

What happened to Senate Bill 399?

Source: www.FairSentencingForYouth.org, Updated 4.22.2011

Senate Bill 399 Bill

The California Fair Sentences for Youth Act was introduced by Senator Yee, and co-authored by Senator Romero, Senate Speaker Steinberg, Assembly Members Fuentes and Hill, and Assembly Speaker J. Pérez. Senate Bill 399 would have permitted youth who had been sentenced to life without the possibility of parole to petition for a resentencing hearing. It passed in the Senate, and passed each committee in the State Assembly, but failed in its final vote on August 30, 2010. 39 voted yes for SB399, although when it became clear it would not reach the needed 41 votes to pass, six Assembly Members changed their votes and abstained.

The bill recognized that all young people, even those serving life sentences, have the capacity to change for the better and should have access to the rehabilitative tools to do so. This Act would have provided an opportunity for review and resentencing after 15 years or more of incarceration for youth sentenced to life without parole in prison. Recognizing that teenagers are still maturing, this Act created specific criteria and an intense, three-part review process that would result in the possibility of a lesser sentence for those offenders who have matured and proven themselves to have changed.

Final Vote on SB 399, State Assembly, August 30, 2010

VOTED YES

| | | | | |
|----------|---------|----------|--------------|-----------|
| Ammiano | Bass | Beall | Blumenfield | Bradford |
| Brownley | Coto | Davis | De La Torre | De Leon |
| Eng | Evans | Feuer | Fong | Fuentes |
| Furutani | Gatto | Hall | Hayashi | Hernandez |
| Hill | Huffman | Jones | B. Lowenthal | Monning |
| Ruskin | Saldana | Skinner | Swanson | Torlaxson |
| Torrico | Yamada | J. Perez | | |

ABSTAINED OR DID NOT VOTE

(Bolded name indicates the Member first voted yes, but then abstained when the bill failed to get the 41 votes needed to pass.)

| | | | | |
|--------------------|---------------|----------------|-----------------|----------------|
| C. Calderon | Carter | Chesbro | Galgiani | Mendoza |
| M. Pérez | Salas | | | |

VOTED NO

| | | | | |
|------------|----------|-----------|--------------|---------------|
| Adams | Anderson | Arambula | B. Berryhill | T. Berryhill |
| Block | Buchanan | Caballero | Conway | Cook |
| DeVore | Fletcher | Fuller | Gaines | Garrick |
| Gilmore | Hagman | Harkey | Huber | Jeffries |
| Knight | Lieu | Logue | Ma | Miller |
| Nava | Nestande | Niello | Nielsen | Norby |
| Portantino | Silva | Smyth | Solorio | A. Strickland |
| Torres | Tran | Villines | | |