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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF SACRAMENTO

13 THE PEOPLE OF THE STATE OF CALIFORNIA,
14 Plaintiff,
15 vs.
16 KEIANA ALDRICH,
17 Defendant

Case No.: 12F04506
DEFENDANT'S PETITION FOR RESENTENCING
COURT: DEPT 24
JUDGE: HON. MICHAEL BOWMAN
DATE: NOVEMBER 5, 2020
TIME: 9:00A.M.

18
19 **Introduction**

20 The purpose of this petition is to reset the path of a young sex trafficking survivor whose continued
21 incarceration does not serve the interests of justice. On November 28, 2012, Keiana Aldrich pled no contest to one
22 count of kidnapping and one count of false imprisonment. At the time, she was 17 years old and was being
23 commercially sexually exploited. She had run away from an abusive home and was staying with her co-defendant,
24 who she was relying on for sustenance. Ms. Aldrich and her co-defendant met up with a man who was attempting to
25 buy Ms. Aldrich for sex acts and the creation of child pornography. Instead, they kidnapped and robbed him. On
26 April 12, 2013, Ms. Aldrich was sentenced to an agreed upon prison term of 9 years and 8 months. She is currently
27 serving the final year of her sentence at the California Institute for Women (CIW). Because of COVID-19, inmates
28 are being isolated and lack access to mental health programming that is typically available. As a sex trafficking

DEFENDANT'S PETITION FOR RESENTENCING, 1

1 survivor and young women who has experienced significant trauma in her short life, she is particularly vulnerable at
2 CIW. In addition to current isolation, she was previously subjected to sexual abuse while incarcerated. Her trauma
3 continues to be compounded rather than treated. It is therefore the joint request of the District Attorney and Ms.
4 Aldrich, that she be resentenced to credit for time served and be given a release date of November 5, 2020.

5
6 **Points and Authorities**

7 Penal Code section 1170(d)(1) allows for defendants to be resentenced, at the request of the district
8 attorney when it is in the interest of justice. Specifically, courts can exercise this power, "at any time upon the
9 recommendation of the...district attorney of the county in which the defendant was sentenced, recall the sentence
10 and commitment previously ordered and resentence the defendant in the same manner as if the defendant had not
11 previously been sentenced, provided the new sentence, if any, is no greater than the initial sentence." (Pen Code
12 (d)(1).) Further, the court "may reduce a defendant's term of imprisonment and modify the judgment, including a
13 judgment entered after a plea agreement, if it is in the interest of justice. The court may consider postconviction
14 factors, including, but not limited to, the inmate's disciplinary record and record of rehabilitation while incarcerated,
15 evidence that reflects whether age, time served, and diminished physical condition, if any, have reduced the inmate's
16 risk for future violence, and evidence that reflects that circumstances have changed since the inmate's original
17 sentencing so that the inmate's continued incarceration is no longer in the interest of justice." (*Id.*)

18 Here, given the circumstances of Ms. Aldrich's case, the conditions of confinement brought by COVID-19,
19 and the fact that she has already served a substantial portion of her sentence, it is in the interest of justice that her
20 sentence be modified. She suffers from severe depression and anxiety, and her mental health has worsened under
21 the COVID-19 isolation policies currently in effect at the prison. Her mental health continues to deteriorate while
22 isolated in prison, as demonstrated by a recent suicide attempt. Her needs will be better met in the community
23 where a supportive environment and wrap-around services await her.

24 She has also demonstrated that she is rehabilitated and ready to be integrated into free society. She has
25 remained discipline free over the last several months, achieved a high school diploma, and worked in the health
26 facilities unit while incarcerated. These are important steps which demonstrate her readiness to be a productive
27 member of society.

1 Finally, her original prosecution and sentence failed to fully consider her status as a sex trafficking victim
2 during the offense, and her history of chronic and severe abuse. She was sexually assaulted by her own father as a
3 young child, and then escaped an abusive homelife by running away as a young teenager. Even though she testified
4 against a sex trafficker who exploited her at age 16, the county failed to protect her from further exploitation and
5 provide a safety net for her. Systems that have since been put into place to better protect child sex trafficking
6 victims came too late for Ms. Aldrich. Neither her family nor the child welfare system effectively intervened when
7 she was repeatedly sexually abused as a child, and then sex trafficked as a teenager. By modifying her sentence, the
8 Court can help to reset her path.

9
10 **Conclusion**

11 In the interest of justice and with the concurrence of the District Attorney, Keiana Aldrich respectfully
12 requests that her sentence be modified to credit for time served, and she be released from the custody of the
13 California Department of Corrections and Rehabilitation forthwith.

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15 Dated: October 2, 2020

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17 *s/ Maggy Krell*

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20 Maggy Krell
21 Attorney for Keiana Aldrich
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