

SUPREME COURT OF CALIFORNIA

People v. Floyd

31 Cal. 4th 179, 1 Cal. Rptr. 3d 885, 72 P.3d 820 (2003) · No. S105225 · Decided July 21, 2003

SUMMARY

The California Supreme Court held that Proposition 36, which provides treatment-oriented sentencing for certain nonviolent drug possession offenses, does not apply retroactively to defendants sentenced before its July 1, 2001 effective date whose judgments were not yet final. The court concluded that Proposition 36's prospective-application clause displaced the Estrada presumption of retroactivity. It also rejected the defendant's equal protection challenge and affirmed the Court of Appeal's judgment.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Baxter, J.; George, C.J.; Kennard, J.; Werdegar, J.; Chin, J.; Moreno, J.
JURISDICTION	California
DECIDED	July 21, 2003
DOCKET	S105225
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment imposing a third-strike sentence of 25 years to life after his conviction for cocaine possession. The Court of Appeal affirmed in a partially published opinion, and the Supreme Court of California affirmed.
STANDARD OF REVIEW	The court interpreted Proposition 36 and its saving clause to determine voter intent and reviewed the equal protection claim under constitutional principles applicable to prospective sentencing legislation.
PRECEDENTIAL VALUE	Published California Supreme Court opinion; binding statewide precedent.
PARTIES	Andre Rene Floyd v. The People

TOPICS

- statutory interpretation
- legislative intent
- sentencing
- rule of lenity
- equal protection

PRACTICE AREAS

criminal law

criminal procedure

sentencing

statutory interpretation

constitutional law

QUESTIONS PRESENTED

1. Whether Proposition 36, an ameliorative sentencing initiative effective July 1, 2001, applied to a defendant sentenced before that date whose judgment was not yet final.
2. Whether prospective application of Proposition 36 violated the defendant's state or federal equal protection rights.
3. Whether the rule of lenity required Proposition 36 to be construed retroactively.

HOLDINGS

1. Proposition 36 did not apply retroactively to defendants sentenced before its effective date whose judgments were not yet final because the initiative's saving clause expressly required prospective application.
2. The rule of lenity did not require retroactive application because the defendant's interpretation of Proposition 36 was not reasonable and the statutory ambiguity was not such that legislative intent could not be discerned.
3. Prospective application of Proposition 36 did not violate the defendant's state or federal equal protection rights.

KEY QUOTATIONS

“Under the Estrada rule, an amendatory statute lessening punishment is presumed to apply in all cases not yet reduced to final judgment as of the amendatory statute's effective date.” (31 Cal. 4th at 184)

“Postponement of the effective date for an act indicates that it should have only prospective application.” (31 Cal. 4th at 188)

“A reduction of sentences only prospectively from the date a new sentencing statute takes effect is not a denial of equal protection.” (31 Cal. 4th at 190)

FACTUAL BACKGROUND

Bakersfield police responded to the reported natural death of Floyd's long-term girlfriend. While standing near the body, Floyd coughed up a plastic baggie containing 0.25 grams of cocaine, retrieved it, and pushed it underneath the body. A jury convicted him of cocaine possession and found five prior felony convictions qualifying under the Three Strikes law, resulting in a sentence of 25 years to life.

PROCEDURAL HISTORY

A jury convicted Floyd of possessing cocaine and found five prior felony convictions qualifying under California's Three Strikes law. The trial court sentenced him to 25 years to life on November 9, 2000. The Court of Appeal affirmed, and the California Supreme Court considered whether Proposition 36 applied to defendants sentenced before its July 1, 2001 effective date whose judgments were not yet final.

DISPOSITION

affirmed

CASES CITED

- In re Estrada, 63 Cal. 2d 740, 48 Cal. Rptr. 172, 408 P.2d 948 (1965)
- People v. Nasalga, 12 Cal. 4th 784, 50 Cal. Rptr. 2d 88, 910 P.2d 1380 (1996)
- People v. Weidert, 39 Cal. 3d 836, 218 Cal. Rptr. 57, 705 P.2d 380 (1985)
- In re Pedro T., 8 Cal. 4th 1041, 36 Cal. Rptr. 2d 74, 884 P.2d 1022 (1994)
- Briggs v. Eden Council for Hope & Opportunity, 19 Cal. 4th 1106, 81 Cal. Rptr. 2d 471, 969 P.2d 564 (1999)
- Cooley v. Superior Court, 29 Cal. 4th 228, 127 Cal. Rptr. 2d 177, 57 P.3d 654 (2002)
- People v. Avery, 27 Cal. 4th 49, 115 Cal. Rptr. 2d 403, 38 P.3d 1 (2002)
- Baker v. Superior Court, 35 Cal. 3d 663, 200 Cal. Rptr. 293, 677 P.2d 219 (1984)
- In re Kapperman, 11 Cal. 3d 542, 114 Cal. Rptr. 97, 522 P.2d 657 (1974)
- State v. Kane, 101 Wash. App. 607, 5 P.3d 741 (2000)
- Sperry & Hutchinson Co. v. Rhodes, 220 U.S. 502, 31 S. Ct. 490, 55 L. Ed. 561 (1911)