

# Dr. LaShae Sharp- Collins

## 79<sup>th</sup> Assembly District



### AB 1279: Youth Three Strikes Reform

#### **SUMMARY**

AB 1279 bans sentence enhancements for juvenile adjudications before the offender turned 18. It also provides judicial discretion to overturn an enhancement against individuals with juvenile adjudications upon their petition in certain conditions.

#### **BACKGROUND**

Juvenile adjudication occurs when a court determines whether a minor has broken the law; rather than being found guilty like an adult, the minor may be ruled "delinquent" and face rehabilitation, probation, or other consequences. However, under California's Three Strikes Law, these adjudications can still count as "strikes" in adult sentencing, despite juveniles not having the right to a jury trial.

Juvenile courts have different standards and protections, and the absence of a jury trial in those courts means that young people may not have had the full opportunity to challenge the evidence against them in the same way an adult would. These adjudications are later used to enhance sentences under adult criminal law, compounding the harm done to young individuals.

The use of juvenile adjudications to enhance adult sentences disproportionately affects marginalized groups, particularly youth of color and those from low-income backgrounds.

These individuals are already more likely to encounter the juvenile justice system due to systemic biases and is compounded by adult enhancements.

Applying these adjudications to enhance sentences punishes individuals not only for their current behavior but for actions committed as minors, locking them into a cycle of incarceration. By ensuring that juvenile adjudications are not used as a basis for adult sentence enhancements, the justice system can foster a more rehabilitative approach, prioritize second chances, and reduce long-term cycles of incarceration.

Using juvenile adjudications to enhance adult sentences is unjust. Allowing resentencing for these enhancements would help address disparities, treat children as children, provide opportunities for rehabilitation, and make the justice system more rooted in equity.

#### **THIS BILL**

This bill aims to promote fairness by ensuring that juvenile adjudications cannot be used as prior serious or violent felony convictions for sentence enhancements.

#### **SUPPORT**

All of Us or None Sacramento (Sponsor)

#### **CONTACT**

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