

Hello to all FFF Supporters ~

This update is to share information that I have learned in a very cordial and productive 30 minute phone conversation with the Assistant to the County District Attorney. I explained that I was speaking on behalf of almost 180 residents from throughout the County and probably thousands more who have not yet discovered our Freedom From Fireworks campaign.

Recall that we were informed by an officer of the County Sheriff Department that "*the District Attorney declined to file charges*" for the only citation issued by county law enforcement last 4th of July.

At the June 6 Board of Supervisors (BOS) meeting we spoke about this at Oral Communications. One may read our statement by clicking [HERE](#).

As it turns out, despite our plea to the BOS on June 6, the BOS cannot be involved with or lobby the District Attorney (DA) for a couple of reasons, primarily separation of powers. I learned this from Supervisor Zach Friend's analyst.

The following is what I learned from the Assistant DA, during our June 15 conversation. This is what happens after a citation for use or possession of fireworks is issued:

- A report, with a number, is submitted by law enforcement to the DA's intake unit for case management
- That report will be reviewed by a Misdemeanor Attorney (violation of the fireworks is a misdemeanor)
- The review will determine whether there is enough evidence to continue with prosecution of the alleged crime
- If there is enough evidence, a court date will be assigned

From that point forward it is the courts who take over and a judge will decide what happens next. The DA's work is completed. If the defendant pleads **not** guilty, then a trial date is set. Many events can occur prior to trial. There are case discussions involving the Judge, prosecutor and defense attorney. The focus is on possibly resolving the case short of trial, as I learned [HERE](#).

To my query about how the DA's office would view 50 citations to process for fireworks this year, he agreed that would be very time consuming. I acknowledged what the public is asking for is a major investment of time and money from the county criminal justice system, and presented the case that *fireworks is not a victimless crime*.

I added that fireworks is a *public safety* issue. I spoke about fire works being imbedded on rooftop shingles, the fires that started last year, the emotional health of PTSD sufferers, the emotional health of pet owners, who witness their terrorized pets deal with the explosions. He listened. I think he may look at the issue of fireworks in our neighborhoods in a different way. Not a victimless crime, very much a public safety issue.

Earlier in our conversation, he had asked me for the case # of the citation from last July.

He said that with the case # he could tell me what happened in terms of their office. Without it he could not. I did not have a case #, so I will ask county law enforcement if it can get it for me. Meanwhile, at least we now know the process and how to track what will happen with this year's citations. I can also ask for the case #s of citations issued last year by the SCPD.

Like every aspect of government, the DA's office is dealing with too much work and not enough funds. They have recently lost 13 employees (to retirement and for other reasons). The Assistant DA with whom I spoke very much wants to implement the Mission Statement of the District Attorney: *"To promote and ensure public safety through ethical and just prosecution."* I could hear his sincerity in this regard. I am grateful for the time he spent with me on the phone.

So now we have one more arrow in our quiver: knowledge of the justice system post citation.

One other bit of information. Eve Roberson spoke at the June 6 BOS meeting and asked when we were going to start seeing the educational media releases that we saw last year, stressing it is time to make it clear to the public well before July 4th, because the explosions are beginning to increase leading up to the 4th. She also emailed the County Communications Coordinator Jason Hoppin on June 12:

"It's that time of year again. We had very good notices out last year on the law against fireworks but not so much this year yet. It is the law that the possession and use of fireworks (including safe & sane) is prohibited in the City of Santa Cruz and unincorporated Santa Cruz County 365 days of the year. No matter how big or small the booms. The problems with fireworks exploding all over Santa Cruz County this time of year is the constant danger of wildfires, striking terror in the hearts of PTSD veterans and wildlife and pets. A sign on Highway 17 to this effect would catch the eye of most visitors and warn them not to bring fireworks into the area. It gets worse and worse as it gets closer to the 4th of July. My poor dog trembles and shakes all night long from 1 blast. I can only imagine how terrible it is for all the homeless animals in the Shelter and the SPCA facilities in our Live Oak neighborhood!"

I would be deeply grateful for whatever you can do to get the word out to local media, other government agencies and visitors about this law and the penalties for violation."

As of yesterday (6/16) Eve has had no reply from Hoppin. Let's hope that is because he was busy for four days, producing the media releases which Eve requested.

Meanwhile, I encourage everyone, once more, to take the time to call 911 to report fireworks events in your individual neighborhoods, starting now. Even if you can not pinpoint the address, this reporting creates a record. The denser the record, the better to prove the number of victims of (alleged) criminals! And if you know the address of neighbors who insist on possessing and using fireworks, send that specific information to me and I shall catalogue it and send to SCPD and the Sheriff Department.

We knew when we started this campaign two years ago that is what going to take years to undo what was allowed to happen with lax law enforcement of the ordinance for decades. We're tenacious and we'll persevere because we care about one another, about those who are agitated

by explosions, who must breathe the unhealthy air of the 4th of July, and who must witness the pain and suffering of pets and humans alike.

For more, not less [Freedom From Fireworks](#),
Jean Brocklebank