

SUPREME COURT OF CALIFORNIA

In re Ronnie E. Young on Habeas Corpus

32 Cal. 4th 900, 12 Cal. Rptr. 3d 48, 87 P.3d 797 (Cal. 2004) · No. S106706 · Decided April 15, 2004

SUMMARY

The California Supreme Court held that a sentence reduction awarded under Penal Code section 2935 for performing a heroic act is distinct from postsentence conduct credits subject to the Three Strikes law's 20 percent limitation. The court reversed the Court of Appeal's contrary judgment and remanded for further proceedings.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of California                                                                                                                                                                                                                                                                                                                       |
| WRITING FOR THE COURT | Chin, J.; George, C.J.; Kennard, J.; Baxter, J.; Werdegarr, J.; Brown, J.; Moreno, J.                                                                                                                                                                                                                                                             |
| JURISDICTION          | California                                                                                                                                                                                                                                                                                                                                        |
| DECIDED               | April 15, 2004                                                                                                                                                                                                                                                                                                                                    |
| DOCKET                | S106706                                                                                                                                                                                                                                                                                                                                           |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Petition for writ of habeas corpus challenging the Department of Corrections' denial of a sentence reduction under California Penal Code section 2935. The superior court summarily denied the petition, and the Court of Appeal denied relief after issuing an order to show cause. The Supreme Court of California granted review and reversed. |
| STANDARD OF REVIEW    | De novo review of the meaning and relationship of statutes in resolving a habeas corpus petition.                                                                                                                                                                                                                                                 |
| PRECEDENTIAL VALUE    | Published, precedential California Supreme Court opinion                                                                                                                                                                                                                                                                                          |
| PARTIES               | Ronnie E. Young v. The People                                                                                                                                                                                                                                                                                                                     |

TOPICS

- statutory interpretation
- legislative intent
- state post-conviction relief
- habeas corpus
- criminal procedure

PRACTICE AREAS

- Criminal law
- Post-conviction relief
- Statutory interpretation
- Corrections and sentencing

## QUESTIONS PRESENTED

1. Whether a discretionary sentence reduction for performing a heroic act under Penal Code section 2935 is a credit subject to the Three Strikes law's 20-percent limitation on postsentence credits under section 667, subdivision (c)(5), and section 1170.12, subdivision (a)(5).

## HOLDINGS

1. A reduction of sentence granted under Penal Code section 2935 for performing a heroic act is distinct from credits awarded under article 2.5 and is not subject to the 20-percent limitation in section 667, subdivision (c)(5), or the corresponding limitation in section 1170.12, subdivision (a)(5).

## KEY QUOTATIONS

*"We conclude that a "reduction of the sentence" under section 2935 is distinct from credits under the Three Strikes law, and thus, is not subject to its 20 percent limitation." (32 Cal. 4th at 49-50)*

*"The absence of the term "credit" in section 2935 is significant because the 20 percent limitation expressly applies to "credits" awarded under article 2.5." (32 Cal. 4th at 52)*

*"These differences further demonstrate that the Legislature considered a sentence reduction under section 2935 qualitatively and functionally distinct from postsentence conduct credits (§§ 2931, 2933)." (32 Cal. 4th at 53)*

## FACTUAL BACKGROUND

In 1996, Ronnie Young pleaded guilty to first degree burglary and was sentenced to nine years in state prison; a prior felony conviction made him subject to the Three Strikes law. In January 2001, while incarcerated, Young performed the Heimlich maneuver and saved the life of his work supervisor, Bud Stocking, after another inmate refused to assist. Young sought a sentence reduction under Penal Code section 2935, but the Department of Corrections denied the request because he had already received the maximum credits permitted under the Three Strikes law.

## PROCEDURAL HISTORY

Young pleaded guilty to first degree burglary and received a nine-year prison sentence subject to the Three Strikes law. After Young performed a lifesaving Heimlich maneuver in prison, the Department of Corrections denied his request for a section 2935 sentence reduction because he had reached the Three Strikes law's credit limit. The superior court summarily denied habeas relief, and the Court of Appeal held that section 2935 was subject to the 20-percent limitation on credits. The Supreme Court reversed and remanded.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

Remand for proceedings consistent with the opinion.

## CASES CITED

- People v. Cooper, 27 Cal. 4th 38, 40, 115 Cal. Rptr. 2d 219, 37 P.3d 403 (2002)
- In re Martinez, 30 Cal. 4th 29, 34, 131 Cal. Rptr. 2d 921, 65 P.3d 411 (2003)
- Dix v. Superior Court, 53 Cal. 3d 442, 462-463, 279 Cal. Rptr. 834, 807 P.2d 1063 (1991)
- People v. Walker, 29 Cal. 4th 577, 581, 128 Cal. Rptr. 2d 75, 59 P.3d 150 (2002)
- People v. Acosta, 29 Cal. 4th 105, 132, 124 Cal. Rptr. 2d 435, 52 P.3d 624 (2002)
- People v. Buckhalter, 26 Cal. 4th 20, 31-32, 108 Cal. Rptr. 2d 625, 25 P.3d 1103 (2001)
- Craven v. Crout, 163 Cal. App. 3d 779, 783, 209 Cal. Rptr. 649 (1985)
- People v. Aguilar, 16 Cal. 4th 1023, 1030, 68 Cal. Rptr. 2d 655, 945 P.2d 1204 (1997)
- In re Cervera, 24 Cal. 4th 1073, 1083-1084, 103 Cal. Rptr. 2d 762, 16 P.3d 176 (2001) (Werdegar, J., concurring)
- People v. Saffell, 25 Cal. 3d 223, 233, 157 Cal. Rptr. 897, 599 P.2d 92 (1979)
- People v. Caruso, 161 Cal. App. 3d 13, 19, 207 Cal. Rptr. 221 (1984)
- People v. Garcia, 20 Cal. 4th 490, 501, 85 Cal. Rptr. 2d 280, 976 P.2d 831 (1999)
- People v. Tufunga, 21 Cal. 4th 935, 948, 90 Cal. Rptr. 2d 143, 987 P.2d 168 (1999)
- In re Reina, 171 Cal. App. 3d 638, 642, 217 Cal. Rptr. 535 (1985)
- In re Ballard, 115 Cal. App. 3d 647, 649, 171 Cal. Rptr. 459 (1981)