

California Case and Statutes

The Court. Legislature and Voter

- People v. Gutierrez
- (2014) 58 Cal. 4th 1354
- No presumption in favor of LWOP
- Individualize analysis and exercise of discretion

California Cases and Statutes Cont

- Cal. Penal Code Section 190.5
- Imposition of LWOP or 25 years to life

- Cal. Penal Code Section 1170(d)
- Allows state prisoners under the age of 18 years. at the time of the crime, who were sentenced to LWOP to petition the sentencing court for recall and resentencing under certain circumstances

- Proposition 21-
- Voter initiative regarding juveniles