additionally require a plan to include an assessment of existing community-based youth development services, identification and prioritization of areas of the community that are vulnerable to court system involvement due to high rates of poverty and the incarceration of at-promise youth's family members, among other things, and a description of the target population funded under these provisions.

AB 109 was a carefully negotiated realignment measure involving the Governors office, both houses of the legislature, and all state and local law enforcement including representatives from both management and labor. The realignment of prisoners from state prisons to county jails had an extremely expensive impact to counties and the funding mechanism included in AB 109 was the lynch-pin to the realignment deal. AB 702 is an irresponsible measure that would completely upend AB 109 and would place counties in serious financial difficulties.

For those reasons, PORAC opposes AB 702. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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April 18, 2023

The Honorable Mike Fong
Member, California State Assembly
1021 O Street, Room 5230
Sacramento, CA 95814

AB 733 (Fong) – Active Oppose

Dear Assemblymember Fong,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to AB 733 relating to firearms: sale by government entity.

AB 733 would prohibit any state or local government agency or department, as specified, to sell any firearm, ammunition, or body armor. The bill would also make other conforming changes and technical corrections. The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Many organizations sell ammo and other firearm related equipment or contract with a local FFL to sell. Our Training center has in the past leased out space for this. This is a local control issue.

Again, PORAC strongly opposition the passage of AB 733. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 15, 2023

The Honorable Corey Jackson
Member, California State Assembly
1021 O Street, Room 6120
Sacramento, CA 95814

AB 742 (Jackson) - Active Oppose

Dear Assemblymember Jackson,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to SB 58 regarding the decriminalization of certain hallucinogenic substances.

AB 742 regarding police canines.

AB 742 that would prohibit the use of an unleashed police canine by law enforcement to apprehend a person, and any use of a police canine for crowd control. This bill would also prohibit law enforcement agencies from authorizing any use or training of a police canine that is inconsistent with this bill.

The use of canines is a very important instrument for any law enforcement officer because it saves an officer from putting their lives on the line in scenarios where there is an active shooter. Thus prohibiting canines will lead to more officers' injuries and deaths. Most proponents of this bill sites the number of police dog related injuries, but compared to the number of times dogs have been deployed, those bite numbers are minimal.

For those reasons, PORAC opposes AB 742. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 3, 2023

The Honorable Mia Bonta
Member, California State Assembly
1021 O Street, Room 5620
Sacramento, CA 95814

AB 793 (Bonta) – Active Oppose

Dear Assemblymember Bonta,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to AB 793 regarding privacy: reverse demands.

AB 793 would prohibit using reverse location and keyword searches, essential methods that investigators use to solve some of the most serious crimes: murder, arson, home invasion, robbery, shootings, and the sexual exploitation of children. AB 793 removes vital and important tools that law enforcement uses to solve murders and other terrible crimes.

California provides safeguards against potential abuse of these reverse location and keyword searches by law enforcement. Reverse location searches may only be conducted under a search warrant or minimal expectations, requiring a showing of probable cause that a crime has been committed. Reproductive or gender-affirming healthcare is not a crime in California, so eliminating this kind of search warrant would have little effect on the intended protection of this care.

Were AB 793 amended to narrow its scope and merely provide reasonable regulations on search warrants for a reverse location or reverse keyword information for the protection of reproductive rights and access to gender-affirming care, PORAC would consider withdrawing opposition.

For these reasons, PORAC opposes AB 793. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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April 12, 2023

The Honorable Akilah Weber
Member, California State Assembly
1021 O Street, Room 4130
Sacramento, CA 95814

AB 797 (Weber) –Active Oppose

Dear Assemblymember Weber,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to AB 797, which would mandate that every city and county create a community-based commission to investigate complaints against peace officers alleging physical injury to a person.

While PORAC believes full and proper investigations of peace officers accused of causing physical injury to persons are necessary, PORAC opposes this bill because existing state law already requires local agencies to investigate such complaints and authorizes the voluntary creation of independent community-based commissions to separately review law enforcement officer practices. Moreover, Senate Bill 2 recently enacted a state-wide process for independently investigating peace officers accused of any serious misconduct, which expressly includes "physical abuse, including, but not limited to, the excessive or unreasonable use of force" and created an advisory board to make public recommendations to the POST Commission on whether to suspend or revoke the peace officer's certification. A state mandate that every city and county create yet another process for investigating peace officers and making advisory recommendations is redundant, and needlessly diverts limited public resources away from other significant state-wide concerns, including California's expanding unhoused population, the opioid epidemic and improving public schools.

AB 797 burdens the right of local governments and their residents to direct their local affairs. AB 797 mandates that every city and county, governed either by charter or general law, both create an independent commission to investigate law enforcement officers and appoint several new employees, including an executive director, independent investigators, legal counsel and support staff. Such mandates frustrate state constitutional provisions designed to foster local autonomy in municipal matters.

Thus, AB 797's mandate that every city and county create an independent community-based commission – without a local determination that such a commission is desirable – and several new positions, some of which must be "independent" from the broader local government impacted, burdens the constitutional right of local communities to decide for themselves how their government is organized and operates. PORAC believes local governments and their residents should decide whether independent community-based commissions are appropriate for their respective cities and counties.

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AB 797 will also impose an unnecessary financial burden on local governments and ultimately the state. The appointment of independent legal counsel duplicates roles already assumed by existing city attorneys and county counsel. Investigators from District Attorneys' offices and the California Attorney General's Office already conduct investigations of incidents involving local law enforcement officers, and the two entities are by definition "independent" from the local law enforcement agencies at issue. All cities and counties employ support staff sufficient for the needs of the numerous local commissions and oversight bodies already in existence.

SB 2 mandated the creation of a new investigatory division within the Commission on Peace Officer Standards and Training (POST) that has necessitated the hiring of dozens of new investigators, attorneys and staff, to investigate and initiate administrative actions against peace officers accused of serious misconduct at considerable additional cost to the state. Requiring the state to expend additional economic resources to conduct redundant investigations of peace officers does not seem like a very prudent use of the state money when public money is needed to address other state-wide issues.

Numerous local cities and counties have already (or have plans to) enact local law enforcement oversight measures, in a form and manner that best suits local needs. The top-down approach set forth in AB 797 unnecessarily prohibits local communities from determining what works best for them and prioritizing the appropriation of scarce public resources. Moreover, the Bill's procedural mandates conflict with those of established civilian oversight bodies that have been refined to meet the needs of local jurisdictions. PORAC believes local governments deserve the flexibility to design and implement law enforcement oversight that is most effective for them, and the recognition that they are very capable of doing so.

For these reasons, PORAC opposes AB 797. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 15, 2023

The Honorable Kevin McCarty
Member, California State Assembly
1021 O Street, Room 4510
Sacramento, CA 95814

AB 807 (McCarty) - Active Oppose

Dear Assemblymember McCarty,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to AB 807 regarding to police use of force.

AB 807 would require the state Attorney General to investigate incidents in which the use of force by a peace officer results in the death of a civilian without regard to whether the civilian was unarmed.

Currently, almost all agencies turn their internal OIS investigations to other agencies to investigate. There is no need for the Attorney General to review these cases. This bill would lead to an increased workload for the Attorney General, which they are not prepared for. The current review system created by AB 1506 is still new and needs more time for evaluation.

For those reasons, PORAC opposes AB 807. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 15, 2023

The Honorable Devon Mathis
Member, California State Assembly
1021 O Street, Room 5530
Sacramento, CA 95814

AB 808 (Mathis) – Active Support

Dear Assemblymember Mathis,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to support AB 808 regarding rape crimes.

AB 808 would impose a greater punishment for rape offenders if the victim is a minor.

Rape is one of the most heinous crimes a person can commit. Rape of a minor is an especially vile and heinous crime. Individuals who commit these crimes should be punished to the fullest extent of the law.

For this reason, PORAC supports AB 808. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 22, 2023

The Honorable Jim Patterson
Member, California State Assembly
1021 O Street, Room 4310
Sacramento, CA 95814

AB 1058 (Patterson) -Active Support

Dear Assemblymember Patterson,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to inform you of our support for AB 1058 regarding controlled substances: fentanyl.

Current law makes possession of a controlled substance for the purposes of sale of the substance punishable by imprisonment in a county jail for a period of 2, 3, or 4 years. Current law makes transportation and sales of a controlled substances punishable by imprisonment in a county jail for a period of 3, 4, or 5 years and transportation to a noncontiguous county within the state punishable by imprisonment in a county jail for a period of 3, 6, or 9 years. This bill would increase the above-described penalties, as specified, if the controlled substance involved was more than more than 28.35 grams of fentanyl, more than 28.35 grams of an analog of fentanyl, a substance containing more than 28.35 grams of fentanyl, or a substance containing more than 28.35 grams of an analog of fentanyl.

The fentanyl crisis is a major issue in California. The California Department of Public Health (CDPH) found that in 2021 there were 5,961 death linked to fentanyl. We support AB 1058, as an added deterrent for individuals using fentanyl.

For this reason, PORAC supports 1058. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 22, 2023

The Honorable Jim Patterson
Member, California State Assembly
1021 O Street, Room 4310
Sacramento, CA 95814

AB 1067 (Patterson) –Active Support

Dear Assemblymember Patterson,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to inform you of our support for AB 1067 regarding vehicle accidents: fleeing the scene of an accident.

If a vehicle accident results in permanent, serious injury or death, a person who violates the requirement to stop is subject to punishment by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not less than 90 days nor more than one year, or by a specified fine, or both the imprisonment and fine. Current law authorizes the court, in the interests of justice and for other reasons stated in the record, to reduce or eliminate the minimum imprisonment or fine requirements. This bill would instead make a person who fails to immediately stop, as required, at the scene of an accident that resulted in a permanent, serious injury subject to punishment by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not less than 90 days nor more than one year, and a specified fine, and if the accident resulted in death, the violation of those requirements would be punishable by imprisonment in the state prison for 3, 4, or 6 years, or in a county jail for not less than 90 days nor more than one year, and a specified fine.

As we all know, driving is a privilege not a right. With that privilege comes the mandated responsibility to stop when involved in an accident, especially if there is potentially a serious injury to someone involved. Leaving the scene of an accident could result in a person with a life threatening injury to die when assistance could have saved their lives. PORAC fully supports the added punishment in this bill.

For this reason, PORAC supports 1067. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 3, 2023

The Honorable Reginald Jones-Sawyer
California State Assembly
1021 O Street, Room 5210
Sacramento, CA 95814

AB 1090 (Jones-Sawyer) – Active Oppose

Dear Assemblymember Jones-Sawyer,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to AB 1090 relating to county officers: sheriffs.

Current law provides for the removal of public officers for willful or corrupt misconduct in office. Current law provides that an accusation in writing against any officer of a district, county, or city for willful or corrupt misconduct in office may be presented by the grand jury of the county for, or in, which the officer accused is elected or appointed. Current law requires that the court pronounce judgment that the officer be removed from office upon a conviction and at the time appointed by the court. This bill would authorize the board of supervisors to remove a sheriff from office for cause by a 4/5 vote, after the sheriff is served with a written statement of the alleged grounds for removal and the sheriff is provided a reasonable opportunity to be heard regarding an explanation or defense at a removal proceeding. The bill would authorize the board of supervisors to establish procedures for a removal proceeding. The bill would require that these provisions not be applied in a manner that interferes with the constitutional functions of a sheriff.

Sheriffs are elected county wide and can be removed from office at any time by those same voters. This legislation gives power to a board of supervisors to usurp the voters in any given county. Also, when determining what constitutes "cause" as it relates to the basis of removing a sheriff, the definition of violations of assessing criminal law in most instances, the sheriff most likely would not be allowed to continue to serve in that capacity. AB 1090 politicizes the county electoral processes and provides no consideration to the removal of supervisors who commit the same acts defined in this bill.

Again, PORAC opposes the passage of AB 1090. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 22, 2023

The Honorable Tim Grayson
Member, California State Assembly
1021 O Street, Room 5510
Sacramento, CA 95814

AB 1149 (Grayson) –Active Support

Dear Assemblymember Grayson,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to inform you of our support for AB 1149 regarding Human trafficking Act: California Multidisciplinary Alliance to Stop Trafficking.

Would establish the California Multidisciplinary Alliance to Stop Trafficking Act (California MAST) to review collaborative models between governmental and nongovernmental organizations for protecting victims and survivors of trafficking, among other related duties. The task force would be comprised of specified state officials or their designees and specified individuals who have expertise in human trafficking or providing services to victims of human trafficking, as specified. The bill would require the task force to hold its first meeting no later than July 1, 2024, and would require the task force to meet at least 4 times. The bill would require the task force to report its findings and recommendations to the Office of Emergency Services, the Governor, the Attorney General, and the Legislature by January 1, 2026. The bill would make related findings and declarations.

PORAC has worked with numerous organizations to fight the human trafficking of both adults and children alike. If we cannot protect our citizens, especially our children, then we are failing this society. AB 1149, attempts for the first time to bring together experts in the human trafficking arena in an effort to truly attack this horrific crime.

For this reason, PORAC supports 1149. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 3, 2023

The Honorable Stephanie Nguyen
California State Assembly
1020 N Street, Suite 5720
Sacramento, CA 95814

AB 1246 (Nguyen) –Active Support

Dear Assemblymember Nguyen,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to inform you of our support for AB 1246, regarding Public Employees' Retirement System optional settlements.

This bill would extend the ability of a retiree to change their designated beneficiary to include naming a new spouse following a retiree's divorce and subsequent remarriage. The bill would allow a retiree's new spouse to receive the retiree's postdivorce retirement settlement benefits.

AB 1246 seeks to remedy a problem whereby a divorced retiree who subsequently remarries may designate their new spouse as a beneficiary only if they are awarded 100% of their CalPERS retirement in a divorce settlement. This bill will provide the fairness needed by taking care of spouses of all retirees regardless of previous divorce settlements.

Again, PORAC supports AB 1246. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 22, 2023

The Honorable Joe Patterson
Member, California State Assembly
1021 O Street, Room 4530
Sacramento, CA 95814

AB 1260 (Patterson) -Active Support

Dear Assemblymember Patterson,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to inform you of our support for AB 1260 regarding parole: notice of release date.

This bill would require the department to make an initial determination of the minimum eligible parole date for the inmate based on the sentence of the court and any credits awarded or expected to be awarded to the inmate during incarceration, and to post that determination on its internet website. The bill would require the department to notify the district attorney and law enforcement in the county in which the inmate was convicted and the county in which the inmate is expected to be released if the department awards additional credits, revokes credits, or changes the rate of accrual of good conduct credits and the decision would result in an inmate's minimum eligible parole date changing more than 6 months.

It's important that not only law enforcement be notified when and where an inmate will be released into a community, but it is also a victims' right to know that info and be afforded a projection of when that will occur. AB 1260 will offer that information.

For these reasons, PORAC supports 1260. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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April 6, 2023

The Honorable James Gallagher
Member, California State Assembly
1021 O Street, Room 4740
Sacramento, CA 95814

AB 1507 (Gallagher) -Active Support

Dear Assemblymember Gallagher,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to inform you of our support for AB 1507 regarding firearms: state property.

Existing law generally regulates the sale and transfer of firearms, including, among other things, requiring transactions of firearms to be completed through a licensed firearms dealer. Existing law generally makes a violation of the requirements relating to the sale, lease, or transfer of a firearm a misdemeanor. This bill would additionally exempt events hosted by a youth sport shooting organization, a youth hunting organization, or a nonprofit conservation organization.

Youth sport shooting and hunting organizations can have several benefits for young people, including:

- **Promoting Safety:** These organizations often focus on teaching young people proper gun safety and handling techniques. By doing so, they help to prevent accidents and promote responsible gun use.
- **Teaching Responsibility:** Shooting and hunting require a lot of responsibility and discipline. By participating in these activities, young people can learn to take responsibility for their actions, respect others, and develop discipline.
- **Encouraging Outdoor Activities:** Shooting and hunting are outdoor activities that can help young people appreciate nature, learn about conservation, and enjoy being outside.
- **Building Self-Confidence:** Shooting and hunting can be challenging, and as young people develop their skills, they can gain confidence in their abilities and achieve a sense of accomplishment.
- **Providing Social Opportunities:** Joining a shooting or hunting organization can provide young people with the opportunity to meet like-minded peers and develop friendships based on shared interests.

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Overall, youth sport shooting and hunting organizations can offer many positive benefits for young people. We strongly support offering these exemptions for these organizations. It is the right thing to do for our California youth along with being an investment for a safer tomorrow.

For these reasons, PORAC supports AB 1507. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 1, 2023

The Honorable David Alvarez
California State Assembly
1021 O Street, Room 5320
Sacramento, CA 95814

AB 1602 (Alvarez) –Active Support

Dear Assemblymember Alvarez,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to announce our support for AB 1602 regarding crimes: disorderly conduct.

This bill would add to the definition of disorderly conduct the attempt to engage in the crime of soliciting prostitution, the attempt to agree to engage in prostitution, or the attempt to engage in prostitution. The bill would require the punishment for a victim of human trafficking to be an education class on the dangers of human trafficking and a referral to human trafficking support services. Because the bill would expand the scope of a crime, it would establish a state-mandated local program.

After last year's passage of SB 357 Wiener, prostitution has increased significantly. PORAC believes this measure will assist to stem the increase in this crime which encourages human trafficking, including children.

For these reasons, PORAC supports AB 1602. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 21, 2023

The Honorable Anthony Portantino
Member, California State Senate
1021 O Street, Room 7630
Sacramento, CA 95814

SB 2 (Portantino) –Active Oppose

Dear Senator Portantino,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to SB 2 regarding firearms.

While PORAC supports criminal background investigations, firearm safety training and proficiency verifications and restrictions on carrying in bona fide sensitive places, PORAC must oppose Senate Bill 2 ("S.B. 2") unless amended to incorporate sensitive places definitions that are consistent with New York State Rifle & Pistol Association, Inc. v. Bruen (2022) 142 S.Ct. 2111 ("Bruen"). Our members have a duty to uphold the Constitution while enforcing the law. Important legislation such as this Bill must be carefully and lawfully drafted to prevent dangerous criminals from evading enforcement of the law. Overbroad gun statutes that violate Bruen are forcing prosecutors and courts to dismiss gun charges and enhancements. As currently drafted, S.B. 2 almost certainly is unconstitutional and unenforceable.

Under S.B. 2 nearly everywhere is designated a "sensitive place" where carrying a firearm is forbidden with a concealed handgun license ("CCW permit"). Law abiding citizens would be deemed criminals in California for exercising their constitutional right to bear arms. For example, S.B. 2 bans carrying in private businesses unless they affirmatively post a sign welcoming people with firearms. The prohibition even extends to public transportation, imposing discriminatory impacts on people of lesser means and the environment. The only place where an individual could legally carry is some (but not all) streets and sidewalks, and businesses that post "guns allowed" signs. Such signs have no influence on armed criminals or mass shooters. S.B. 2 burdens the right of self-defense for the law-abiding, while empowering violent predators who know they are unlikely to face armed resistance at nearly every public place. Under the Bill's urgency designation, tens of thousands of existing CCW permit holders, still reeling from the Attorney General's office exposing their identities, may inadvertently violate this law by carrying unlawfully in most of the places where their permits are currently valid.

The United States Supreme Court has unequivocally confirmed "that the Second and Fourteenth Amendments protect an individual's right to carry a handgun for self-defense outside the home." (Bruen, supra.) Bruen reiterated that courts may not apply a "means-ends" "interest-balancing" test akin to "intermediate scrutiny" in Second Amendment cases. (Id. at 2129.) Instead, courts must inspect the historical records of the ratification era and then apply analogical analysis to determine whether the modern-day restriction infringes the Second Amendment right. (Id. at 2129-30.)

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That right extends to any public area that is not a “sensitive place.” (District of Columbia v. Heller (2008) 554 U.S. 570, 592, 626-27.) While the Supreme Court has not expressly established the universe of “sensitive places,” it has explained that “the historical record yields relatively few 18th- and 19th-century ‘sensitive places’ where weapons were altogether prohibited....” (Bruen, 142 S. Ct. at 2133.) So far, the Court has only identified “schools and government buildings” such as “legislative assemblies, polling places, and courthouses...” as “sensitive places.” (Bruen, 142 S. Ct. at 2133.) The Court warned “expanding the category of ‘sensitive places’ simply to all places of public congregation that are not isolated from law enforcement defines the category of ‘sensitive places’ far too broadly... [it] would in effect exempt cities from the Second Amendment and would eviscerate the general right to publicly carry arms for self-defense.” (Id. at 2133-34.)

Beyond those specific places, the Legislature must look to history in determining whether particular areas were considered “sensitive places.” While it noted that there may be “new and analogous sensitive places” to those historically considered such, the Court also noted that the term could not be so broad as to “include all ‘places where people typically congregate....” (Id. at 2133, citation omitted.) Nor may prohibitions impinge a worker’s right to carry while commuting on public transportation.

But S.B. 2 impermissibly extends the properly defined sensitive areas far beyond Constitutional limits, thereby endangering both PORAC’s members ability to enforce the law and the public safety interests in restricting carrying in bona fide sensitive areas. For example, this Bill imposes a blanket ban on carrying firearms in: childcare facilities, any building under the control of an officer of the state or local government, hospitals, mental health facilities, nursing homes, medical offices, urgent care facilities, all public transportation paid for with any public funds, places where alcohol is served, any “public gathering” that requires a permit, playgrounds, youth centers, parks, athletic areas and facilities, property under the control of the Department of Parks and Recreation or Department of Fish and Wildlife (except for designated hunting areas and public shooting grounds), any area under the control of a public or private university or college (even if that area is not a school itself), casinos, all other gambling establishments, places that sell lotto tickets besides the California lottery, stadiums, arenas, public libraries, airports, amusement parks, zoos, museums, nuclear energy facilities, all places of worship unless they post a sign allowing carry, financial institutions, all police stations, polling places, all private businesses unless they post a sign allowing carry, and any places local law prohibits.

Moreover, the Bill prohibits carrying in parking lots and sidewalks adjacent to those places, where CCW holders could park and secure their handgun. Under this legislation, CCW holders must carefully preplan every place they wish to park or travel.

California cannot satisfy its burden to “justify its [sensitive places designations] by demonstrating that it is consistent with the Nation’s historical tradition of firearm regulation.” (Bruen, 142 S. Ct. at 2129-30.) These definitions are overly broad, almost certainly foreclosing enforcement of any aspect of the Bill. PORAC does support reasonable and balanced definitions of sensitive places, such as court houses, airports, and police stations, that are clear and enforceable.

Brian R. Marvel
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However, the Supreme Court expressly rejected overbroad definitions that restrict concealed carry in populated areas. (Id. at 2133-34.)

Similar legislation has already been enjoined in New Jersey and New York. A district court recently enjoined a New Jersey statute prohibiting licensed firearm owners from carrying handguns “unless and until the owner has affirmatively and expressly consented to the carrying of a firearm on the premises” or posted a sign because the statute violated their right to bear arms under Second and Fourteenth Amendments. (Koons v. Reynolds (D.N.J. 2023) 2023 WL 128882, at *16.) The court also enjoined prohibitions on carrying in privately or publicly owned and operated entertainment facilities, in motor vehicles unless unloaded and locked in a case, facilities or restaurants where alcohol was sold for consumption on premises. (Id.)

In Christian v. Nigrelli (W.D.N.Y., 2022) 2022 WL 17100631, at *12, a New York district court enjoined enforcement of provisions similar to S.B. 2’s restrictions on private property open to the public. (Holding, “It is the property owner who must exercise that right—not the State. If a property owner wants to exclude, then: (1) the property owner, must (2) do so. When the State does so, it runs afoul of the Second Amendment.”) New York was unable to identify any historical tradition for its “inversion,” whereby the state affirmatively exercises the right to exclude concealed carriers on behalf of all private property owners, thereby creating a vast default exclusion zone. Similarly, Antonyuk v. Hochul (C.A.2 2022) 2022 WL 18228317 at *1) enjoined the private property inversion, as well as the prohibitions on places of worship, dependence care centers, parks, zoos, airports, buses, theaters, establishments which serve alcohol, and others.

Accordingly, PORAC urges the sponsor to reconsider the sensitive places definitions in this Bill and adopt amendments to eliminate the requirement that owners of property open to the public affirmatively consent to carrying and conform the definition with the directives of the Supreme Court. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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April 18, 2023

The Honorable Catherine Blakespear
Member, California State Senate
1021 O Street, Room 7340
Sacramento, CA 95814

SB 8 (Blakespear) –Active Oppose

Dear Senator Blakespear,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to SB 8 regarding firearms liability insurance.

SB 8, commencing on January 1, 2025, require a person who owns a firearm to obtain and continuously maintain in full force and effect a homeowner's, renter's, or gun liability insurance policy specifically covering losses or damages resulting from any negligent or accidental use of that firearm, including, but not limited to, death, injury, or property damage. This bill would require a person to keep written evidence of coverage in the place where a firearm is stored.

Existing law requires that any person who purchases or receives a firearm must possess a firearm safety certificate. This means that gun owners are aware and taught the proper safety protocols required to be a responsible gun owner. SB 8 targets responsible gun owners by requiring them to pay added costs for insurance policies that may not exist currently and may likely be exorbitant once they were offered by insurance companies. As stated before, this is another bill that targets responsible gun owners without evidence showing that their firearms are being used in crimes.

For these reasons, PORAC strongly opposes SB 8. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 1, 2023

The Honorable Rosilicie Ochoa Bogh
Member, California State Senate
1021 O Street, Room 7220
Sacramento, CA 95814

SB 13 (Ochoa Bogh) –Active Support

Dear Senator Ochoa Bogh,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to inform you of our support for SB 13 regarding controlled substances.

Current law makes it a crime to possess for sale or purchase for purpose of sale, transport, sell, furnish, administer, give away, manufacture, compound, convert, produce, derive, process, or prepare various controlled substances, including, among others, fentanyl, peyote, and various other opiates and narcotics. This bill would require a person who is convicted of, or who pleads guilty or no contest to, the above crimes to receive a written advisory of the danger of manufacturing or distribution of controlled substances and that, if a person dies as a result of that action, the manufacturer or distributor can be charged with voluntary manslaughter or murder. The bill would require that the fact the advisory was given be on the record and recorded on the abstract of conviction.

PORAC is in support of the several measures similar to SB 13 which will put drug manufacturers and dealers alike on notice that they will be held accountable for the deaths attributed to their illegal and illicit drug activity.

For these reasons, PORAC supports SB 13. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 21, 2023

The Honorable Thomas Umberg
Member, California State Senate
1021 O Street, Room 6530
Sacramento, CA 95814

SB 44 (Umberg) -Active Support

Dear Senator Umberg,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to inform you of our support for SB 44 regarding controlled substances.

Current law makes it a crime to possess for sale or purchase for purpose of sale, transport, import, sell, furnish, administer, give away, manufacture, compound, convert, produce, derive, process, or prepare various controlled substances, including, among others, fentanyl, peyote, and various other opiates and narcotics. This bill, Alexandra's Law, would require the court to advise a person who is convicted of, or who pleads guilty or no contest to, the above crimes, as specified, of the danger of selling or administering illicit drugs and counterfeit pills and that, if a person dies as a result of that action, the defendant can be charged with homicide. The bill would require the court to read the advisory statement in a case in which the defendant exchanged a controlled substance containing fentanyl or its analogs for anything else of value, as specified. The bill would require the advisory statement to be included in a plea form, if used, and specified on the record.

PORAC supports the passage of Alexandra's Law because it puts illicit drug manufactures and drug dealers on notice that their actions will be taken seriously and they will be held responsible for the injury or death of others.

For these reasons, PORAC opposes SB 44. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 21, 2023

The Honorable Steven Bradford
Member, California State Senate
1021 O Street, Room 7210
Sacramento, CA 95814

SB 50 (Bradford) -Active Oppose

Dear Senator Bradford,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to SB 50 regarding vehicle enforcement.

SB 50 would prohibit a peace officer from stopping or detaining the operator of a motor vehicle or bicycle for a low-level infraction, as defined, unless a separate, independent basis for a stop exists. The bill would authorize a peace officer who does not have grounds to stop a vehicle or bicycle, but can determine the identity of the owner, to send a citation or warning letter to the owner.

Illegal firearms and other contraband that would otherwise go undiscovered are often found during routine searches. In addition, a stop for a minor traffic violation can result in the arrest a capture of violent felons that has been eluding law enforcement. Given the recent rise in violent crime, limiting a peace officers ability to get guns, lethal drugs, and violent felons off our streets is untimely.

For these reasons, PORAC opposes SB 50. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 14, 2023

The Honorable Scott Wiener
Member, California State Senate
1021 O Street, Room 8620
Sacramento, CA 95814

SB 58 (Wiener) – Active Oppose

Dear Senator Wiener,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to SB 58 regarding the decriminalization of certain hallucinogenic substances.

SB 58 would make lawful the possession, preparation, obtaining, transfer, as specified, or transportation of, specified quantities of psilocybin, psilocyn, dimethyltryptamine (DMT), ibogaine, and mescaline, for personal use or facilitated or supported use, as defined, by and with persons 21 years of age or older. The bill would provide penalties for possession of these substances on school grounds, or possession by, or transferring to, persons under 21 years of age.

SB 58 is an extremely harmful bill, because it will put people's lives at risk. With these controlled substances being legalized, the odds of people overdosing and driving while under the influence will rise. This bill also prevents law enforcement from holding those individuals who produce/distribute these controlled substances accountable if they play a part in someone getting hurt or even dying.

For those reasons, PORAC opposes SB 58. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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April 4, 2023

The Honorable Dave Cortese
Member, California State Senate
1021 O Street, Room 6630
Sacramento, CA 95814

SB 94 (Cortese) –Active Oppose

Dear Senator Cortese,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to SB 94 regarding recall and resentencing: special circumstances.

SB 94 would authorize an individual sentenced to death or life imprisonment without the possibility of parole for a conviction in which one or more special circumstances were found to be true to petition for recall and resentencing if the offense occurred before June 5, 1990, and the individual has served at least 20 years in custody. The bill would authorize the court to modify the petitioner's sentence to impose a lesser sentence and apply any changes in law that reduce sentences or provide for judicial discretion, or to vacate the petitioner's conviction and impose judgment on a lesser included offense, as specified. The bill would require a court to consider and afford great weight to evidence offered by the petitioner to prove that specified mitigating circumstances are present. The bill would provide that proof of the presence of one or more specified mitigating circumstances weighs greatly in favor of dismissing a special circumstance, unless the court finds that petitioner is currently an unreasonable risk of danger to public safety, as defined.

Individuals who are on death row or were sentenced to life sentences without the possibility of parole were found to have committed their heinous crimes with one or more of the 23 "Special Circumstances" prescribed by law. They are considered by society to be the most dangerous members of our communities and should not be considered for early release. Many of the LWOP pleas were agreed to by the defendant as a way to escape the death penalty and, under Proposition 118 passed by voters in 1990, our state made it very clear that judges should NOT be allowed to reconsider these sentences. This bill tries to get around the voter's clear direction to the courts by changing the date of the bill from last year's SB 300 to apply the bill only to years just prior to Proposition 118's passage. This makes no sense and is a ploy to get around what the voters of this state believed they approved. If you wish to change the voter's clear direction of Proposition 118 then PORAC asks that you simply go back to the voters and let them decide.

Brian R. Marvel
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Damon Kurtz
Vice President

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Randy Beintema
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Moreover, life without parole is not a decision made lightly by the criminal justice system. These individuals have been given a fair trial, found guilty beyond a reasonable doubt, and sentenced according to the laws of the state of California. Their crimes are often so severe that they have earned the most severe punishment available under the law. Additionally, it is important to consider the victims and their families. Those who have been impacted by the crimes of these individuals deserve closure and justice. Allowing the perpetrators to walk free would be a slap in the face to the victims and their loved ones.

For these reasons, PORAC opposes SB 94. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 21, 2023

The Honorable Brian Jones
Member, California State Senate
1021 O Street, Room 7640
Sacramento, CA 95814

SB 236 (Jones) -Active Support

Dear Senator Jones,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to inform you of our support for SB 236 regarding human trafficking: vertical prosecution program.

Current law establishes the Office of Emergency Services, which is required to, among other things, allocate and award funds to communities developing and providing ongoing citizen involvement and crime resistance programs. This bill would require the office, to the extent funds are available for this purpose and until January 1, 2029, to allocate and award funds to up to 11 district attorney offices that employ a vertical prosecution methodology for the prosecution of human trafficking crimes and that meet other specified criteria, including minimum staffing levels for the program.

Human trafficking is a heinous and despicable crime. PORAC supports the allocation of additional funds to support district attorney offices, in their effort to prosecute these predators.

For these reasons, PORAC opposes SB 236. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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Secretary



April 5, 2023

The Honorable Janet Nguyen
Member, California State Senate
1021 O Street, Room 7130
Sacramento, CA 95814

SB 288 (Nguyen) –Active Support

Dear Senator Nguyen,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to inform you of our support of SB 288 regarding public records: parole calculations and inmate release credits.

Current constitutional provisions, enacted by Proposition 57 at the November 8, 2016, statewide general election, make an inmate sentenced to state prison for a conviction of a nonviolent felony offense eligible for early parole consideration after completing the full term for their primary offense, as defined. This bill would provide that Department of Corrections and Rehabilitation records pertaining to an inmate's release date and their early release credits are public records and are subject to disclosure under the California Public Records Act. The bill would state that the provisions relative to the California Public Records Act are declaratory of existing law.

SB 288 will offer valuable transparency into the detailed process of how an inmate is considered for release. Often times, the local District Attorney, law enforcement agency nor the crime victims are aware that an inmate is being released or why they were released earlier than the original time imposed. In today's world of mandatory transparency at all facets of public safety, it makes no sense that the public has no access to an inmates possible early release dates or the reasons behind that release.

For these reasons, PORAC supports SB 288. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 21, 2023

The Honorable Roger Niello
Member, California State Senate
1021 O Street, Room 7110
Sacramento, CA 95814

SB 316 (Niello) -Active Support

Dear Senator Niello,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to inform you of our support for SB 316 regarding increasing the penalties for prior crimes.

SB 316 would reinstate a provision of law that was repealed by Proposition 47 that provides that a person who has been convicted 3 or more times of petty theft, grand theft, or other specified crimes and who is subsequently convicted of petty theft is subject to imprisonment in a county jail not exceeding one year or in a county jail for 18 months or 2 or 3 years. The bill would also make this provision and the provision relating to a person with serious, violent, or sexual prior offenses applicable to a person whose prior or current conviction is for shoplifting.

PORAC opposed proposition 47 knowing full well that the result of its passage would be a massive increase in petty theft. However, even PORAC did not foresee the amount of organized retail crime that has plagued our cities. By once again allowing increased penalties for multiple crimes SB 316 will provide a much-needed deterrent.

For these reasons, PORAC opposes SB 236. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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Secretary



March 21, 2023

The Honorable Nancy Skinner
Member, California State Senate
1021 O Street, Room 8630
Sacramento, CA 95814

SB 377 (Skinner) -Active Oppose

Dear Senator Skinner,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to SB 377 regarding firearms.

SB 377 would remove the 10-day waiting period exemption for a peace officer and instead exempt the delivery of a firearm purchased by a law enforcement agency, as defined, to an authorized law enforcement representative of that law enforcement agency for exclusive use by that agency if written authorization, as defined, from the head of the agency authorizing the delivery is presented to the person making the delivery.

SB 377 targets peace officers by making it harder for them to buy firearms. Peace officers have extensive training with firearms which makes them responsible gun owners.

For this reason, PORAC opposes SB 377. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 4, 2023

The Honorable Steven Bradford
Member, California State Senate
1021 O Street, Room 7210
Sacramento, CA 95814

SB 449 (Bradford) –Active Oppose

Dear Senator Bradford,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to SB 449 regarding the Peace Officer Standards Accountability Advisory Board.

I am writing to express PORAC's strong opposition to the proposed legislation that would remove the requirement for members of the advisory board to undergo 40 hours of training before they can sit on the board. As you know, this board plays a critical role in determining whether peace officers keep their certification to practice law in California. It is therefore essential that its members be well-informed, unbiased, and well-prepared to carry out their duties.

The current requirement for board members to undergo 40 hours of training is not arbitrary. It is based on the understanding that board members must have a deep understanding of the law, police practices, and the ethical standards that govern law enforcement in California. The training program will be designed to provide board members with the knowledge and skills they need to make sound, unbiased decisions and recommendations on whether a peace officer keeps their certificate or not.

Removing this requirement would be a grave mistake. It would undermine the integrity of the advisory board and the public's trust in its decisions. Members who have not undergone the necessary training may lack the knowledge and expertise needed to evaluate the evidence and make fair, impartial, and unbiased judgments. This could lead to serious biased based decisions and undermine the public's confidence in the advisory board's ability to protect the public from misconduct by peace officers.

I urge you to reconsider this proposal and to maintain the requirement for advisory board members to undergo 40 hours of training. This is an essential safeguard and a minimal requirement for a group of individuals who will make career ending decisions on individuals who come before their board. It also ensures that the board operates with integrity and credibility, and that it is capable of fulfilling its crucial role in protecting the public.

Brian R. Marvel
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Vice President

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For those reasons, PORAC opposes SB 449. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

Very Truly Yours,
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Cc: Consultant, Senate Republican Caucus

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Secretary



May 5, 2023

The Honorable Toni Atkins
Member, California State Senate
1021 O Street, Suite 8518
Sacramento, CA 95814

SB 519 (Atkins) –Active Oppose

Dear Pro Tem Atkins,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to SB 519, regarding county department of corrections and disclosure of jail death investigations.

SB 519 provides that a board of supervisors may establish a department of corrections and rehabilitation to be headed by an executive officer appointed by the board and removes a limitation precluding boards from exercising this power after July 1, 1993. Thus, this bill would facilitate a variety of antiunion actions by boards of supervisors to cut corners and reduce labor costs by supplanting existing, represented Penal Code section 830.1 deputies and replacing them with lesser trained civilians or correctional officers. In so doing, section 1 and 2 of this bill could exacerbate the problem this bill is attempting to address.

Section 830.1 deputies are subject to the most rigorous background, training, licensing, hiring, and recurrent training standards of any peace officers trusted with custodial duties. Many boards of supervisors have long pushed to replace these peace officers with civilian jailers or lesser trained peace officers simply to save labor costs. It is axiomatic that deteriorating the quality and training of the individuals staffing custodial facilities will have a deleterious impact on the treatment of the inmates. The conversions of county jails to county department of corrections and rehabilitation will inevitably increase inmate abuse, impact proper medical care, and likely increase in-custody deaths. Boards would exploit this bill to cut jail labor costs under the false auspices of reform, and transfer existing union work outside the existing bargaining units.

SB 519 also provides that notwithstanding the general confidentiality of peace officer records or any other law, records relating to an investigation conducted by the local detention facility involving a death incident and any local detention facility personnel records shall not be confidential and shall be a public record. PORAC supports the disclosure of records relating to an investigation conducted by the local detention facility involving a death incident, including any investigation currently confidential under section 832.7. However, as written, this bill appears to make all personnel records of an officer subject to public record and contains superfluous and inapplicable language (apparently modeled after S.B. 1421 and S.B. 16) which pertain to the definition of "serious misconduct" rather than critical incidents.

Brian R. Marvel
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PORAC has prepared proposed amendments to the bill, including section 3. We believe the section 3 amendments improve the bill and further the intent by removing unnecessary language and limitations (for example only disclosing the personnel records of certain staff) to clearly provide for the mandatory disclosure of all inmate death investigations, whether criminal or administrative.

Finally, with respect to sections 1 and 2, PORAC would support the bill with amendments requiring a public hearing wherein the boards would be required to present an actuarial report on the costs or savings from a conversion as well as new efficiencies and inefficiencies. Additionally, boards must conduct and publish an analysis of the impact on jail staff hiring and training standards from establishing of department of corrections and rehabilitation. Lastly, any decision to convert a county jail would first have to be submitted to the voters after public comment on these reports. PORAC also requests amendments to prevent antiunion supplanting and unit erosion.

For these reasons, PORAC opposes SB 519 as currently amended. We look forward to meeting with your staff to present and discuss our proposed amendments which would garner our support for this Bill.

Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

Very Truly Yours,
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Brian R. Marvel
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cc: Members, Senate Appropriations Committee
Consultant, Senate Appropriations Committee
Consultant, Senate Republican Caucus

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Randy Beintema
Secretary



April 4, 2023

The Honorable Josh Becker
Member, California State Senate
1021 O Street, Room 7250
Sacramento, CA 95814

SB 719 (Becker) –Active Oppose

Dear Senator Becker,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to SB 719 regarding law enforcement agencies: radio communications.

This bill requires law enforcement agencies to ensure public access to law enforcement radio communications and to prevent or substantially minimize criminal justice information or personally identifiable information from being broadcast in a manner that is accessible to the public.

In 2020, at the request of the DOJ, many law enforcement agencies across the state incorporated encrypted radio as a means to limit access to personally identifiable information. Agencies that did not yet have encryption spent incredible time and money implementing this technology to comply with state and federal policy. SB 719 requires agencies to ultimately switch back to unencrypted radio so that all radio communications are accessible to the public. Doing this will not only be counterproductive and costly but also impedes the public's privacy rights.

In addition, SB 719 states that radio communications can be accessed by "any interested person." This overly broad language leaves the bill open to anyone, including potential terrorists, gang members, etc.—not just the media. Maintaining encrypted radio is the best way to protect critical and sensitive information and ensure the safety of our officers and the public.

Lastly, the language in SB 719 is in the penal code, establishing the possibility of a violation if an officer or department does not comply with the law. However, there is no clarification as to what the penalty is. Is it a felony? A misdemeanor? Again, this broad language is troublesome and leaves the bill open to personal interpretation.

Brian R. Marvel
President

Damon Kurtz
Vice President

Nick Odenath
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Randy Beintema
Secretary



For these reasons, PORAC opposes SB 719. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 11, 2023

The Honorable John Laird
California State Senate
1021 O Street, Room 8720
Sacramento, CA 95814

SB 761 (Laird) – Active Oppose

Dear Senator Laird,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We regret to inform you of our opposition to SB 761 regarding the Department of Justice: civil rights investigations.

PORAC opposes the addition of Government Code section 12535, which establish duplicative investigations of peace officers alleged to have violated state or federal civil rights laws. After negotiations with stakeholders over two legislative sessions, California enacted the most rigorous oversight and decertification oversight of peace officers in the nation by enacting SB 2. This historic legislation, among other oversight provisions, establishes the Peace Officer Standards Accountability Division and a mostly civilian Advisory Board within the POST Commission to review and investigate all civil judgments, court findings, or settlement of civil claims against a peace officer or an agency based on allegations of officer conduct that includes violations of state or federal civil rights laws.

If the allegations of serious misconduct are proven to have occurred, the peace officer can permanently lose the ability to work as a peace officer. SB 2 is intended to reduce incidents of serious misconduct by law enforcement officers, including civil rights violations. This bill will expand the scope of investigative powers of the Attorney General to intrude upon the jurisdiction and duties of the Accountability Division before SB 2 has even been fully implemented. By establishing overlapping and current investigations, officers will be unfairly subjected to conflicting and potentially incompatible investigative findings and conclusions. Moreover, SB 2 carefully balances the due process and privacy rights of accused officers by only disclosing investigation materials if action is taken and affording varying layers of appeal rights.

SB 761 contains no such safeguards and further tramples the delicate balance struck in SB 1421 and SB 16 between the public's right to know of sustained serious misconduct and employees' privacy rights. Under this legislation, once an investigation is initiated, peace officers, law enforcement agencies and "any private company, organization or business entity," can be compelled to allow the Attorney General physical access to review and take copies of "all records, data, reports, and other written materials ... pertaining to the subject matter of the investigation,"

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as determined solely by the Attorney General. As currently worded, SB 761 grants the Attorney General unfettered access to confidential peace officer personnel records maintained by law enforcement agencies and to privileged records created and maintained by private attorneys and investigators whose current or former clients are peace officers or law enforcement agencies. These disclosures are authorized “notwithstanding any other law, confidentiality provisions or agreements, or privileges that could otherwise be asserted under California, federal, or common law.”

The unrestrained access granted under this Bill is also unnecessary. Existing state law authorizes the Attorney General to access confidential peace officer personnel records when investigating “the conduct of peace officers” in criminal cases. (Pen. Code 832.7(a); *People v. Superior Court (Johnson)* (2015) 61 Cal.5th 696, 714.) The Attorney General is also empowered to bring civil actions to obtain injunctive and other appropriate equitable and declaratory relief to enforce state and federal civil rights laws, to prevent violations of those laws, and to eliminate a pattern or practice of civil rights violations “whenever the Attorney General has reasonable cause to believe that a violation of [state or federal civil rights laws] has occurred.” (Civ. Code §§ 52.1 & 52.3.) After filing such civil actions, the Attorney General can engage in “discovery” in accordance with existing state law and obtain records and testimony relating to the case. Thus, existing law fully permits the Attorney General to investigate and enforce state and federal civil rights laws while maintaining judicial oversight over the release and use of the investigative materials.

The legislature should give SB 2 time to work before enacting another law expanding overlapping investigations and disturbing the existing balancing of privacy rights and due process. In short, this Bill is unnecessary and disrespects the thoughtful work over the last few legislative sessions without even affording the new legislation an opportunity for success.

For that reason, we are opposed to SB 761. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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cc: Members, Senate Appropriations Committee

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Consultant, Senate Republican Caucus

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March 21, 2023

The Honorable Caroline Menjivar
Member, California State Senate
1021 O Street, Room 6720
Sacramento, CA 95814

SB 838 (Menjivar) –Active Oppose

Dear Senator Menjivar,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We regret to inform you of our opposition to SB 838 regarding victim compensation: use of force by a law enforcement officer.

SB 838 would revise the definition of "crime" to include, solely for the purposes of eligibility for compensation under this chapter, an incident occurring on or after January 1, 2024, in which an individual sustains serious bodily injury, as defined, or death as a result of a law enforcement officer's use of force, regardless of whether the law enforcement officer is arrested for, charged with, or convicted of committing a crime. The bill would define "law enforcement officer" for these purposes.

PORAC believes SB 838 is a waste of important revenues that could be used for **real** victims of crimes. This bill is also problematic because it rewards those who commit crimes with money even if the officer operates within their rights and incentivizes individuals to resist arrest. Finally, PORAC is offended that this measure includes in the definition of "crime", a peace officer doing exactly what the public has hired him to do.

For these reasons, PORAC opposes SB 838. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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March 1, 2023

The Honorable Dave Cortese
California State Senate
1021 O Street, Room 6630
Sacramento, CA 95814

SJR 1 (Cortese) – Active Support

Dear Senator Cortese,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 75,000 public safety members and 930 public safety associations. We are pleased to support SJR 1 relating to Social Security Act: repeal of benefit reductions.

SJR 1 would request the United States Congress to enact, and the President to sign, legislation that would repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act.

PORAC is committed to fighting for more benefits for peace officers. SJR 1 allows officers who collect social security to not have their retirement earnings offset by the Federal Government.

Again, PORAC strongly supports the passage of SJR 1. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 1, 2023

The Honorable Kelly Seyarto
Member, California State Senate
1021 O Street, Room 7120
Sacramento, CA 95814

SCR 28 (Seyarto) – Active Support

Dear Senator Seyarto,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to support SCR 28 relating to Purple Heart Day.

SCR 28 would declare August 7, 2023, as Purple Heart Day in California.

The Purple Heart is awarded to members of the Armed Forces who are killed or wounded in action. No one understands the courage it takes for a person to put themselves in harms way for society more than the members of PORAC. We salute Purple Heart recipients and SCR 28.

Again, PORAC strongly supports the passage of SCR 28. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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May 1, 2023

The Honorable Anna Caballero
California State Senate
1021 O Street, Room 7620
Sacramento, CA 95814

SCR 44 (Caballero) – Active Support

Dear Senator Caballero,

I write you today on behalf of the Peace Officers' Research Association of California (PORAC), representing 78,000 public safety members and 950 public safety associations. We are pleased to support SCR 44 relating to sexual assault.

SCR 44 would designate the month of April 2023 as Sexual Assault Awareness Month, and recognizes April 26, 2023, as "Denim Day" in California.

Rape is a crime which seriously impacts and changes a victim's life forever. California and the Nation need to recognize the seriousness of this terrible crime and do what we can to protect potential victims from future attacks. PORAC understands that Denim Day is a stark reminder of this charge on all of us.

Again, PORAC strongly supports the passage of SCR 44. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Read at (916) 425-2260 or Randy Perry at (916) 716-3952.

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Consultant, Assembly Rules Committee
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