



## Recent California Criminal Justice Reform

- **SB 9:** Passed in 2013, it provides a second chance for youth who were under the age of 18 at the time of committing an offense for which they were sentenced to life without the possibility of parole. The bill requires the petitioner to request a new sentencing hearing and must include a statement of his or her remorse and work towards rehabilitation. If the court finds that the statements in the defendant's petition are true they will have the chance of getting a new sentence with the possibility of parole. The bill also applies retroactively.
- **SB 678:** Passed in 2010, it took a page from Arizona's Safe Communities Act of 2008 and provided county probation departments with financial incentive to keep offenders local rather than sending them to state prison, regardless of offense. This legislation is seen as successful as many probation departments did cut the number of probationers who were sent to prison and also counties did receive the money promised by the state. (There is a specific percentage or number of reduction that I can find later)
- **AB 109:** Passed in 2011 and known as Criminal Justice Realignment, made the following three changes in criminal justice practice in CA:
  - Transferred community supervision of non-violent, non-serious, non-sex offenders who were released from state prison from parole to probation.
  - Prohibited new individuals convicted on non/non/nons from going to state prison, they can now only go to county jail.
  - Parole violators, other than the small number who were released after being given a life sentence, can no longer go to state prison for a violation of parole, but can only go to county jail for a maximum of 90 days (so this includes many serious and violent offenders)
- **Prop 36:** Passed by the voters in Nov. 2012, Prop 36 amends the state's 3 Strikes law to mandate that the person third strike must be serious or violent. This proposition was also retroactive so many inmates were released based on this. This population includes many people whose 1<sup>st</sup> and/or 2<sup>nd</sup> strike were serious or violent.
- **Prop 47:** Passed by voters in Nov 2014, it turned six felonies (drug possession, theft, etc) into misdemeanors, making people convicted of these offenses no longer eligible for state prison. This proposition was also retroactive so tens of thousands of inmates were released from state prison and county jails. In CA, the vast majority of misdemeanants are not sent to probation departments for supervision, so this also resulted in tens of thousands and what may eventually be more than 100,000 taken off the rolls of probation. All of this can include people with previous serious and violent convictions.

- **SB 9:** Passed by the legislature in 2012, it prohibits the automatic sentence of life without the possibility of parole for juveniles and unlike the Supreme Court case, also made the decision retroactive. SB 9 created a new sentencing mechanism for people sentenced to LWOP under the age of 18. All of these cases are serious and violent.
- **SB 260:** Passed by the legislature in 2013, it allows people incarcerated in CA prisons who were convicted as adults prior to their 18<sup>th</sup> birthday to have early parole board hearings and instructs the parole board to give “great weight” to the fact that the parole applicant was a child when they committed their offense.
- **SB 261:** Extends the above SB 260 law to people convicted before their 23<sup>rd</sup> birthday.