

Date of Hearing: June 27, 2023
Counsel: Cheryl Anderson

ASSEMBLY COMMITTEE ON PUBLIC SAFETY
Reginald Byron Jones-Sawyer, Sr., Chair

SB 94 (Cortese) – As Amended June 20, 2023

SUMMARY: Creates a process for a person who has been sentenced to life imprisonment without the possibility of parole (LWOP) before June 5, 1990, and has served at least 25 years in custody, to seek a recall of their sentence and be resentenced to a lesser sentence. Specifically, **this bill:**

- 1) Provides that, except as specified, an individual serving LWOP for a conviction in which one or more special circumstances has been found true, may petition the court to recall the sentence and resentence to a lesser sentence if:
 - a) The offense occurred before June 5, 1990; and,
 - b) The individual has served at least 25 years in custody.
- 2) Specifies that an individual is not eligible for recall and resentencing if any of the following circumstances apply:
 - a) The individual was convicted of first degree murder of a peace officer engaged in performance of their duties or of a peace officer or former peace officer in retaliation for the performance of their official duties;
 - b) The individual was convicted of first-degree murder as the actual killer of three or more people; or
 - c) The individual was convicted of a sexual offense committed in conjunction with the homicide for which the petitioner is serving an LWOP sentence. Defines “sexual offense” as rape, sodomy, lewd and lascivious acts on a child under 14 years of age, rape by instrument; and oral copulation.
- 3) Requires the petition to be filed with the court that sentenced the petitioner and served on the district attorney, or on the agency that prosecuted the petitioner. The presiding judge shall designate a judge to rule on the petition.
- 4) Requires the petition to include all of the following:
 - a) A declaration by the petitioner that they are eligible for relief;
 - b) The superior court case number and date of the petitioner’s offense and conviction; and,

- c) Whether the petitioner currently has counsel and, if not, whether the petitioner is indigent.
- 5) Requires the court to review the petition and determine if it alleges the eligibility elements. Allows the court to deny the petition without prejudice to the filing of another petition if any of the required information is missing and cannot be readily ascertained and to advise the petitioner that the matter cannot be considered without the missing information.
- 6) Requires the court to appoint the State Public Defender or other qualified counsel to represent the individual, if the petitioner does not have counsel and is indigent.
- 7) Provides that if counsel is newly appointed, they may file a supplementary petition within 60 days. The prosecutor may file and serve a response within 60 days of service of the petition or supplementary petition and the petitioner may file and serve a reply within 30 days after the prosecutor response is served. These deadlines shall be extended for good cause.
- 8) Requires the court to hold a hearing to determine whether to recall the sentence and resentence the petitioner within 60 days after the reply is filed. This deadline may be extended for good cause.
- 9) Allows the resentencing court, in the interest of justice and regardless of whether the original sentence was imposed after a trial or plea agreement, to do the following:
 - a) Modify the petitioner's sentence to impose a lesser sentence, and apply any changes in law that reduce sentences or provide for judicial discretion; or
 - b) Vacate the petitioner's conviction and impose judgment on any necessarily included lesser offense, whether or not that offense was charged in the original pleading, and then resentence the petitioner to a lesser sentence.
- 10) Allows the parties to waive a resentencing hearing and stipulate that the petitioner is eligible for recall and resentencing.
- 11) Provides that a petitioner who is resentenced shall be given credit for time served.
- 12) States that resentencing shall only result in a sentence of 25 years to life with the possibility of parole, followed by review by the Board of Parole Hearings, as specified.
- 13) Requires the court to state on the record the reasons for its decision to grant or deny recall and resentencing.
- 14) Provides that in considering a petition, the court shall consider and afford great weight to evidence offered by the petitioner to prove that any of the following mitigating circumstances are present:
 - a) The petitioner was a victim of intimate partner violence, sexual violence, or human trafficking;

- b) The petitioner experienced childhood trauma, including abuse, neglect, exploitation, or sexual violence;
 - c) The petitioner is a veteran and the conduct involved in the offense related to trauma experienced in the military;
 - d) The petitioner has been diagnosed with cognitive impairment, intellectual disability, or mental illness;
 - e) The petitioner was under 26 years of age at the time of offense;
 - f) The sentence violates the California Racial Justice Act; or,
 - g) The petitioner's age, time served, or diminished physical condition reduces the petitioner's risk for future violence.
- 15) Provides that proof of the presence of one or more of these circumstances weighs greatly in favor of dismissing the special circumstance, unless the court finds that the petitioner is currently an unreasonable risk of danger to public safety – i.e., unreasonable risk that the petitioner will commit a new violent offense, as specified.
- 16) Requires the court to consider postconviction factors, including, but not limited to, the disciplinary record and record of rehabilitation of the petitioner while incarcerated, and evidence that reflects that circumstances have changed since the original sentencing so that the sentence originally imposed is no longer in the interest of justice.
- 17) States that this process does not diminish or abrogate any rights or remedies otherwise available to the subject of the petition.
- 18) Provides that if the judge declines to impose a reduced sentence, two subsequent petitions may be filed if at least three years have passed from the denial of the prior application.
- 19) Allows the petitioner to appear remotely, and the court to conduct the hearing through the use of remote technology, unless counsel requests their physical presence in court and if not otherwise prohibited by state law.
- 20) States that a resentencing hearing constitutes a “post-conviction release proceeding” under Marsy’s Law and consistent with that law requires the prosecutor to provide notice of the hearing to the victim, if the victim has requested to be notified, and the court to provide the victim an opportunity to be heard regarding sentencing, if requested by the victim.
- 21) Makes findings and declarations.

EXISTING LAW:

- 1) Defines murder as the unlawful killing of a human being, or a fetus, with malice aforethought. (Pen. Code, § 187, subd. (a).)

- 2) Defines malice for this purpose as either express or implied. It is express when there is manifested a deliberate intention unlawfully to take away the life of a fellow person. It is implied when no considerable provocation appears, or when the circumstances attending the killing show an abandoned and malignant heart. (Pen. Code, § 188, subd. (a)(1) & (2).)
- 3) Provides that for a conviction of murder generally, a participant in a crime must have the mental state described as malice, unless specified criteria are met. (Pen. Code, § 188, subd. (a)(3).)
- 4) States that malice shall not be imputed to a person based solely on their participation in a crime. (Pen. Code, § 188, subd. (a)(3).)
- 5) Provides that when it is shown that the killing resulted from an act with express or implied malice, no other mental state need be shown to establish the mental state of malice aforethought. Neither an awareness of the obligation to act within the general body of laws regulating society nor acting despite such awareness is included within the definition of malice. (Pen. Code, § 188, subd. (b).)
- 6) Defines first degree murder, in part, as all murder that is committed in the perpetration of, or attempt to perpetrate, specified felonies. (Pen. Code, § 189, subd. (a).)
- 7) States that a participant in one of the specified felonies is liable for first degree murder only if one of the following is proven:
 - a) The person was the actual killer;
 - b) The person was not the actual killer, but, with the intent to kill, aided, abetted, counseled, commanded, induced, solicited, requested, or assisted the actual killer in the commission of murder in the first degree; or,
 - c) The person was a major participant in the underlying felony and acted with reckless indifference to human life, as specified. (Pen. Code, § 189, subd. (e).)
- 8) Allows a defendant to be convicted of first degree murder if the victim is a peace officer who was killed in the course of duty, where the defendant was a participant in one of the specified felonies and the defendant knew, or reasonably should have known, that the victim was a peace officer engaged in the performance of their duty. (Pen. Code, § 189, subd. (f).)
- 9) Prescribes the penalty for first degree murder as death, LWOP, or imprisonment in the state prison for a term of 25 years to life, as provided. (Pen. Code, § 190, subd. (a).)
- 10) Provides that when a prosecutor charges a special circumstance and it is found true, a person found guilty of first degree murder shall be punished by death or LWOP. (Pen. Code, §§ 190.2, 190.4.)
- 11) Enumerates the special circumstances, as follows:
 - a) The murder was intentional and carried out for financial gain;

- b) The defendant was convicted previously of first or second-degree murder;
- c) The defendant has been convicted of more than one offense of first or second-degree murder in the current proceeding;
- d) The murder was committed by means of a destructive device planted, hidden or concealed in any place, area, dwelling, building or structure and the defendant knew or should have known that their act(s) would create a great risk of death;
- e) The murder was committed to avoid a lawful arrest or make an escape from lawful custody;
- f) The murder was committed by means of a destructive device that the defendant mailed or delivered, or attempted to mail or deliver and the defendant knew or reasonably should have known that their act(s) would create a great risk of death;
- g) The victim was a peace officer who was intentionally killed while performing their duties and the defendant knew or should have known that; or the peace officer/former peace officer was intentionally killed in retaliation for performing their duties;
- h) The victim was a federal law enforcement officer who was intentionally killed while performing their duties and the defendant knew or should have known that; or the federal law enforcement officer was intentionally killed in retaliation for performing their duties;
- i) The victim was a firefighter who was intentionally killed while performing their duties and the defendant knew or should have known that;
- j) The victim was a witness to a crime and was intentionally killed to prevent their testimony, or killed in retaliation for testifying;
- k) The victim was a local, state or federal prosecutor/former prosecutor intentionally murdered in retaliation for, or to prevent the performance of, official duties;
- l) The victim was a local, state, or federal judge/former judge intentionally murdered in retaliation for, or to prevent the performance of, official duties;
- m) The victim was an elected or appointed official/former official of local, state or federal government intentionally murdered in retaliation for, or to prevent the performance of, official duties;
- n) The murder was especially heinous, atrocious, or cruel, manifesting exceptional depravity, meaning a conscious or pitiless crime that is unnecessarily torturous to the victim.
- o) The defendant intentionally killed the victim while lying in wait;
- p) The victim was intentionally killed because of their race, color, religion, nationality, or country of origin;

- q) The murder was committed while the defendant was engaged in, or was an accomplice to, the commission of, attempted commission of, or immediate flight after, committing or attempting to commit the following crimes: robbery; kidnapping; rape; sodomy; lewd or lascivious act on a child under the age of 14; oral copulation; burglary; arson; train wrecking; mayhem; rape by instrument; and, carjacking (“felony-murder special circumstance”);
 - r) The murder was intentional and involved the infliction of torture;
 - s) The defendant intentionally killed the victim by the administration of poison;
 - t) The victim was a juror and the murder was intentionally carried out in retaliation for, or to prevent the performance of, the victim's duties as a juror;
 - u) The murder was intentional and committed by discharging a firearm from a motor vehicle; and,
 - v) The defendant intentionally killed the victim while actively participating in a criminal street gang, and the murder was carried out to further the activities of the gang. (Pen. Code, § 190.2.)
- 12) Specifies that a person convicted of first degree murder, who is not the actual killer and lacked the intent to kill, is liable under the felony-murder special circumstance only where they acted with reckless indifference to human life and as a major participant, aided, abetted, counseled, commanded, induced, solicited, requested, or assisted in the commission of one of specified felonies which resulted in death. (Pen. Code, § 190.2, subd. (d).)
- 13) Provides that the penalty for a defendant found guilty of murder in the first degree, in any case in which one or more special circumstances has been found to be true, who was 16 years of age or older and under the age of 18 years at the time of the commission of the crime, shall be confinement in the state prison for LWOP or, at the discretion of the court, 25-years-to-life. (Pen. Code, § 190.5, subd. (b).)
- 14) Allows a court, either on its own motion or upon the application of the prosecutor, to dismiss an action in the furtherance of justice. The court must state the reasons for the dismissal orally on the record. (Pen. Code, § 1385, subd. (a).)
- 15) Prohibits courts from striking or dismissing special circumstance allegations once they have been admitted by plea or found true by a court or jury, if the murder occurred on or after June 6, 1990. (Pen. Code, § 1385.1.)
- 16) Entitles a victim to reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings. (Cal. Const., art. I, § 28, subd. (e) [Marsy’s Law].)

FISCAL EFFECT: Unknown.

COMMENTS:

- 1) **Author's Statement:** According to the author, “The majority of people serving a life without parole sentence are classified as low risk according to California Department of Corrections and Rehabilitation (CDCR)’s own California Static Risk Assessment tool - 88% of people serving life without parole have been assessed with the lowest risk score on that scale. Research also conclusively demonstrates that there is little risk for elderly individuals to re-offend or recidivate upon release. For individuals previously sentenced to life without parole who were granted a commutation and released, the recidivism rate is zero percent. Based on CDCR data, an analysis from the Special Circumstances Conviction Project of UCLA Center for the Study of Women, estimates that this reform might qualify 600 LWOP cases for review. These cases represent a very narrow population that consists of the most elderly individuals behind bars. Many of these individuals have shown decades of exemplary behavior, participated in extensive positive programming and have devoted themselves to becoming positive members of society. This bill does not automatically let anyone out of prison. It does not guarantee resentencing. This bill simply creates a process for the judicial review of cases that have not been looked at in decades.”

- 2) **Background: Criminal Justice Reforms:** Over the last several years, the Legislature has enacted several criminal justice reforms that allow judicial discretion and expressly provide for judges to consider certain mitigating factors at sentencing. The reforms include AB 124 (Kamlager), Chapter 695, Statutes of 2021, which required courts to consider whether specified trauma to a defendant and other factors, including whether the defendant was under 26 years of age at the time of the offense, contributed to the commission of the offense when making sentencing and resentencing determinations. SB 260 (Hancock), Chapter 312, Statutes of 2013, established a parole process for persons sentenced to prison for crimes committed before attaining 18 years of age (otherwise known as Youth Offender Parole hearings). SB 261 (Hancock), Chapter 471, Statutes 2015, expanded the youth offender parole process to include those who have committed their crimes before attaining the age of 23. AB 1308 (Stone), Chapter 675, Statutes of 2017, again expanded the youth offender parole process to include those who committed their crimes when they were 25 years of age or younger. Several bills required courts to consider a defendant’s status as a veteran or related trauma in sentencing – e.g., AB 2098 (Levine), Chapter 163, Statutes of 2014; AB 865 (Levine), Chapter 523, Statutes of 2018; SB 1209 (Eggman), Chapter 721, Statutes of 2022. AB 2542 (Kalra), Chapter 317, Statutes of 2020, and AB 256 (Kalra), Chapter 739, Statutes of 2022, the California Racial Justice Act, allowed a defendant to seek relief because their case, including sentence, was impacted by racial bias. As a result of these changes, individuals who received extreme sentences decades ago may not have been sentenced the same way today.

- 3) **First Degree Murder with Special Circumstances:** Murder is the unlawful killing of a human being with malice aforethought. (Pen. Code, § 187, subd. (a).) Malice may be express or implied. (Pen. Code, § 188, subd. (a).) “Malice is express when there is manifested a deliberate intention to unlawfully take away the life of a fellow creature” – i.e., intent to kill. (Pen. Code, § 188, subd. (a)(1).) “Malice is implied when no considerable provocation appears, or when the circumstances attending the killing show an abandoned and malignant heart.” (Pen. Code, § 188, subd. (a)(2).)

There are three categories of first degree murder in California: [1] where the killing is willful, deliberate, and premeditated; [2] where the killing is committed by means of a destructive or explosive device, ammunition designed to penetrate armor, poison, lying in wait, or torture; and [3] where the killing occurs during the commission of a specified felony offense (known as felony murder). (Pen. Code, § 189, subd. (a).) First degree murder is generally punishable by 25-years-to-life in state prison. (Pen. Code, § 189, subd. (a).) However, if one or more special circumstances are found to be true, the defendant becomes eligible for the death penalty and must be sentenced to either death or LWOP. (Pen. Code, § 190.2, subd. (a); *People v. Banks* (2015) 61 Cal.4th 788, 797.)

- 4) **Striking or Dismissing a Special Circumstance:** As adopted by voter initiative in Proposition 115, courts do not have the discretion to strike a special circumstance once admitted or found true by the court or a jury. (Pen. Code, § 1385.1; see Prop. 115, *supra*, § 26.) This is a restriction on the general discretion courts have to strike an enhancement or its punishment in the interest of justice. (Pen. Code, § 1385.) Prior to June 6, 1990, and for murders that took place prior to June 5, 1990, the judge had/has discretion to strike a special circumstance after it has been admitted or found true.

This bill would create a process for an individual serving an LWOP sentence for a conviction in which one or more special circumstances were found to be true to petition for recall and resentencing if the offense occurred before June 5, 1990, and the individual has served at least 25 years in custody. However, this bill would exclude from this process convictions for murder of a peace officer, as specified, first-degree murder as the actual killer of three or more people, and murder involving specified sexual offenses.

If the eligibility requirements are met, this bill would authorize a court to, in the interests of justice, [1] modify the petitioner's LWOP sentence to instead impose a lesser sentence and apply any changes in law that reduce sentences or provide for judicial discretion, or [2] to vacate the petitioner's conviction and impose judgment on a lesser included offense. The new sentence would have to be 25-to-life (the punishment for first degree murder in the absence of a special circumstance).

In resentencing under this bill, the court would be required to consider and afford great weight to specified circumstances including whether the petitioner was a victim of intimate partner violence, or sexual violence, human trafficking, experienced various types of trauma or abuse, was diagnosed with a cognitive impairment or mental illness, was under 26 years of age at the time of the offense, as well as the petitioner's age, time served, or diminished physical condition reducing risk of future violence. Additionally, the court would be required to consider and give great weight to whether the petitioner's sentence violates the California Racial Justice Act. While proof of the presence of one or more of these circumstances would weigh greatly in favor of dismissing the special circumstance, a court finding that the petitioner is currently an unreasonable risk of danger to public safety would trump this. If relief is granted, the individual would not necessarily be released, but would proceed to a hearing to determine if they are suitable for release on parole.

- 5) **Plea Agreements:** "Plea negotiations and agreements are an accepted and 'integral component of the criminal justice system and essential to the expeditious and fair administration of our courts.' [Citations.] Plea agreements benefit that system by promoting speed, economy, and the finality of judgments." (*People v. Segura* (2008) 44 Cal.4th 921,

929.) “Because a ‘negotiated plea agreement is a form of contract,’ it is interpreted according to general contract principles,” and “[a]cceptance of the agreement binds the court and the parties to the agreement.” (*Id.* at p. 930.)

Where the plea is accepted by the prosecuting attorney in open court and is approved by the court, ... *the court may not proceed as to the plea other than as specified in the plea.*” (§ 1192.5, italics added.) When a court accepts a plea bargain, the court must impose a sentence within the limits of that bargain. Thus, a court may not modify the terms of a plea agreement while otherwise leaving the agreement intact, nor may the court effectively withdraw its approval by later modifying the terms of the agreement it had approved. Should the court consider the plea bargain to be unacceptable, its remedy is to reject it, not to violate it, directly or indirectly. It follows that unless the Legislature intended otherwise, a retroactive resentencing statute incorporates long-standing law that a court cannot unilaterally modify an agreed-upon term by striking portions of it
... .

(*People v. Brooks* (2020) 58 Cal.App.5th 1099, 1106-1107 [citations and quotations omitted].)

The provisions of this bill would apply *regardless of whether the original sentence was imposed after a trial or plea.*

- 6) **Remote Court Appearance:** Under Penal Code section 977, effective January 1, 2024, a criminal defendant convicted of a felony is required to be present at sentencing. Penal Code section 977.2, however, provides: “Notwithstanding Section 977 or any other law, in any case in which the defendant is charged with a misdemeanor or a felony and is currently incarcerated in the state prison, the Department of Corrections and Rehabilitation may arrange for all court appearances in superior court, except for the preliminary hearing and trial, to be conducted by two-way electronic audiovideo communication between the defendant and the courtroom in lieu of the physical presence of the defendant in the courtroom. If the defendant agrees, the preliminary hearing and trial may be held by two-way electronic audiovideo communication.” Section 977.2 further provides: “For those court appearances that are conducted by two-way electronic audiovideo communication, the department shall arrange for two-way electronic audiovideo communication between the superior court and any state prison facility. The department shall provide properly maintained equipment, adequately trained staff at the prison, and appropriate training for court staff to ensure that consistently effective two-way electronic audiovideo communication is provided between the prison facility and the courtroom for all appearances conducted by two-way electronic audiovideo communication.”

Because a petitioner under this bill would be serving an LWOP sentence, they necessarily would be incarcerated in state prison. Arguably, the provisions of Penal Code section 977.2 would apply to a recall and resentencing procedure. Nonetheless, this bill would expressly state that a petitioner may appear remotely, and the court conduct the hearing through the use of remote technology, unless counsel requests the petitioner’s physical presence in court and if not otherwise prohibited by state law.

- 7) **Argument in Support:** According to *Ella Baker Center for Human Rights*, a co-sponsor of this bill, “There are people languishing in state prisons that if they were in court today, would receive a more just sentence. In the last ten years, the Legislature has enacted several reforms to restore judicial discretion and to allow judges to consider mitigating factors at sentencing, including whether the person was a victim of intimate partner violence or human trafficking or had experienced childhood trauma, exploitation or sexual abuse.

“Although individuals sentenced to LWOP have no path to parole today, many have exhibited decades of exemplary behavior, participated in extensive positive programming, have come to understand the contributing factors which led to their incarceration, and have devoted themselves to becoming positive members of society. The majority of people serving a life without parole sentence are classified as low risk according to California Department of Corrections and Rehabilitation’s risk assessment tool - 88% of people serving life without parole have been assessed with the lowest risk score on that scale. Research also conclusively demonstrates that there is little risk for elderly individuals to re-offend or recidivate upon release. For individuals previously sentenced to life without parole in California who were granted a commutation and released, the recidivism rate is zero percent.

“This bill does not guarantee resentencing or release. Any individual who is granted resentencing by a judge will then need to go before the parole board, who will make a determination about their suitability for release.

“This bill allows courts to consider old cases in light of changes in law, thereby applying the law more fairly. This will mean that individuals that deserve a second chance won’t have to die behind bars. For these reasons, the Ella Baker Center for Human Rights supports SB 94 and urges the legislature to pass this important bill.”

- 8) **Argument in Opposition:** According to the *San Diego Deputy District Attorneys Association*, “By enacting Proposition 115, the voters of this state have told us they want to keep the worst of the worst in prison where they belong. If they feel differently, Penal Code section 1385.1 should be amended by them in a future initiative or legislatively referred ballot proposition. Dragging these murderers back into court will be prohibitively expensive, tie up judicial resources, and inflict further pain upon their victims. By creating presumptions favoring the release of these murderers, SB 94 will create unjustifiable risks to public safety.

“We strongly urge you to consider the unintended consequences to the families of victims and the public who potentially will lose faith in the judicial process and the finality of judgments.”

9) **Related Legislation:**

- a) AB 97 (Wiener), as relevant here, would provide that if the court holds an evidentiary hearing in a habeas corpus proceeding, a petitioner incarcerated in state prison may choose not to appear for the hearing with a signed or oral waiver on record, or they may appear remotely, and the court may conduct the hearing through the use of remote technology, unless counsel indicates that the defendant’s presence in court is needed. AB 97 is being heard in this committee today.

- b) AB 1214 (Maienschein), would allow defendants to appear by remote technology for certain criminal proceedings that do not involve the presentation of testimonial evidence and provides procedural and technological guidelines for the use of remote technology. Specifies this does not authorize the use of remote technology in court or jury trials. AB 1214 is pending hearing in the Senate Judiciary Committee.
- c) SB 99 (Umberg), would extend the sunset on provisions related to remote criminal proceedings that were enacted in response to the Covid-19 pandemic from January 1, 2024 to January 1, 2028. SB 99 is pending hearing in this committee.

10) Prior Legislation:

- a) SB 300 (Cortese), of the 2020-2021 Legislative Session, would have repealed the felony-murder special circumstance requiring punishment by death or LWOP for a person convicted of first degree murder who is not the actual killer and did not intend to kill. SB 300 was not heard on the Assembly floor.
- b) SB 1437 (Skinner), Chapter 1015, Statutes of 2018, limited liability for individuals based on a theory of first or second degree felony murder, and allowed individuals previously sentenced on a theory of felony murder to petition for resentencing if they meet specified qualifications.
- c) SCR 48 (Skinner), Chapter 175, Statutes of 2017, recognized the need for statutory changes to the felony-murder rule to more equitably sentence offenders in accordance with their involvement in the crime.
- d) SB 878 (Hayden), of the 1999-2000 Legislative Session, would have required the court in a case involving felony murder with a defendant who did not physically or directly commit the murder, to determine whether imposition of a sentence of first degree murder is proportionate to the offense committed and to the defendant's culpability in committing that offense by considering specified criteria and to state its reasons on the record. SB 878 failed passage on the Senate Floor.

REGISTERED SUPPORT / OPPOSITION:

Support

8th Amendment Project
A New Way of Life Reentry Project
ACLU California Action
Alliance for Boys and Men of Color
American Friends Service Committee
Amnesty International USA
Anti-recidivism Coalition (UNREG)
Asian Americans Advancing Justice-southern California
Asian Pacific Islander Re-entry and Inclusion Through Support and Empowerment
Asian Prisoner Support Committee
Bend the Arc California

Bend the Arc San Luis Obispo
Bend the Arc: Jewish Action California
Black Women Organized for Political Action (BWOPA)
Blameless and Forever Free Ministries
California Attorneys for Criminal Justice
California Calls
California Catholic Conference
California Coalition for Women Prisoners
California Families against Solitary Confinement
California Federation of Teachers Afl-cio
California Immigrant Policy Center
California Native Vote Project
California Public Defenders Association
California State Council of Service Employees International Union (seiu California)
Californians for Safety and Justice
Californians United for a Responsible Budget
Center for Employment Opportunities
Center on Juvenile and Criminal Justice
City of Oakland Mayor Sheng Thao
Communities United for Restorative Youth Justice (CURYJ)
Community Agency for Resources, Advocacy and Services
Community Legal Services in East Palo Alto
Courage California
Cure California
Death Penalty Focus
Decarcerate Sacramento
Democrats of Rossmoor
Drop Lwop Coalition
Drug Policy Alliance
Ella Baker Center for Human Rights
Empowering Pacific Islander Communities (EPIC) Fiscally Sponsored by Community Partners
Empowering Women Impacted by Incarceration
End Solitary Santa Cruz County
Equality California
F.u.e.l.- Families United to End Lwop
Fair Chance Project
Faith in Action East Bay
Families against Mandatory Minimums Foundation
Felony Murder Elimination Project
Foundation Aussergewöhnlich Berlin
Friends Committee on Legislation of California
Ground Game LA
Group 137 of Amnesty International
Holy Cross Lutheran Church, Livermore, CA
Housing and Economic Rights Advocates
Human Rights Watch
If/when/how: Lawyering for Reproductive Justice
Immigrant Legal Resource Center (UNREG)
Indivisible CA Statestrong

Indivisible Sacramento
Indivisible San Francisco
Indivisible Yolo
Initiate Justice
Inland Equity Partnership
Interfaith Movement for Human Integrity
Islamic Shura Council of Southern California
John Burton Advocates for Youth
Justice2jobs Coalition
LA Defensa
Latinojustice Prldef
Law Enforcement Action Partnership
Lawyers' Committee for Civil Rights of The San Francisco Bay Area
League of Women Voters of California
Legal Services for Prisoners With Children
Long Beach Immigrant Rights Coalition
Milpa (motivating Individual Leadership for Public Advancement)
Naral Pro-choice California
National Association of Social Workers, California Chapter
National Center for Lesbian Rights
National Harm Reduction Coalition
North Bay Jobs With Justice
Peninsula Multifaith Coalition
Prosecutors Alliance California
Restore Oakland, INC.
Root & Rebound
Safe Return Project
San Francisco Public Defender
Santa Cruz Barrios Unidos INC.
Secure Justice
Showing Up for Racial Justice (SURJ) At Sacred Heart in San Jose
Showing Up for Racial Justice (SURJ) Bay Area
Showing Up for Racial Justice Santa Cruz County
Silicon Valley De-bug
Sister Warriors Freedom Coalition
Smart Justice California
Social Change
South Asian Network
Starting Over, INC.
Surj Marin - Showing Up for Racial Justice
Survived & Punished
Techequity Collaborative
The Place4grace
The Resistance Northridge-indivisible
The San Diego Lgbt Community Center
The Transformative In-prison Workgroup
Together We Will/indivisible - Los Gatos
Unapologetically Hers
Uncommon Law

Underground Grit
Underground Scholars Initiative At the University of California, Irvine
United Core Alliance
Universidad Popular
Urban Peace Movement
Voices for Progress
Vt CitizenS United for The Rehabilitation of Errant (S)
White People 4 Black Lives
Witness to Innocence
Women's Foundation California
Young Women's Freedom Center

167 Private Individuals

Opposition

Arcadia Police Officers' Association
Burbank Police Officers' Association
California Association of Highway Patrolmen
California Coalition of School Safety Professionals
California District Attorneys Association
California Police Chiefs Association
California Reserve Peace Officers Association
California State Sheriffs' Association
Claremont Police Officers Association
Corona Police Officers Association
Crime Victims United
Culver City Police Officers' Association
Deputy Sheriffs' Association of Monterey County
Fullerton Police Officers' Association
Inglewood Police Officers Association
Los Angeles School Police Officers Association
Monterey County District Attorney's Office - ODA - Salinas, CA
Murrieta Police Officers' Association
Newport Beach Police Association
Novato Police Officers Association
Orange County District Attorney
Palos Verdes Police Officers Association
Peace Officers Research Association of California (PORAC)
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
San Diegans against Crime
San Diego County District Attorney's Office
San Diego Deputy District Attorneys Association
Santa Ana Police Officers Association

Upland Police Officers Association

1 Private Individual

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