



GREGORY D. TOTTE
District Attorney

NEWS RELEASE

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Approved: MKF *MBJ*
Date: July 8, 2019
Release No.: 19-070

Judge Ruled S.B. 1437 Unconstitutional

VENTURA, California – District Attorney Gregory D. Totten announced that on Friday, July 5, 2019, Ventura County Superior Court Judge Kevin G. DeNoce, issued a written ruling finding Senate Bill 1437 unconstitutional. The ruling came in the case of *People v. Maria Lisette Bucio*, (DOB: 12/30/80), case number 2008046598. In 2011, Bucio was convicted of first-degree murder and robbery for her role in the 2008 murder of Gurmohinder Singh.

In September 2018, former Governor Jerry Brown signed into law Senate Bill 1437. The bill redefined first-degree murder, and severely limited liability for accomplices to murder under the long-standing felony-murder doctrine and eliminated liability for accomplices to murder under the natural and probable consequences doctrine. The new law went into effect January 1, 2019.

On January 19, 2019, Bucio filed a petition to vacate her murder conviction based upon the new law. The District Attorney's Office filed a motion to dismiss the petition arguing the legislation unconstitutionally usurped the People's power of initiative by improperly amending two voter initiatives: Proposition 7, passed in 1978, which increased the penalty for first and second degree murder; and Proposition 115, passed in 1990, which expanded the definition of first-degree murder. The District Attorney also contended that the legislation violated the Separation of Powers and the Crime Victim's Bill of Rights.

Judge DeNoce agreed and issued a 15-page ruling in which he found the legislation unconstitutionally amends both Proposition 7 and Proposition 115, violates the Separation of Powers by usurping the Governor's exclusive clemency power, and violates the rights of crime victims to finality of judgment. Bucio's petition was denied and dismissed.

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The Ventura County District Attorney's Office is the public prosecutor for the county's 850,000 residents. The office employs approximately 280 employees including attorneys, investigators, victim advocates, and other professional support staff who strive to seek justice, ensure public safety, and protect the rights of crime victims.

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