



**SOUTHEAST DISTRICT BAR ASSOCIATION
MEMBER BULLETIN
OCTOBER 2015**

OCTOBER GENERAL MEETING

John Barnett
Speaks on



GPS, GBI, NFL and Self Defense

Highly acclaimed Orange County criminal defense attorney, John Barnett, returns to the Southeast District Bar Association to discuss recent high publicity trials regarding Global Positioning Systems, Great Bodily Injury, the National Football League and Self Defense.

Mr. Barnett has been accorded numerous honors and awards. He started out receiving his law degree from the University of San Francisco Law School in 1973. Soon thereafter, he began practicing with the Orange County Public Defender's Office. In 1978, he moved to private practice focusing on both civil and criminal cases, including capital murder cases and the representation of police officers. During that time, he served as lead counsel for Officer Ted Briseno in the infamous "Rodney King" case.

Subsequently, his law practice evolved to include complex civil matters, ranging from asbestos and environmental contamination claims to defense of large corporations in discrimination claims. Over the years, he has served on the O.C. Bar College of Trial Advocacy and has lectured on trial tactics to several different bar associations.

Wednesday, October 28, 2015

LOCATION: Rio Hondo Country Club
10627 Old River School Road
Downey, CA 90241

TIME: Hosted Cocktail Hour: 5:30 to 6:30 pm
Dinner/ Program: 6:30 to 8:00 pm

PRICE: SEDBA Members: \$40.00
Non-Members: \$45.00

R.S.V.P. required by Tuesday, October 27, 2015. For more information contact Irma Puente at (562) 868-6787 or Irma@sedba.org.

Meeting sponsored
By

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SEDBA welcomes all attorneys, law
students, court staff & non-legal
professionals

In Loving Memory of Honorable Judge Charles E. Frisco



December 20, 1922 - October 15, 2015

It is with great sadness that we mourn the loss of a true patriarch of the Southeast District Bar Association (SEDBA) community, the Honorable Judge Charles E. Frisco. He passed away on Thursday, October 15, 2015; he was ninety-two years of age. During the many years of his career, he embodied the ideals of our profession and dedication to the practice of law. In doing so, he inspired so many of our members. In this time of mourning, we take this opportunity to look back on his career to honor him and the difference he made in our community.

Judge Charles E. Frisco was born in Detroit, Michigan, to Sicilian immigrants, Gandolfo and Giovanna Gianfisco, on December 20, 1922. Charles had two older brothers, Sammy and Frank and a younger sister Delphine.

Charles attended Detroit Institute of Technology until activated as a United States Army Reservist. On March 8, 1943, he was assigned to the United States Air Corps where he served at Algiers, Africa, Bastia, Corsica, Italy and Austria and was among first American troops to land in Corsica in 1943. He served with the 63rd Fighter Wing at Bastia, Corsica, then with the XXII Tactical Air Command in Florence, Italy. While overseas, he participated in four campaigns in European and Mediterranean Theaters: Naples-Foggia, Rome-Arno, Northern Apennines and Po Valley. His brothers Sammy and Frank also fought in World War II. Sammy was killed Christmas day, 1942. Charles received an Honorable Discharge in December, 1945 but not before cultivating a love of opera. Tosca was his favorite but he was equally enamored by everything else Puccini.

Upon his discharge from the service, Charles moved to California to complete his education at Loyola University and Loyola Law School. Charles was inspired by his father's words that an education is a treasure which no man could rob. He was admitted to the State Bar of California in December, 1951 and conducted a general practice of law in South Gate until his appointment by Gov Pat Brown to the newly created judgeship in the Municipal Court of the Downey Judicial District on March 3, 1966. Gov. Jerry Brown elevated him to the Los Angeles Superior Court in 1980.

Judge Frisco was a member and past president (1955) of the Southeast District Bar Association, served on the executive board of the California Judges Association from 1979-1991, past Chairman of Downey Symphonic Society teacher of Community Law Program through Cerritos College, former Chairman of Planning and Research Unit, Municipal Court Judges Association and former director of the Law School Alumni of Loyola University. He was, also, one the founding members of the Italian American Lawyers Association. He was often asked to "roast" various Judges and attorneys who were retiring or receiving an award.

Judge Frisco was honored as the first recipient of the Southeast Bar Association Annual Judge of the Year award as Municipal Court Judge in 1975 and in 1981. Superior Court Judge of the Year, this annual award is presented in recognition of the outstanding Judicial Officer of the year and was named for him upon his retirement in 1994. Judge Frisco received the first Hon. H. George Taylor Outstanding Judicial Officer award by the Whittier Bar Assoc. in 1999. Although officially retired in 1994, Judge Frisco's retirement lasted less than a week before returning as an assigned Judge at the Norwalk Courthouse where he had served since 1980. Judge Frisco ultimately retired in October, 2010 after sitting for forty four years.

From 1983 through 1999, he served as Chairman of the Court's Historical Events Committee, participating in 31 enrobing ceremonies and introducing a record 264 judges, included in that number are 2 Supreme Court Justices. (Joyce Kennard and Carlos Moreno) 28 Justices of the Court of Appeal, 9 Federal District Judges, 3 Presiding Judges and 1 Assistant Presiding Judge of the Los Angeles Superior Court.

From September through November 1983, he was assigned to the Second District Court of

Appeal. He authored *Escamilla v. California Insurance Guarantee Association*, 150 CA 3rd 53 and *People v. Amerson*, 151 CA3d 165.

Judge Frisco was a gentleman known for his warmth, charm, kindness but, most of all, he was known for his rapier wit. Gregarious by nature, Charlie was paternalistic and professional with new attorneys appearing in his court. Regardless of status, he treated the novice attorney with the same dignified courtesy as he would a top-notch, high flying hired gun. Charlie was, also, known for his well-reasoned and firmly grounded decisions. One jurist, Judge Wendell Mortimer, in an interview with the *Daily Journal*, summed up what other jurists thought of him. 'I've thought many times, what would Frisco do? And the answer seems to have served me well. He is someone I try to emulate'.

Judge Frisco and his wife, Marjorie, had been married for sixty-one years. They are proud parents of seven children, one of whom is a judge and two practicing attorneys, Los Angeles County Superior Court Judge Christopher J. Frisco, Norwalk attorney Charles E. Frisco, Jr. and Long Beach attorney Janine M. Frisco-Poletti. Their other four children are Patti Frisco, Joanne Frisco-Stathoulis, Craig Frisco and Jacquie Frisco-Habsburg. Charles and Marjorie have a son in-law and a granddaughter who are, also, practicing attorneys. Judge Frisco is also survived by seven grandchildren: Charles Gianfisco, George Stathoulis, Garryn Laws, Elizabeth Poletti, Esq., Samantha Poletti, Taylor Knudson Frisco and Thomas Poletti, Jr.

It is worthy to note that the very SEBAMB you read every month was initially organized and named by Judge Frisco back when the Southeast Bar Association was organized.

The rosary will be held on Tuesday, October 27, 2015, 7:00p.m., at Saint Bruno Catholic Church, 15740 Citrustree Road, Whittier, CA.

Funeral services will be held on Wednesday, October 28, 2015, 12:00p.m., at Saint Bruno Catholic Church. Burial and reception will follow.

Monthly Article

TIME TO CHANGE CALIFORNIA'S SEXUAL OFFENDER REGISTRATION ACT

In our society, we want punishments that fit the crime. There is no question that punishment serves to sanction the perpetrator, deter others from such behavior, rehabilitate the offender, and to make society feel better about sending a clear message to those who violate laws. But when punishments are disproportionate, for example, they are confusing and sometimes cause outrage. In 1994 California voters overwhelmingly passed the "three-strike law" in Proposition 184 and over the years it has caused some disapproval and controversy. When Jerry Dewayne Williams was sentenced by a Torrance judge to prison for 25 years to life in 1995 under the state's newly enacted "three strikes" law for stealing a slice of pepperoni pizza, some thought the law went too far. Across the nation twenty-four states enacted some form of "three-strike" laws that punish perpetrators by imposing harsher sentences when they have two prior serious convictions. Such laws have raised concerns that the punishment is disproportionate to the present offense regardless of prior convictions. California's Sexual Offender Registration Act (Penal Code §290), should also cause indignation. Section 290(b) provides that "every person described in subdivision (c) for the rest of his or her life while residing in California, or while attending school or working in California, ... shall be required to register with the chief of police ... in accordance with the Act."

Is a life-time registration as a sexual offender in a public database a disproportionate punishment to a crime sexual in nature? For example, Terry Samuel was arrested outside a night club for allegedly touching the buttocks of a woman on a packed dance floor, appeared in court a few days later in custody, charged with a misdemeanor sexual battery in violation of Penal Code §243.4(d)(1), and entered a guilty plea without the assistance of an attorney. He was sentenced to time served in custody and ordered to pay court fees and fines, 36 months of summary probation, and register as a sex offender for life. Mr. Samuel is required to register with local police every year and upon moving to a new address. (See Penal Code §290.) Richard Dobeski, also required to register in the same database and in the same manner, was convicted of murdering two young children. He was sentenced to consecutive life sentences, but his sentence was reduced to a 40-year term on appeal in the 1980s. In 2003, when he was released on parole, police say he fondled a young boy and was found in possession of child pornography.

Should these two individuals have the same life-time public shaming? Instead of requiring permanent sexual offender registration, the law should separate those individuals that require registration during probation or for a fixed period of time, say five or ten years, and those that require a lifetime of registration because their offenses are the most reprehensible. After the wave of the three-strike laws, prison populations dramatically increased across the country but evidence did not necessarily show a reduction in violent crimes. California voters in 2012 enacted Proposition 36 "to fix" the "three strike" law to require a "serious or violent felony" in order to be classified as a third strike. Mr. Williams' 25 years to life sentence has been reduced to six years for the theft of the slice of pizza. Similar action should be taken to differentiate the time a sexual offender's personal information and offense must remain in a public database. California has about 92,000 sex offenders who must register their whereabouts with police each year, according to the California Sex Offender Management Board. Limiting the life-time registration to the most serious offenders will allow the police, the Department of Corrections and Rehabilitation, and the Management Board to focus limited resources to the most egregious offenders and thereby ensuring greater public safety. If Californians fixed the "three-strike" law, we can and should fix the Sexual Offender Registration Act.

Dennis Saab

Save the Date

Events and General Meetings are open to all members and non-members.

February 25	General Meeting: State of the Courts – Judge Margaret Bernal
March 25	General Meeting: Substance Abuse – Greg Dorst – The Other Bar
April 22	Social Hour
May 27	General Meeting: Tony Rackucakas
June 13-19	D.C. Trip
July 22	SEDBA Un-hosted Social Hour @ Lock & Key
August 26	Randy Kramer Annual Poker Tournament
September 2	End of Summer Mixer
September 26	General Meeting: DUI Panel
October 28	General Meeting: John Barnett – Criminal Defense Attorney
November 18	Judges & Past Presidents Night
December	Date TBA - Holiday Party

General Meetings:

LOCATION: Rio Hondo Country Club
10627 Old River School Road
Downey, CA

TIME: 5:30 p.m. Social Hour/ 6:30 p.m. Dinner & Program

COST: \$40 for SEDBA Members/ \$45 for Non-members

LRS PANEL MEMBERS MUST ATTEND AT LEAST 5 GENERAL MEETINGS PER YEAR

**SPECIAL RECOGNITION
TO SEDBA'S OCTOBER MEETING
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is greatly appreciated by all of SEDBA's
membership!**

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are practiced in the area of law you need.

The LRS office is located at:
12749 Norwalk Blvd., Suite 107
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www.sedba.org

The Southeast District Bar Association is a non-profit association of legal professionals serving Southeast Los Angeles County including Bellflower, Cerritos, Downey, Norwalk, Paramount, Santa Fe Springs, South Gate, Whittier, and surrounding cities.

Extra! Extra!

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Or contact SEDBA office (562) 864-4713 or

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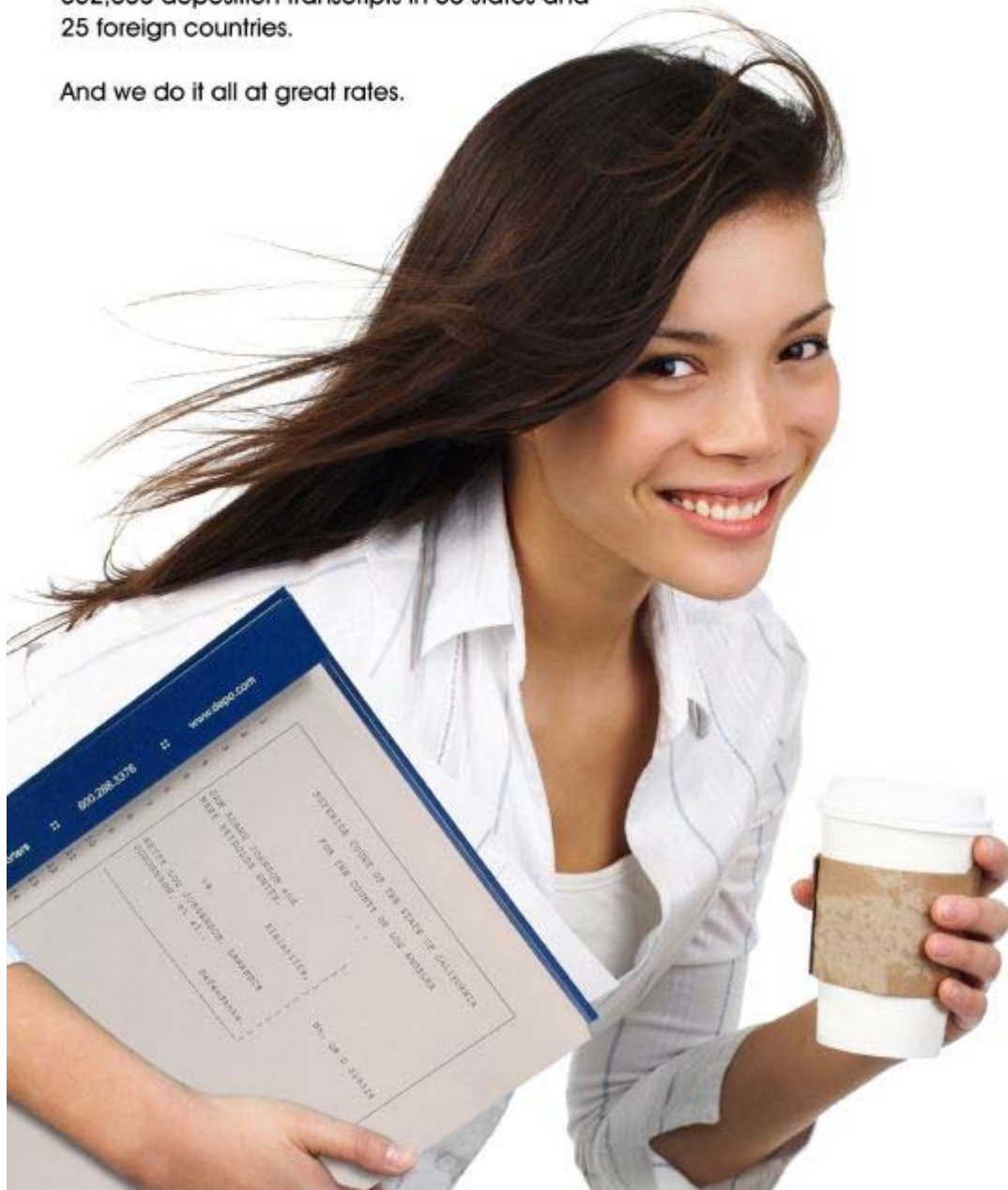
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The mission of the Southeast District Bar Association is to enhance and serve the educational and professional needs of its membership, to promote the integrity of the profession, to encourage collegiality and interaction with the judiciary, and to provide access to legal services and the judicial system.



We're on the web!
www.sedba.org

The SEBAMB is a joint publication of the Southeast District Bar Association and the Lawyer Referral Service.

The SEBAMB welcomes and encourages articles and letters from readers. Please send them to 12749 Norwalk Blvd., Suite 107, Norwalk, CA 90650.

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