

National District Attorneys Association

Newsclips

October 2, 2012

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Clip Synopses and Links

Detroit Free Press

Reprieve for California juvenile lifers now becomes law

Gov. Jerry Brown announced signing a bill Sunday that could one day bring the release of some criminals who were sentenced as juveniles to life in prison.

There are 309 inmates serving life-without-parole sentences in California for murders committed when they were younger than 18.

Brown signed SB9, introduced by Democratic Sen. Leland Yee of San Francisco. It would let the inmates ask judges to reconsider their sentences after they serve at least 15 years in prison.

Judges could then reduce the no-parole sentence to 25 years to life if the inmate shows remorse and is taking steps toward rehabilitation.

California is one of 39 states that allow judges to sentence minors to die in prison. More than 2,570 people convicted as juveniles are serving life sentences without the possibility of parole in the U.S., according to the Youth Justice Coalition, a California-based group concerned with the treatment of juvenile offenders.

Michigan has an estimated 360 juveniles serving life sentences.

<http://www.freep.com/article/20121001/NEWS06/310010046/Reprieve-for-Calif-juvenile-lifers-now-becomes-law?odyssey=tab%7Ctopnews%7Ctext%7CMichigan%20news>

Baltimore Sun

Youth jail plans moving forward, O'Malley says Reports shed light on what attorneys say are continued unsafe conditions

Gov. **Martin O'Malley** said that plans for a new youth detention facility in Baltimore are “moving forward” and described the current building as “a very old and decrepit facility.”

Momentum is building in **Annapolis** to fund a new 120-bed jail for youth who are charged as adults, which has ignited anger from activists who decry conditions at the facility but say the state should be building schools for children, not prisons.

Youth advocates and attorneys for the detainees say the adult jail continues to be an unsafe place for youths and that building a new facility won't change issues of poor supervision.

http://www.baltimoresun.com/news/breaking/bs-md-ci-youth-jail-governor-20121001_0_2745713.story

MLive.com

New Michigan law: 4-time violent felons will get minimum 25 years in prison

Violent criminals will be imprisoned for at least 25 years if they have been convicted of a fourth felony under a bill signed Monday by Gov. Rick Snyder.

The law, which takes effect immediately, requires a minimum 25-year sentence for an offender charged with a fourth felony — under certain conditions.

The fourth felony has to be a “serious crime” - kidnapping, rape, armed robbery and the like. And one of the offender's previous three felonies has to be on a list of 47 crimes outlined under the legislation including home invasion, child abuse, carrying a concealed weapon or violent offenses.

Prosecutors, who estimate the law will apply to 25 inmates a year, will still have discretion on whether to charge someone as a four-time habitual offender. But judges will have to impose a term of at least 25 years if the defendant is charged and meets the conditions outlined in the law.

http://www.mlive.com/news/index.ssf/2012/10/new_michigan_law_4-time_violen.html

Lansing State Journal

Michigan agencies get \$6.4 million to help fight crime

Criminal justice agencies across Michigan will receive \$6.4 million for anti-drug and crime-fighting efforts.

Gov. Rick Snyder on Monday announced the federal grants.

The grants focus on drug task forces, drug courts and data-driven approaches to crime and traffic safety, community policing and prosecution focused on juveniles, and prosecutions in high-crime cities.

Agencies receiving the grants must spend the awards by Sept. 30, 2013.

<http://www.lansingstatejournal.com/viewart/20121001/NEWS04/310010036/Michigan-agencies-get-6-4-million-help-fight-crime>

The Tennessean

Synthetic drugs decline in TN, thanks to tougher laws Chemicals' effects on users can be 'devastating'

Soon after synthetic drugs came on the scene, users found themselves wild-eyed and delusional, unable to explain to emergency room doctors what they had ingested.

Usually, it was something they had bought — legally — at gas stations or convenience stores.

At the urging of police, lawmakers banned the legal substances to close every possible loophole a creative chemist might use to keep making the drugs.

And now, synthetic versions of traditional, illicit drugs appear to be on the decline in Tennessee, according to law enforcement, drug treatment centers and emergency room data.

Just two years ago, states were grappling with how to outlaw this new crop of designer drugs masquerading as incense, bath salts or fertilizer but designed to be a legal high. This year, however, emergency rooms are seeing declines in synthetic-drug-related visits. Treatment centers are seeing fewer cases, and police are finding these drugs less often on the streets.

<http://www.tennessean.com/article/20121002/NEWS0201/310020037/Synthetic-drugs-decline-TN-thanks-tougher-laws>

San Francisco Chronicle

Prison reforms' results mixed after year

One year after Gov. **Jerry Brown**'s prison realignment program took effect, there is one thing everyone can agree on: California has a smaller prison population.

But there is a broad difference of opinion about whether the plan, which handed California's 58 counties responsibility for the incarceration and oversight of thousands of criminals, has made communities safer or reduced the number of criminals who re-offend, and there is no statewide data on those outcomes.

California implemented realignment on Oct. 1, 2011, largely to comply with a U.S. Supreme Court order demanding that the state reduce the population of inmates in its overcrowded prisons. Today, the state has about 133,000 prison inmates, 27,000 fewer than it did a year ago.

<http://www.sfgate.com/crime/article/Prison-reforms-results-mixed-after-year-3907655.php>

Los Angeles Times

Gov. Brown vetoes requiring a warrant for cellphone location info

Gov. Jerry Brown on Sunday vetoed a bill that would have required law enforcement officers to get a search warrant in order to obtain location information generated by a cellphone, tablet computer or automobile navigation system.

State Sen. Mark Leno (D-San Francisco) said his bill followed the lead of a U.S. Supreme Court ruling that it was unconstitutional for police to install a Global Positioning System device on an individual's car without a warrant.

<http://latimesblogs.latimes.com/california-politics/2012/09/warrant-cellphone-location.html>

Los Angeles Times

Jerry Brown OKs appeal for minors sentenced to life without parole

Juvenile killers sentenced to life in prison without the possibility of parole in California will be given a new chance at release after they serve 25 years under legislation signed Sunday by Gov. Jerry Brown.

The governor approved a measure by state Sen. Leland Yee (D-San Francisco), a child psychologist who argued that minors are immature and lack good judgment and should be given a second chance.

There are about 300 people in California prisons who were sentenced to life behind bars without the possibility of parole for murders committed when they were minors.

The legislation requires that convicts show remorse and work toward rehabilitation before they can petition for a new sentence, and disqualifies those whose crimes involved torture.

The bill was opposed by the California District Attorneys Assn., which noted that prosecutors have discretion when seeking sentences for minors. The group wrote to lawmakers that creating the potential for a life sentence to be reduced "by setting such a low standard for eligibility is an affront to justice and disrespectful of the victims of these crimes."

<http://latimesblogs.latimes.com/california-politics/2012/09/gov-jerry-brown-approves-appeal-for-minors-sentenced-to-life-without-parole.html>

Washington Post

Louisiana death-row inmate Damon Thibodeaux exonerated with DNA evidence

Of 83 exonerations in the past five years, more than 15 percent didn't involve rape. As many as a quarter of the cases involved a false confession, in which one or more defendants admitted to the crime under interrogation.

Samuel Gross, an author of a report by the recently created National Registry of Exonerations at the University of Michigan, calculated that based on the proven rate of exonerations among death-row prisoners in the past two decades, U.S. courts appear to have an error rate in capital cases of between 2.5 percent and 4 percent. In June, researchers examining biological evidence from hundreds of Virginia rape convictions between 1973 and 1987 determined that new DNA testing appeared to exonerate convicted defendants in 8 percent to 15 percent of cases.

Applied against the approximately 140,000 prisoners on death row or serving life

sentences in the United States, the findings suggest that many thousands of innocent individuals could be in prison for crimes they didn't commit.

But the odds that many of those convicts will ever be able to prove their innocence through the existing systems of appeals are remote, given the lack of DNA evidence in the majority of cases.

http://www.washingtonpost.com/national/louisiana-death-row-inmate-damon-thibodeaux-is-exonerated-with-dna-evidence/2012/09/28/26e30012-0997-11e2-aff-d6c7f20a83bf_story_1.html



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