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Clemency Case Is Proof That Legislation To End Life Sentences for Teen Killers Is Wrong

Sacramento District Attorney Jan Scully observed this week that the recent decision by Governor Arnold Schwarzenegger to commute the life-without-parole sentence of Sara Kruzan, the Riverside county prostitute who committed murder at age 16 and whose cause was championed by Senator Leland Yee, is proof that Yee's proposed legislation SB 9 is not necessary.

Twice in recent years Senator Yee has pushed failed legislation in Kruzan's name to retroactively offer parole to some of the worst murderers in the state. Such blanket legislation would re-traumatize crime victims, endanger the public, and add expense to an already strained legal system. With broad opposition from law enforcement, victims, and other groups concerned with public safety, the legislature has twice rejected Senator Yee's attempts to abolish life-without-parole sentences for those rare and aggravated murders committed by 16 and 17 year olds which qualify for JLWOP (juvenile life without parole).

Twice in recent years the United States Supreme Court has affirmed the constitutionality of JLWOP for murder cases. A significant study on JLWOP nationally called *Adult Time for Adult Crimes* found that the sentence, while rarely used, is widely supported throughout the nation, is used in several other nations, and is legally effective and appropriate for the worst cases of juvenile killers.

Sacramento County District Attorney Jan Scully has been a leading voice in opposition to Senator Yee's proposed legislation that would re-victimize victims, weaken accountability for those who commit the worst of crimes and undermine the criminal justice system. Scully said, "Yee has resurrected his previously failed bill with an almost identical SB 9. Because the Governor has ability under current law to grant executive clemency for appropriate cases where the juvenile killer may be deserving of the opportunity to apply for parole, Yee's SB 9 is unnecessary and will put public safety at risk."

Attorney Phyllis Loya, whose son Larry Lasater, a Pittsburg, California police officer who was murdered in the line of duty, said, "Juvenile offenders facing transfer to adult court in California have extra layers of hearings and legal protections in which to argue the appropriate disposition of their cases. Senator Yee's bill is completely out of order and made even more obviously so by Governor Schwarzenegger's decision. All juvenile killers in every state have the opportunity to have their sentences reviewed by the governor, and appellate courts."

Charles Stimson, Senior Legal Fellow at the Heritage Foundation in Washington D.C. and the author of *Adult Time for Adult Crimes* said, "The Governor decided to give clemency to Sara Kruzan for reasons that are obvious, and this act alone does more to kill Yee's proposal than all the other reasons to defeat this legislation. Despite the propaganda campaign by anti-incarceration activists in California, Yee's problematic bill is simply not necessary."