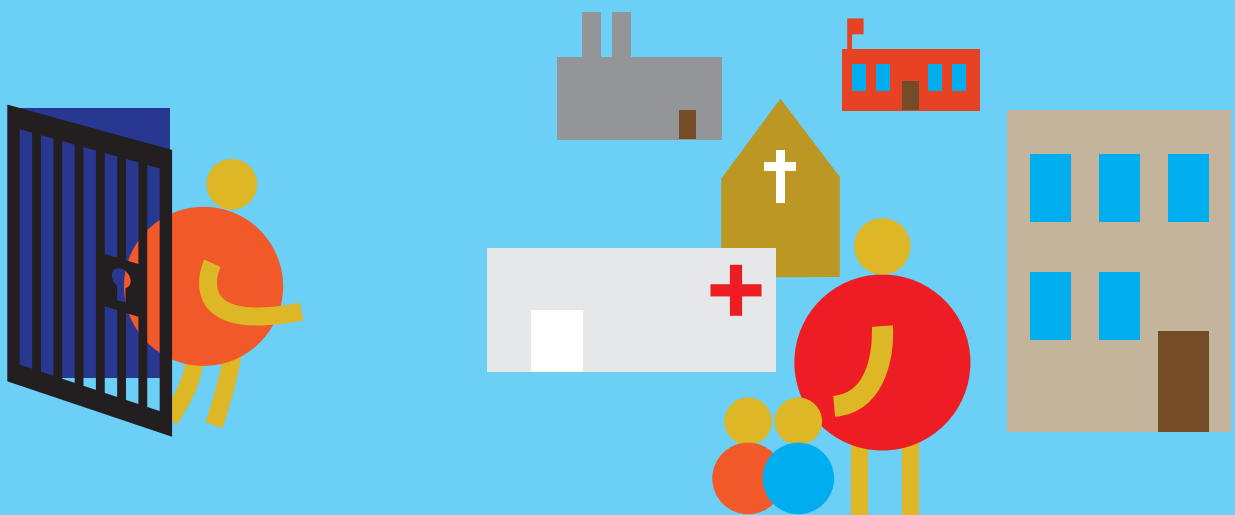


REHABILITATING CORRECTIONS IN CALIFORNIA

THE HEALTH IMPACTS OF PROPOSITION 47

Executive Summary



EXECUTIVE SUMMARY

Reforming California's sentences for low-level crimes would alleviate prison and jail overcrowding, make communities safer, and strengthen families, and shift resources from imprisoning people to treating them for the addictions and mental health problems at the root of many crimes. A Health Impact Assessment of reforms proposed by a state ballot initiative predicts the changes would reduce crime, recidivism, racial inequities in sentencing, and save the state and its counties \$600 million to \$900 million a year – but only if treatment and rehabilitation programs are fully funded and implemented properly.

Human Impact Partners conducted an in-depth assessment of the public health and equity impacts of reclassifying six non-serious offenses – crimes of drug possession and petty theft – to misdemeanors.^a The Safe Neighborhoods and Schools Act, Proposition 47 on the November 2014 state ballot, would also allow people currently in prison for those crimes to apply for lower sentences, release, and to have their records cleared of the crime, and redirect savings from the reduction in the prison population to mental health and substance abuse programs, truancy and dropout prevention, and services for victims of violent crime.

Fundamentally, prison is not a healthy environment. Every day, conditions in California's dangerously overcrowded prisons and jails causes physical and mental harm – disease, depression, violence, rape, suicide, and more – on thousands of incarcerated men and women. Many of these people were convicted of crimes that pose no serious threat to others, but can be traced to their own substance abuse and mental health problems. They need treatment, not punishment. And treatment is much less costly than punishment, returning \$3.77 in benefits for every dollar spent.

A shift in how we charge and sentence people who have committed non-serious, non-violent, and non-sexual crimes has far-reaching implications

for the health and well-being not only of those who commit these offenses, but of their families, their communities, and the public. **This Health Impact Assessment predicts that full implementation of the Safe Neighborhoods and Schools Act would:**

- Decrease state corrections spending by \$200 million to \$300 million a year, and county corrections spending by \$400 million to \$600 million a year, according to estimates by the state Legislative Analyst's Office.^b
- Increase state funding for mental health and substance abuse programs, school truancy prevention and victim services by \$200 million to \$300 million a year.
- Reduce the number of people convicted of felonies by more than 40,000 a year, and the number sentenced to prison by more than 3,000 a year.
- Allow more than 9,000 people now in prison for felonies for low-level crimes to apply for reduced sentence and release. This includes about 1,500 people who are serving extended sentences for a second strike for one of these low-level offenses.
- Reduce violent and property crime by reducing the number of people who re-offend by at least 10% a year among people who participate in treatment programs.
- Reduce the rates of incarceration of African-Americans and Hispanics, who are more likely to be sentenced to prison, county jail, or probation as whites for the same low-level crimes. African-Americans are only 7% of California's population but they represent almost one-fourth of prison admissions. Hispanics are arrested and imprisoned at a slightly higher rate than their share of the population, and are 60% more likely to be jailed.

^a Most of the low-level crimes addressed by Prop. 47 are currently "wobblers" which may be charged as a felony or misdemeanor depending on the facts of the case and the criminal history of the person arrested. Prop. 47 would require that they always be charged as misdemeanors.

^b Personal communication, Legislative Analyst's Office to Human Impact Partners, June 16, 2014.

EXECUTIVE SUMMARY

The impacts of sentencing reform would reach far beyond the criminal justice system.

- Almost 4,900 parents in prison, currently separated from more than 10,000 children, could apply for release and return to their families or serve their sentences in a county jail closer to home. Family unity and stability have profound impacts on children's lifelong health, well-being, educational achievement, and success. In one of the extensive focus groups conducted for this study, a young woman whose mother is in prison said: "People don't understand that when you lock someone up, it makes their family go through that trauma every day. Locking someone up tears families up."
- More than 40,000 people a year would avoid the additional punishments of a felony conviction – restricted access to jobs, housing, voting, benefits, and other opportunities – and tens of thousands could have their felony records cleared. In California there are almost 3,000 additional punishments, also known as "collateral consequences," for those convicted of crimes imposed by state or federal laws. As one person who had been in prison said: "So, I get out of prison with a felony, and you want me to be successful, and I can't get housing, can't get food stamps. I can't even get on my own two feet."

The key to achieving the full benefits of sentencing reform is funding and implementation of the treatment, prevention, and recovery services called for in the initiative.

- Evidence is overwhelming that providing treatment to offenders who have substance abuse problems or mental illnesses reduces crime and recidivism. Treatment instead of punishment not only benefits their health and well-being, but that of their families and the entire community.
- Truancy and dropout prevention programs keep children in school, greatly reducing the chance that they will run afoul of the justice system. One study found that a 10% increase in California's high school graduation rate could lead to a 20% decrease in violent crime, preventing 500 murders and over 20,000 aggravated assaults annually.

- A statewide network of trauma recovery centers – modeled on the successful program at the University of California, San Francisco – will help 12,000 to 18,000 people a year heal from the physical and emotional impacts of being a victim of violent crime. Victims of violent crime are at increased risk for post-traumatic stress disorder, depression, and substance abuse. Victims who use the UCSF trauma center are also more likely to report the crimes to the police and cooperate with prosecutors.

The sentencing reforms called for in Proposition 47 are a crucial next step in rehabilitating California's broken justice system. In 2011, realignment mandated by Assembly Bill 109 transferred responsibility for many non-serious crimes from the state to counties, but thousands are still sent to prison each year for the low-level offenses addressed by Proposition 47. The Safe Neighborhoods and Schools Act would not only remove that consequence, but provide the treatment, prevention, and recovery services that will make California safer and healthier.

EXECUTIVE SUMMARY

Authors

Kim Gilhuly, MPH
Holly Avey, DrPH
Megan Gaydos, MPH
Jonathan Heller, PhD
Matthew Mellon

Suggested citation

Human Impact Partners. September 2014.
Rehabilitating Corrections in California: The Health
Impacts of Proposition 47. Oakland, CA.

For the full Health Impact Assessment report, which
expands on the Executive Summary provided here,
please visit www.Prop47impacts.org. You can also
find out more about Health Impact Assessment
generally and the technical details on the analyses in
our technical report.

For More Information, Contact:

Kim Gilhuly, Program Director
Human Impact Partners
kim@humanimpact.org
www.humanimpact.org
510-452-9442, ext. 114

Human Impact Partners works to transform the poli-
cies and places people need to live healthy lives by
increasing the consideration of health and equity in
decision-making.

For more about Human Impact Partners, please see
www.humanimpact.org.

We wish to thank our Advisory Committee:

Milena Blake – *Californians for Safety and Justice*
Kevin Cosney – *California Calls*
Nicholas Freudenberg – *Hunter College School of
Public Health, City University of New York*
Honorable Harlan Grossman, *Superior Court of Contra
Costa County, retired*
Roberta Furger – *PICO California*
Karren Lane – *Community Coalition of South
Los Angeles*
Susan Lee – *Advancement Project*
Kirsten Levingston – *Ford Foundation*
Natasha Minsker – *American Civil Liberties Union of
Northern California*
Zachary Norris – *Ella Baker Center*
Dorsey Nunn – *Legal Services for Prisoners with
Children*
Nicole Porter – *The Sentencing Project*
Deborah Small – *Break the Chains*
Jessamyn Sabbag – *Oakland Rising*
Christopher Wilson – *Alliance San Diego*

We also would like to thank:

The California Endowment, The Kresge Foundation,
Californians for Safety and Justice, the Race,
Gender, Human Rights Giving Circle at the Women's
Foundation of California, and Quinn Delaney and
Wayne Jordan for their financial support for this project.

Report, graphics, and web design created by
Rosten Woo.

Communications support provided by Bill Walker.