

Beyond the Bench 2013

Juvenile Legislative Update 2013

Judge Kurt Kumli
LaRon Hogg Haught

Legislative Updates

- **Sealing and Destruction of Records**
- **W&I 781**
- Beginning January 1, 2015, the Juvenile Court and Probation shall ensure information about eligibility & procedures for sealing/destroying records shall be provided to minors w/ petitions filed or who are taken to probation pursuant to W&I 626

Legislative Updates

- **Designation of Gang Member/Associate**
- **PC 186.34**
- Prior to local LEA designating, or submitting to docs to AG's Office to designate, minor a gang member/associate, the LEA must provide written notice to minor and parents. They may then submit written doc to contest; LEA must provide verification w/in 60 days.

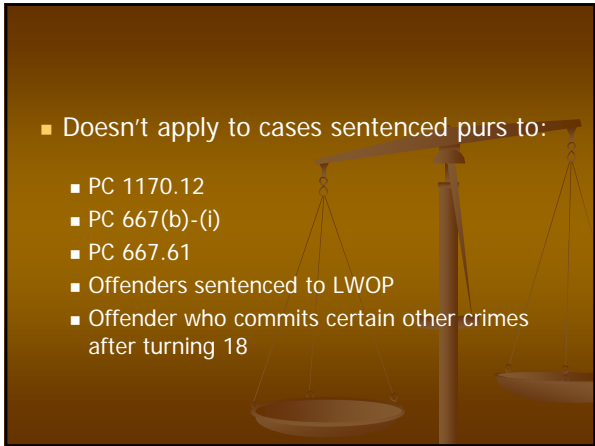
Legislative Updates

- **Vandalism – Probation Condition for Community Service**
- **PC 594.6**
- Probation condition requiring up to 300 hours of PSW for any vandalism/graffiti offense may now be completed over a one year period (rather than 240 days)

Legislative Updates

- **Youthful Offender Parole Hearing**
- **PC 3051**
- Provides for parole hearings for prisoners under age of 18 at time of offense
 - If determinate sentence, eligible for release on parole during 15th year of incarceration
 - If sentence is life term of less than 25 years to life, eligible for release on parole during 20th year of incarceration
 - If sentence is life term of 25 years to life, eligible for release on parole during 25th year of incarceration

- Board is to assess growth and maturity (psych evals & assessment tools can be used) and give great weight to diminished culpability of juveniles, features of youth, growth & maturity exhibited
- Family, friends, community can submit statements re: offender's growth and maturity since time of offense
- Hearing shall provide for "meaningful opportunity for release" (Board can consider other related topics consistent w/case law)



- Doesn't apply to cases sentenced pursuant to:
 - PC 1170.12
 - PC 667(b)-(i)
 - PC 667.61
 - Offenders sentenced to LWOP
 - Offender who commits certain other crimes after turning 18



Legal Updates

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