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DA Scully Urges Governor Brown to Veto SB 9

District Attorney Jan Scully joins the California District Attorneys Association (CDA) and elected DAs across the state in urging Governor Brown to veto SB 9, which would allow murderers who were under the age of 18 at the time of the crime, and who have been sentenced to life without the possibility of parole, to have their sentence modified to allow parole. After a similar bill failed in the previous legislature, SB 9 was passed in the Assembly by a single vote.

Scully noted that current law provides adequate safeguards against the abuse of the life without parole penalty for those under the age of 18. The penalty is only possible for those who were at least 16 years old at the time they committed murder. Prosecutors have discretion whether or not to seek the penalty. Sentencing judges also have discretion not to impose it even when the proper charges and jury findings have been made.

Scully states that accountability is a central pillar of our criminal justice system. SB 9 would weaken that accountability for those, 16 years and older, who commit the worst crimes. Her letter states, "Juvenile murderers can be among the most hardened and calloused of killers." Under SB 9, rapist murderers, gang murderers who coldly ambush their victims, robbers who execute their victims, and multiple murderers, are all eligible to have their sentence reduced. She goes on to cite three cases from the more than 260 defendants serving life without parole for special circumstance murders committed when they were 16 or 17. The cases include 16-year-olds Daniel Russell and Calvin Pearson, convicted in Sacramento for murdering 90-year-old Marie Oliver in her home during a robbery.

Scully noted that 29 of the juvenile murderers serving life without parole were convicted of multiple murders. In addition, 27 were convicted not only of murder, but also one or more counts of attempted murder - additional victims who would be dead if the defendant's actions had been as effectively deadly as his intentions.

The bill will also subject the families of murder victims to a multi-step process that could force them to relive the events, probably many times, traveling to and speaking at each subsequent parole board hearing if the court did modify a defendant's sentence.

[View DA Scully Veto Letter](#)