West's Ann.Cal.Welf. & Inst.Code § 602

§ 602. Minors violating laws defining crime; ward of court

Effective: January 1, 2015

Currentness

(a) Except as provided in subdivision (b), any person who is under 18 years of age when he or she violates any law of this state or of the United States or any ordinance of any city or county of this state defining crime other than an ordinance establishing a curfew based solely on age, is within the jurisdiction of the juvenile court, which may adjudge such person to be a ward of the court.

(b) Any person who is alleged, when he or she was 14 years of age or older, to have committed one of the following offenses shall be prosecuted under the general law in a court of criminal jurisdiction:

(1) Murder, as described in Section 187 of the Penal Code, if one of the circumstances enumerated in subdivision (a) of Section 190.2 of the Penal Code is alleged by the prosecutor, and the prosecutor alleges that the minor personally killed the victim.

(2) The following sex offenses, if the prosecutor alleges that the minor personally committed the offense, and if the prosecutor alleges one of the circumstances enumerated in the One Strike law, subdivision (d) or (e) of Section 667.61 of the Penal Code, applies:

(A) Rape, as described in paragraph (2) of subdivision (a) of Section 261 of the Penal Code.

(B) Spousal rape, as described in paragraph (1) of subdivision (a) of Section 262 of the Penal Code.

(C) Forcible sex offenses in concert with another, as described in Section 264.1 of the Penal Code.

(D) Forcible lewd and lascivious acts on a child under 14 years of age, as described in subdivision (b) of Section 288 of the Penal Code.

(E) Forcible sexual penetration, as described in subdivision (a) of Section 289 of the Penal Code.

(F) Sodomy or oral copulation in violation of Section 286 or 288a of the Penal Code, by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person.

(G) Lewd and lascivious acts on a child under 14 years of age, as defined in subdivision (a) of Section 288, unless the defendant qualifies for probation under subdivision (d) of Section 1203.066 of the Penal Code.

Credits

(Added by Stats.1961, c. 1616, p. 3472, § 2. Amended by Stats.1971, c. 1748, p. 3766, § 66; Stats.1972, c. 84, p. 109, § 1, eff. May 19, 1972; Stats.1976, c. 1071, p. 4819, § 12; Stats.1999, c. 996 (S.B.334), § 12.2; Initiative Measure (Prop. 21, § 18, approved March 7, 2000, eff. March 8, 2000); Stats.2001, c. 854 (S.B.205), § 72; Stats.2014, c. 54 (S.B.1461), § 18, eff. Jan. 1, 2015.)

Editors' Notes

OFFICIAL FORMS

2008 Main Volume

<Mandatory and optional Forms adopted and approved by the Judicial Council are set out in West's California Judicial Council Forms Pamphlet.>

Notes of Decisions (634)

West's Ann. Cal. Welf. & Inst. Code § 602, CA WEL & INST § 602
Current with urgency legislation through Ch. 807 of 2015 Reg.Sess. and Ch. 1 of 2015-2016 2nd Ex.Sess.

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