



LACBA

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June 1, 2009

Via facsimile (916) 327-2186

Hon. Leland Y. Yee, Ph.D.
Assistant President pro Tempore
California State Senate
State Capitol, Room 4074
Sacramento, CA 95814

RE: SB 399 – SUPPORT - The Fair Sentencing for Youth Act

Dear Senator Yee:

The Los Angeles County Bar Association (“LACBA”), with a membership of over 26,000, is the nation’s largest local voluntary bar association. LACBA has over 100 committees, sections and public service projects that are dedicated to improving the administration of justice, serving the public, and advancing the interests of the legal profession. One such committee, the Juvenile Courts Task Force, develops policies and programs which deal with juvenile dependency and delinquency. The committee also considers legislation relating to the juvenile justice system. The Fair Sentencing for Youth Act, Senate Bill 399, falls squarely within the interest of the task force as well as LACBA.

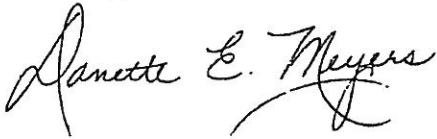
The Fair Sentencing for Youth Act would provide for review of cases where a juvenile was sentenced to life in prison without the possibility of parole. The bill provides review of these cases after a youth offender (someone below the age of 18 at the time of the offense) has served a substantial amount of time in prison. It is an important piece of legislation because it protects public safety while at the same time recognizing that youth are different from adults. SB 399 holds youth accountable for their crimes while also providing a chance for young offenders to show that they have made changes to their lives. In April, the Board of Trustees of the Los Angeles County Bar Association voted unanimously to support Senate Bill 399.

The Board of Trustees also acknowledged that Senate Bill 399 is fiscally-wise legislation. Presently, the state spends approximately \$40,000 per year to incarcerate juvenile defendants sentenced to life without the possibility of parole. Clearly, for the many individuals sentenced to life in prison this means decades of increasing cost to the state. Almost everyone agrees that not all of the youth offenders sentenced to life without parole in California should remain in prison. The passage of the Fair Sentencing for Youth Act would save millions of dollars for California.

The United States is the only country in the world that imposes life without parole on youth under the age of 18 years old. This extreme punishment is a violation of international law and fundamental human rights. In addition, in California racial disparities in the use of this sentence are among the worst in the country: black youth are sentenced to life without parole at a per capita rate that is 18 times that for white youth. Finally, adult codefendants charged in the same cases are getting *lower* sentences and the opportunity for parole. In 56 percent of the cases in which a youth sentenced to life without parole had an adult codefendant, the adult got a lesser sentence than the youth. California should lead the nation in changing these inequities.

We urge your support for this important legislation.

Sincerely,



Danette E. Meyers
President

cc: All Members of the California State Senate, via facsimile
Association Trustees, via email
Laura Dym Cohen, Co-Chair, Juvenile Courts Task Force, via email
Kelly Evans, Co-Chair, Juvenile Courts Task Force, via email
Miriam Aroni Krinsky, via email
Human Rights Watch, via facsimile (310) 477-4622
Elizabeth M. Calvin, via email
Nicole Pereira, via email