			TREATMENT OF JUVENILE PRIORS IN SELECTED CRIMINAL STATUTES		
	Illegal Reentry	**"Felon" in Possession**	**Armed Career Criminal**	**Three Strikes**	**Drug Doubler**
Sources of Law	**8 U.S.C. §1326 (b)**	**18 U.S.C. § 922 (g)**	**18 U.S.C. § 924 (e)**	**18 U.S.C.§ 3559 (c)**	**21 U.S.C. § 841 (b)(1)(A) and (B)**
Requirements	(1) 10 yr max if removal subsequent to a *conviction* for 3 or more misdemeanors involving drugs, crimes against the person, or both, or a felony (other than an aggravated felony). (2) 20 yr max if removal subsequent to aggravated felony *conviction.*	Prohibits firearm possession by any person who has been *convicted* in any court of a crime punishable by imprisonment of a term exceeding one year.	1. Violation of § 922 (g) 2. 3 prior *convictions* for a "violent felony" or a "serious drug offense" or both committed on different occasions.	1. Instant offense must be "serious violent felony" 2. 2 prior *convictions* which have become final for "serious violent felonies" or one prior "serious violent felony" plus one prior "serious drug offense."	Doubles mandatory minimum time if defendant has prior *conviction* for "felony drug offense"
Definitions	No distinction between juvenile and adult priors. United States v. Gebele, 117 F. Supp. 2d 540 (W.D. Va. 2000)	No uniform approach --18 U.S.C § 921 (a) (20) -- "what constitutes a *conviction* of such a crime shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any *conviction* which has been expunged or set aside or for which a person has been pardoned or has had civil rights restored shall not be considered a *conviction* for purposes of this chapter, unless such pardon, expungement, or restoration expressly provides that the person may not ship, transport, possess or receive firearms."	"Serious drug offense" means federal drug offenses with 10 yr + max or state offenses involving manufacture/distrubution with 10 years + max. "Violent felony" means any crime punishable by imprisonment for a term exceeding one year *or any act of juvenile delinquency involving the use or caring of a firearm, knife, or destructive device that would be punishable by imprisonment for such term if committed by an adult that* i. has as an element the use, threat of use, or attempted use of physical force against another ii. is burglary, arson, extortion, explosives use, or otherwise involves conduct that presents a serious potential for risk of physical injury to another. *The term "conviction" includes a finding that a person has committed an act of juvenile delinquency involving a violent felony.*	"Serious violent felony" = murder, sex crimes, kidnaping, extortion, arson, firearms use, attempts/conspiracies thereof, or any other offense punishable over 10 yr with a force element or which by its nature involves substantial risk of physical force being used. "Serious drug offense" = anything punishable under 21 USC § 841 (b) (1) (A); 1K heroin, 5K cocaine, 50g crack, etc. No distinction between juvenile and adult priors.	21 U.S.C. § 802 (13), (44) -- prior "felony drug offense" means any state or federal offense classified as a felony under federal or state law involving manufacture, distribution, simple possession, or possession with intent. No distinction between juvenile and adult priors.
Notes	No time limit on priors. Limited ability to collaterally attack. United States v. Guiterrez-Alba, 929 F. Supp. 1318 (D Haw. 1996)	No time limit on priors.	No time limit on priors. Congress has rejected uniform age for juveniles -- United States v. Lender, 985 F. 2d 151 (4th Cir. 1993)	No time limit on priors. Notice required.	No time limit on priors. Notice required. 5 yr statute of limitations within which to challenge priors under 21 § 851 (e)