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Commission Calls for Sentencing Reforms to Improve Public Safety

Calling California's correctional system a "slow-motion disaster", the Little Hoover Commission warned the Governor and Legislature that the system has reached a crossroads. It urged California leaders to seize a moment of opportunity recently granted by the federal courts and improve its criminal justice sentencing. In February 2014, a three-judge panel gave California policymakers what they requested – a two-year reprieve to reduce prison overcrowding.

California reached this point after years of slowly giving up autonomy of its corrections system. In 2007, the federal courts found that prison overcrowding is the cause of unconstitutional levels of health and mental health care in California prisons and mandated the state reduce its prison population. The state tried to avoid complying through unsuccessful legal maneuvers before finally implementing public safety realignment in 2011. Realignment transferred low-level offenders from state to local supervision, but it was too little and too late to stop the long-term trajectory of prison population growth. In February 2014, the three-judge panel granted California until February 2016 to reduce prison overcrowding. This is California's last chance to fix its system before the federal court takes control: If the state does not meet population reduction benchmarks, the federal court will start releasing prisoners.

"California's leaders failed to deal with overcrowding and lost control of our prisons to federal courts," said Little Hoover Commission Chairman Jonathan Shapiro. "California taxes pay for the multi-billion dollar prison system. Californians should decide who is incarcerated, why and for how long. It's long past time for Californians to debate and decide what kind of prisons they want and can afford."

In its report, *Sensible Sentencing for a Safer California*, the Commission urged policymakers to use the two-year reprieve to make the long-term changes that elected officials have lacked the will to implement in the past. Officials have largely ignored 40 years of research on how to reduce recidivism and improve public safety in favor of rhetoric that sounds tough on crime, but in some cases, actually has the opposite effect on public safety. It is time to end the rhetoric and begin evidence-based reforms to reduce prison overcrowding, reduce recidivism and prevent crime.

The Commission urged policymakers to amend the penal code to expand the purpose of incarceration beyond punishment alone to also include reduced recidivism and successful community reintegration. Rehabilitative programs and reducing crime are not mutually exclusive. It also called upon policymakers to establish a Criminal Justice Information Center that would collect data on sentencing and best practices and

provide recommendations on opportunities to improve sentencing and public safety. The information, data and guidance provided by the center could establish a path toward an independent sentencing commission, which the state has indicated it is considering and has been recommended by this Commission for two decades. California no longer has time to consider. It is time to act.

The Commission also saw opportunities to improve realignment, including requiring that all offenders serving local jail time be supervised upon release and have access to appropriate programs and services. It urges the state to provide incentives to ensure that all counties use some realignment funding to expand public-private partnerships to provide proven programs and services for offenders reentering the community. These solutions have been effectively integrated into criminal justice strategies with documented success. California policymakers must embrace the science and evidence that drives criminal justice sentencing in other states and countries before time runs out and the courts begin releasing offenders.

The Little Hoover Commission is a bipartisan and independent state agency charged with recommending ways to improve the efficiency and effectiveness of state programs. The Commission's recommendations are submitted to the Governor and the Legislature for their consideration and action. For a copy of the report, visit the Commission's website: www.lhc.ca.gov.