



COUNTY OF FRESNO

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NEWS RELEASE

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Fresno County Judge Finds Legislature's Change to Felony Murder Rule is Unconstitutional

In a written ruling today, Fresno County Superior Court Judge Brian Alvarez found that the Legislature's change to California's Felony Murder Rule made last year pursuant to Senate Bill 1437 is unconstitutional, and therefore invalid, Fresno County District Attorney's Office has announced.

In dismissing a petition filed by convicted murderer Charles Jones to have his first-degree murder conviction reversed and his sentence reduced, Judge Alvarez found that Senate Bill 1437 impermissibly and unconstitutionally amends Proposition 7 (The Briggs Initiative) and Proposition 115 (The Crime Victims Justice Reform Act of 1990).

Senator Nancy Skinner authored Senate Bill 1437. It passed the Legislature and was signed into law by then Governor Brown in 2018. It purported to restrict the culpability of those who aided and abetted in the course of a felony murder and eliminated the "natural and probable consequences" doctrine. The bill also allowed those people previously convicted of murder to petition the court to have their convictions reversed and their sentences reduced.

The defendant was originally convicted by a Fresno County jury in 1993 of first degree murder, along with a robbery special circumstance, in the killing of Abdo Ahmed Ali, who was murdered on May 13, 1992 at the Westside Market by a single gunshot wound from a firearm placed firmly against the crown of his head. The defendant was sentenced to life in prison without the possibility of parole. His conviction and sentence were upheld on appeal.

If the petition filed by the defendant had been successful, his sentence would have been reduced to only five years, and he would have been immediately released from prison.

The Fresno County District Attorney's Office has joined prosecutors throughout California in opposing this bill in court, and to date, the office has received almost 100 petitions requesting resentencing.

A number of judges throughout the state have similarly found this bill to be unconstitutional, including judges in Los Angeles, Orange, Santa Clara, Riverside, Yolo, Kern, El Dorado, Calaveras, and San Bernardino Counties.

The Media may email FCDAMedia@fresnocountyca.gov or contact Administrative Assistant Leslie Gillespie at (559) 600-4442 with questions.

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