

**AMICUS BRIEFS FILED BY PJDC IN THE CALIFORNIA SUPREME COURT
AND COURT OF APPEAL**

The following are cases in which PJDC wrote amicus briefs for the California Supreme Court or Court of Appeal. In some of the cases, PJDC members argued the case, and in many, the Court mentioned our brief or adopted our arguments. This list also includes cases that are pending decision. The PJDC members involved in each case are in brackets:

People v. Superior Court (Lara) 2018 4 Cal.5th 299 (amicus curiae with Office of the Los Angeles County Public Defender) – whether the direct file portions of Proposition 57 applied to cases where the youth committed the crime before the enactment of the Proposition, but the case was not final on appeal [Rourke F. Stacy, Sue Burrell, Richard Braucher, David Briggs]

In re Ricardo P. (2017) California Supreme Court No. S230923 (review granted Feb. 17, 2016, 365 P.3d 343) (amicus curiae) – search conditions of juveniles’ electronic devices and social media sites [Kate Weisburd and Richard Braucher]

People v. Contreras (2017) 4 Cal. 5th 349 (amicus curiae) – life expectancy in “de facto life” sentences under *Graham* - that is, sentences that exceed the young person’s life expectancy. The Supreme Court opinion specifically mentions and relies on research presented by PJDC and one of its policy arguments. [Richard Braucher and Sue Burrell]

In re Albert C. (2017) 3 Cal. 5th 483 (amicus curiae with First District Appellate Project and Office of the Los Angeles County Public Defender) – due process in juvenile competence to stand trial cases and the impact of local protocols on competence [Sue Burrell, Richard Braucher, Rourke Stacy and Robert Lu; Sue Burrell took part in oral argument]

In re Kirchner (2017) 2 Cal.5th 1040 (amicus curiae brief with American Civil Liberties Union) – whether discretionary review under Penal Code section 1170(d)(2) provides an adequate remedy for juveniles illegally sentenced to LWOP under the cases of *Miller/Gutierrez/Montgomery* [Richard Braucher]

People v. Sanchez (2016) 63 Cal.4th 665 (amicus curiae) -- the degree to which *Crawford* limits an expert witness from relating case-specific hearsay content in explaining the basis for his opinion [Lisa Romo]

In re Bonilla (2015) California Supreme Court No, S214960 (review granted and transferred back to the Court of Appeal in 2016) (amicus curiae) -- whether 50 years to life for murder committed by 16 year old offender the functional equivalent of LWOP by denying the offender a meaningful opportunity for review [Richard Braucher and Sue Burrell]

In re R.V. (2015) 61 Cal.4th 181 (amicus curiae with Youth Law Center) – burden of proof in juvenile competence to stand trial cases; unusual reversal of judgment based on insufficient evidence closely tracks PJDC’s extensive briefing of the facts [Richard Braucher and Sue Burrell]

People v. Gutierrez (2014) 58 Cal.4th 1354 (amicus curiae with Youth Law Center) – whether California’s juvenile LWOP statute is mandatory; need to consider *Miller* Factors on impact of youthfulness [Richard Braucher and Sue Burrell]

People v. Caballero (2014) (amicus curiae) unpublished case, Court of Appeal Case number B248232, Second District Court of Appeal, Division 4, whether a 40 year to life sentence violates Graham [Sue Burrell, Richard Braucher, Corene Kendrick, Jonathan Laba]

In re Alexander L. (2013) (amicus curiae) unpublished case, Court of Appeal Case Number A135213, First District Court of Appeal, Division 5 – whether the dispositional order committing the youth to Division of Juvenile Facilities was improper [Lisa Romo]

People v. Caballero (2012) 55 Cal.4th 262 (amicus curiae) – whether a 110 year to life sentence in a non-homicide case is an impermissible “de facto life” sentence for a juvenile [Sue Burrell, Richard Braucher, Corene Kendrick, Jonathan Laba]

People v. Nelson (2012) 53 Cal.4th 367 (amicus curiae with Office of the Los Angeles County Public Defender, Contra Costa County Public Defender, Los Angeles County Alternate Public Defender’s Office, Loyola Law School Center for Juvenile Law and Policy and the Center on Wrongful Convictions of Youth) – invocation of *Miranda* rights in juvenile interrogation [Rourke Stacy and Ji Seon Song; Rourke Stacy participated in oral argument]

People v. Lessie (2010) 47 Cal.4th 1152 (amicus curiae brief with Office of the Los Angeles County Public Defender, Los Angeles County Alternate Public Defender’s Office, National Juvenile Defender Center, California Public Defenders Association) – request to see parent in juvenile interrogation [Rourke Stacy, Sherry Gold, Jonathan Laba, Michael McMahon, and Ji Seon Song; Rourke Stacy participated in oral argument]

In re Greg F. (2012) 55 Cal. 4th 393 (amicus curiae with Youth Law Center) – whether prosecutor may dismiss petition to reach past petitions to establish eligibility for Division of Juvenile Facilities commitment [Richard Braucher and Sue Burrell]

People v. Nguyen (2009) 46 Cal.4th 1007 (amicus curiae brief with Juvenile Law Center, Office of the Los Angeles County Public Defender, Los Angeles County Alternate Public Defender’s Office, National Center for Youth Law and Youth Law Center) – whether the absence of a right to jury trial, under *Apprendi*, precludes the use of a prior juvenile adjudication to enhance the sentence for a

subsequent adult felony offense by the person under California's Three Strikes law
[Jonathan Laba, Maureen Pacheco]