

## Special Circumstance Sentencing in Contra Costa County August 10, 2023

The Special Circumstance Conviction Project (SCCP) at the UCLA Center for the Study of Women|Streisand Center has collected comprehensive sentencing records from California county district attorneys' offices, courts, and the California Department of Corrections and Rehabilitation. The project has tracked and analyzed historical trends in this data regarding sentences of Life Without the Possibility of Parole (LWOP).

The following analysis utilizes data provided by the District Attorney's office, the California Department of Corrections and Rehabilitation, and public online databases. While no statewide agency collects comprehensive data related to PC190.2 codes, SCCP was able to collect the specific codes for approximately 87.0% of the 69 individuals serving LWOP in Contra Costa, as identified by the California Department of Corrections and Rehabilitation.

Notable findings related to Life Without Parole Sentencing in Contra Costa County:

- 60.87% of all individuals sentenced to LWOP were under the age of 26 at the time of sentencing. Of the individuals who were under the age of 26, 57.14% are identified as Black. White individuals make up less than 12% of the population of people sentenced to LWOP who were under the age of 26 at the time of sentencing.
- Only five special circumstances were found to have been used in any conviction that led to an LWOP sentence. They are PC 190.2(A)(3), PC 190.2(A)(15), PC 190.2(A)(17), PC 190.2(A)(21), and PC 190.2(A)(22).
- The most commonly used special circumstance pertains to felony murder, PC 190.2(A)(17). 56.67% of all individuals serving LWOP from Contra Costa received the felony murder special circumstance.
- 61.76% of individuals serving LWOP for a conviction of felony murder are Black. 61.9% of individuals under the age of 26 who received a conviction for felony murder are Black.
- 83.33% of individuals serving LWOP with a PC 190.2(A)(21) conviction were under the age of 26 at the time of sentencing.

- All individuals who were under the age of 26 at the time of sentencing and convicted of PC 190.2(A)(22) are Black or Latino. All individuals who received a conviction of PC 190.2(A)(6) or PC 190.2(A)(15) are Black.

#### About the UCLA Special Circumstances Conviction Project:

The UCLA Special Circumstance Conviction Project analyzes the prevalence and impact of the use of special circumstances in criminal sentencing in California. Under California law, “special circumstances” delineate the conditions under which people can be sentenced to life without the possibility of parole (LWOP). The UCLA Special Circumstances Conviction Project is overseen by [Grace Kyungwon Hong](#), Professor in the Department of Gender Studies and the Department of Asian American Studies and the Director of the Center for the Study of Women|Streisand Center.

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**Attachment 1: Analysis of Data related to Life Without Parole Sentencing in Contra Costa County, 1978-2020**

All Individuals Serving LWOP from Contra Costa County						
Defendant Race	Under 26		Over 26		Total	
	Freq.	Percent	Freq.	Percent	Freq.	Percent
Black	24	57.14	15	55.55	39	56.52
Hispanic or Latino	8	19.04	3	11.11	11	15.94
Other	5	11.9	2	7.04	7	10.14
White	5	11.9	7	25.92	12	17.39
Total	42	60.87	27	39.13	69	100

PC 190.2(A)(3)	Total LWOP		Under 26	
Defendant Race	Freq.	Percent	Freq.	Percent
Black	10	58.82	4	44.44
Hispanic or Latino	4	23.53	3	33.33
Other	2	11.76	2	22.22
White	1	5.88	0	0
Total	17	100	9	52.94

PC 190.2(A)(15)	Total LWOP		Under 26	
Defendant Race	Freq.	Percent	Freq.	Percent
Black	4	100	0	0
Hispanic or Latino	0	0	0	0
Other	0	0	0	0
White	0	0	0	0
Total	4	100	0	0

PC 190.2(A)(17)	Total LWOP		Under 26	
Defendant Race	Freq.	Percent	Freq.	Percent
Black	21	61.76	13	61.9
Hispanic or Latino	2	5.88	2	9.52
Other	3	8.82	3	14.29
White	8	23.53	3	14.29
Total	34	100	21	61.76

PC 190.2(A)(21)	Total LWOP		Under 26	
Defendant Race	Freq.	Percent	Freq.	Percent
Black	3	50	3	60
Hispanic or Latino	0	0	0	0
Other	2	33.33	1	20
White	1	16.67	1	20
Total	6	100	5	83.33

PC 190.2(A)(22)	Total LWOP		Under 26	
Defendant Race	Freq.	Percent	Freq.	Percent
Black	6	40	3	33.33
Hispanic or Latino	7	46.67	4	66.67
Other	1	6.67	0	0
White	1	6.67	0	0
Total	15	100	6	40