



Families to Amend California's Three Strikes

FACTS

3982 South Figueroa Street #210 Los Angeles, CA 90037
213/746-4844 www.facts1.com

To the Honorable Mayor Bob Foster
Civic Center Plaza
hand delivered

October 15, 2010

Dear Mayor Foster,

I am a resident of Long Beach and president of the Long Beach chapter of Families to Amend California's Three Strikes. FACTS is an organization which has fought diligently for Three Strikes reform for the past 13 years. Over that period of time, we have watched public opinion swing in our favor. See a summary from the most recent public opinion poll verifying strong public support.

Moreover, studies produced based on available data have shown that the law is not the relevant factor in crime reduction, and is costing the state billions of additional dollars in prison related expenses.

The Justice Policy Institute compared the overall drop in crime rates between 1993 and 2002 among the largest counties in the state. They found that counties that used Three Strikes more frequently had an overall reduction in crime that was less than counties which used the law infrequently.

Additionally they found that those nonviolent prisoners added to the system between 1994 and 2003 cost the state an additional \$4.7 billion dollars. In the era of cuts to every aspect of our lives, nonviolent strikers are now costing the state in excess of \$1 billion each year. Los Angeles County claimed that the law imposed \$64 million in added trial and jail costs in the first year alone and over \$200 million by 1998. To our knowledge, no additional cost estimates have been done by the county since then.

Please note that D.A. Steve Cooley filed an initiative to qualify for the November '06 ballot advocating Three Strikes Reform. Though his initial attempt came too late in the process to succeed, he has not abandoned his intentions to go forward.

We are now asking that the Long Beach City Council reflect public opinion and justice. Please follow in the footsteps of the Los Angeles City Council and introduce the enclosed resolution for City Council approval at a time not too far in the future. Please take the leadership in Long Beach and put this important item on the agenda

Thank you for considering my request. I will contact your office for a response.

Sincerely,

Jacqueline Collins, for the FACTS Long Beach chapter

**Resolution to Assist in
Efforts to Amend California's Three Strikes Law**

WHEREAS, any official position of the City of Long Beach with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the State of California has legislated and initiated a Three Strikes law which allows nonviolent and non-serious offenders to receive 25 years-to-life sentences or greater in prison; and

WHEREAS, such sentences are cruel and unjust, in violation of the 8th amendment to the constitution which requires proportionality in sentencing; and

WHEREAS, such sentences are increasing the State of California's tax burden by billions of dollars for a growing prison industrial complex when spending in other areas such as education are in desperate need of increased funding at a time when state and local governments are in crisis; and

WHEREAS, such sentences are upheld primarily against the poor and minorities, causing families to be destroyed, tax bases undermined and social services greatly affected; and

WHEREAS, drug addiction is the overwhelming cause of nonviolent crimes and drug addiction is a treatable sickness; and

WHEREAS, the Council must work towards improving the quality of life for all and enhance public safety in Long Beach by improving the City's ability to care for all its residents,

THEREFORE BE IT RESOLVED that the Long Beach City Council will assist in efforts to amend California's Three Strikes law so it is not applicable to nonviolent or non-serious offenses;

AND, THEREFORE, BE IT ULTIMATELY RESOLVED that our city will support some form of legislation or an initiative, which seeks to amend California's Three Strikes law so it is not applicable to nonviolent or non-serious offenses.

Long Beach City Council

INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the people of California approved the Three Strikes law in 1994 as Proposition 184 with the intent of protecting law-abiding citizens by enhancing the sentences of repeat offenders who had committed serious and/or violent felonies, but which resulted in many offenders serving 25 years to life sentences for a third offense that was not a serious or violent felony, a situation that is cruel and unjust punishment in violation of the 8th amendment of the U.S. Constitution; and

WHEREAS, the Three Strikes sentences are increasing the State's tax burden by billions of dollars for the growing prison system instead of spending more money on intervention and prevention programs; and

WHEREAS, such sentences are upheld primarily against the poor and minorities, causing families to be destroyed, tax bases undermined and social services greatly stretched, with the major crime triggering most third strike sentences being non-violent drug addition, which is a treatable sickness; and

WHEREAS, Senator Gloria Romero introduced a bill last year to amend Three Strikes with a ballot measure to remove from the qualifying offenses those that are not serious or not violent, but her bill died on the Senate floor last summer; and

WHEREAS, Los Angeles District Attorney Steve Cooley was a sponsor of an initiative last year, the same as the Romero bill, but it, too, was unable to attract enough support to overcome the false impression that Three Strikes was intended to cover non-serious and non-violent offenses; and

WHEREAS, some of the original sponsors of the initiative want to try again with an initiative this year for placing on one of the 2008 ballots.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2007-08 State Legislative Program SUPPORT of legislation or an initiative to amend the Three Strikes Law of 1994 to count as offenses only felonies that are serious and violent offenses, similar to SB 1642 (Romero) of 2006 and the initiative by the Los Angeles District Attorney in 2006.

Presented by: _____

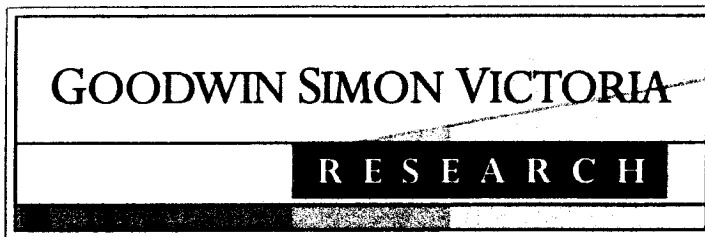
JAN FERRY
Councilwoman, 9th District

Seconded by: _____

JAN 3 0 2007

07-0002-521
REF TO 06-0002-536
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EG



MEMORANDUM

May 11, 2007

TO: INTERESTED PARTIES

FROM: PAUL GOODWIN
Goodwin Simon Victoria Research

RE: Key Findings from Survey on 3 Strikes

INTRODUCTION

On behalf of Families to Amend California's Three Strikes (FACTS), Goodwin Simon Victoria Research conducted a survey of California voters to assess support for a possible ballot proposition to reform the state's current 3 strikes law.

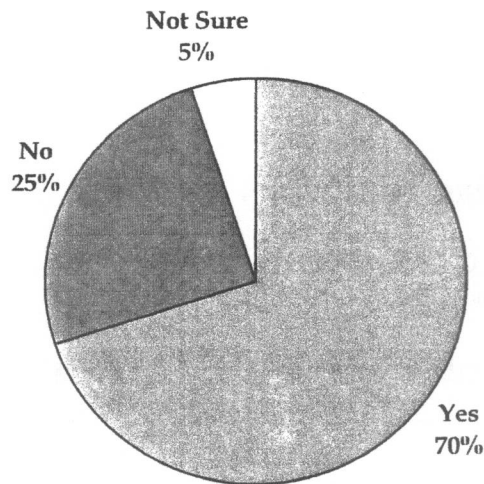
We completed a total of 400 telephone interviews between May 6 and 9, 2007. The sample was drawn from a list of registered voters who are likely to participate in the upcoming 2008 general election. This sample yields a margin of error of plus or minus 5% at a 95% confidence level.

Poll Shows Support at 70% for Proposed 3 Strikes Reform Proposition

Nearly three years after the narrow loss by Proposition 66, FACTS is exploring the feasibility of placing a new and stronger 3 strikes reform measure on the November, 2008 ballot. The survey was intended to explore whether this measure is likely to be approved by voters.

The survey shows nearly three-to-one support for a measure to reform the 3 strikes law. Fully 70% say they would favor a measure to require mandatory increased sentencing only for a 3rd strike conviction for violent or serious felonies, and to allow re-sentencing for those currently serving a life sentence for a non-violent or non-serious felony. Only 25% would oppose such a measure.

Figure 1: First Vote Results



This 70% initial support level is unusually high for a ballot measure of this kind. It reflects a desire that crosses partisan, ideological, and racial lines to reform 3 strikes and to return it to the original intent of voters: to keep violent criminals in prison for life, not petty offenders.

In fact, testing of specific provisions shows similar support levels for each of the two main provisions of the measure:

- 69% favors changing the existing 3 strikes law to require mandatory 25-years-to-life sentences only if the 3rd strike is for a violent or serious offense.
- 68% favors allowing re-sentencing for those with a 3rd strike that is for a non-violent or non-serious crime.

In addition, support for the measure held firm with almost no erosion of support (68% yes) even after we read voters two harsh batteries of statements attacking it.

Further, this measure, unlike Proposition 66, will be written to limit or prohibit re-sentencing for those with serious prior strikes like murder or child molestation. The survey shows clearly that this change would greatly strengthen the measure against attack, allowing it to prevail rather than being narrowly defeated like its predecessor.

The bottom line is that there is a very solid majority in favor of the basic premise behind 3 strikes reform: that 3 strikes should be reserved for those criminals who commit the most serious crimes.



California's Three Strikes Law

Recommendation

Re-sentence those convicted under the Three Strikes Law for crimes classified as nonviolent - *A series of Public Opinion polls taken between 2002 and 2007 have indicated strong support for Three Strikes reform. There are over 3,000 Strikers serving life sentences for petty theft, drug possession, forgery and the like. The state should consider a re-sentencing proposal for this group of prisoners which would save the state hundreds of millions of dollars each year.*

Basic Facts

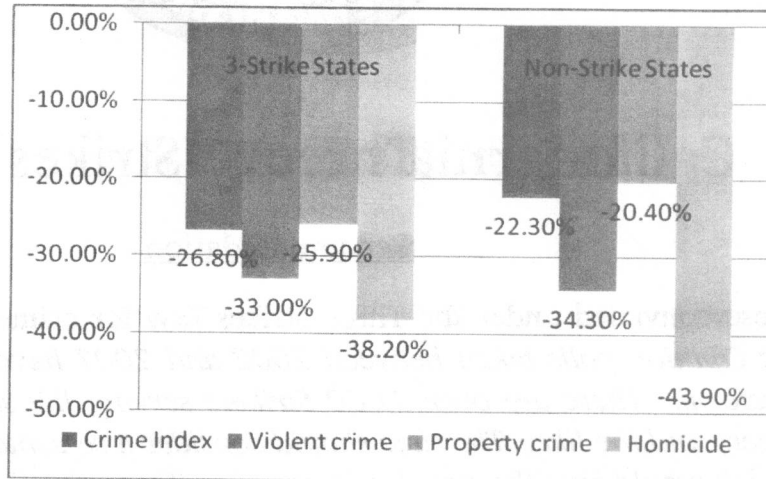
- Nearly two-thirds (65%) of those sentenced under California's Three Strikes laws are imprisoned for nonviolent offenses. *CDCR December 2009 Striker Population Statistics*
- Strikers make up 24% of California's prison population. *CDCR December 2009 Striker Population Statistics*
- 3rd strike prisoners will serve roughly 600% of their normal sentence with no indication that this is associated with any increase in public safety. *Based on calculations from CDCR sentencing data*

Costs vs. Prevention

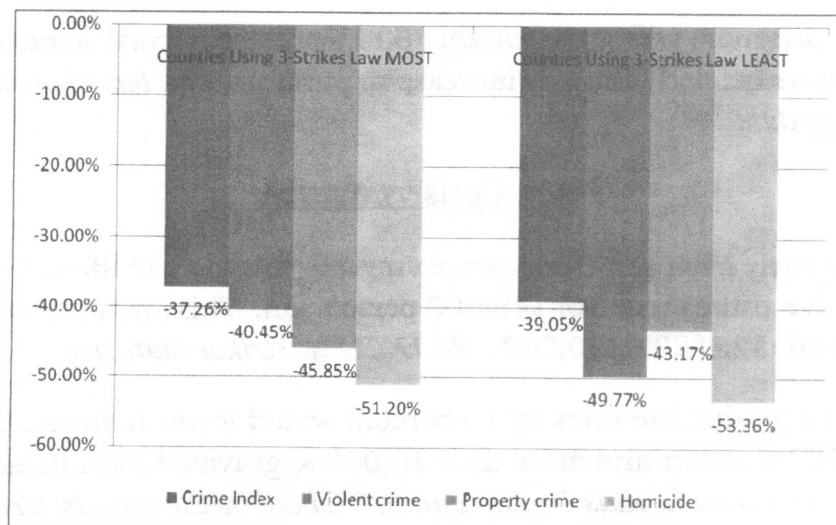
- There are currently over 4,650 people serving 25-years to life for non-violent offenses at a conservative cost estimate of \$49,000 per person. This amounts to annual incarceration costs of well over \$227,850,000. *2009 CDCR Striker Statistics*
- "Increasing graduation rates by 10 percent would lower homicide rates by 20 percent and prevent 500 murders and more than 20,000 aggravated assaults each year in California." *Fight Crime: Invest in Kids Organization, "School or the Streets: Crime and California's Dropout Crisis"*
- The Rand Corporation estimates that crime would be reduced by 15-fold if money were spent on treatment programs rather than prisons. *www.rand.org*

Public Safety

- There is no proof that the toughest 3-Strikes Law in America has had any impact on violent crime rates. In fact, non-strike states experienced greater declines in violent crime according to crime statistics from 1993-2002. *Source: Schiraldi, V., Colburn, J., & Lotke, E. 2004. Three Strikes And You're Out: An Examination Of 3 Strike Laws 10 Years After Their Enactment. Washington, DC: Justice Policy Institute.*



- This same trend can be seen when counties across California are compared in terms of how harshly they apply the 3-Strikes Law. Therefore, counties using the 3-Strikes Law more sparingly experienced greater declines in violent crime than those counties using the 3-Strikes Law most often. *Source: Ehlers, S., Schiraldi, V., & Ziedenberg, J. 2004. Still Striking Out: Ten Years of California's Three Strikes. Washington, D.C.: Justice Policy Institute.*



FACTS about the Three Strikes Law in particular & the Prison Industry in general

25

The mandatory minimum sentence in years under the 3-Strikes law for a third strike (2nd strikers receive double their current offense).

41,126

The number of 2nd and 3rd strikers in the California Department of Corrections as of September 1, 2010.

4,683

The approximate number of 3rd strikers who have received at least a 25 years-to-life sentence for nonviolent offenses.

23,511 to 173,000

The change in California's prison population from 1980 to 2006 (almost a seven-fold increase).

208

California's prison population percentage as compared to the prison design capacity.

348, 688, and 478

The number of persons who received at least a 25 years-to-life sentence for petty-theft, drug possession and weapons possession from the implementation of the law in 1994 through December of 2010.

45 and 26

The percentage of African-Americans and Hispanics receiving 3rd strike sentences based on the total number of people receiving 3rd strike sentences.

39

The percentage of California African-American men in their 20s in prisons, on probation or parole.

17 times

The number of African-Americans charged under the 3-Strikes law as opposed to whites in Los Angeles County.

9.3

The billions of dollars Californians spend on their prisons and jails.

50,287

The estimated operating costs in dollars per year to house a 3-striker in a maximum security prison (does not include medical costs which have been estimated to be in excess of \$60,000 per year for prisoners over the age of 55).

113,187

The cost in dollars to build a maximum security prison per prison bed (design capacity).

5.4 million, 20.4 million, 78.3 million, 198.7 million, 728 million, 4.8 billion, and 9.8 billion

The annual budgets for the California Department of Corrections for 1945, 1955, 1965, 1975, 1985, 2002, 2008.

21 and 1

The number of prisons and colleges/universities built in California since 1984.

128,000 and 3,000

The estimated number of inmates in prison suffering from substance abuse and the number receiving substantial treatment.

15 times

The amount of crime the Rand Corporation estimates would be reduced if money were spent on treatment programs rather than prisons.

41st

California's rank among the 50 states for the amount of educational funding spent per student.

3 to 4 times

The amount of crime the Rand Corporation estimates would be reduced if money were spent on college graduation incentives for high-risk youth rather than prisons.

85

The percentage of people polled in San Diego who would have preferred the 3rd strike to be for only violent or serious felonies.

41.4

The percentage of California inmates that have hepatitis C (the leading cause of liver failure and liver cancer).

3

The longest prison sentence in years given to those guilty of the \$1.64 billion bankruptcy of Orange County.

30 and 21

The percentage decrease in crime rates in San Francisco County and Kern County since implementation of the 3-Strikes law. San Francisco County does not prosecute non-violent and non-serious offenders under the 3-Strikes law and Kern County prosecutes all possible 3-Strikers vigorously.



California's Three Strikes Law

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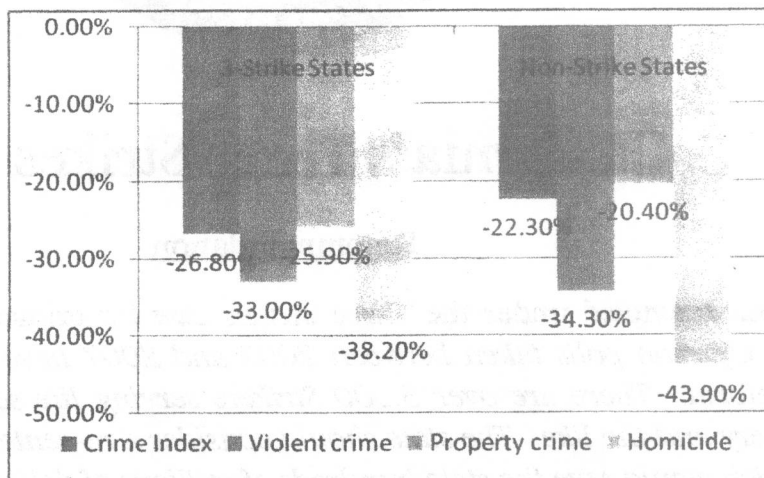
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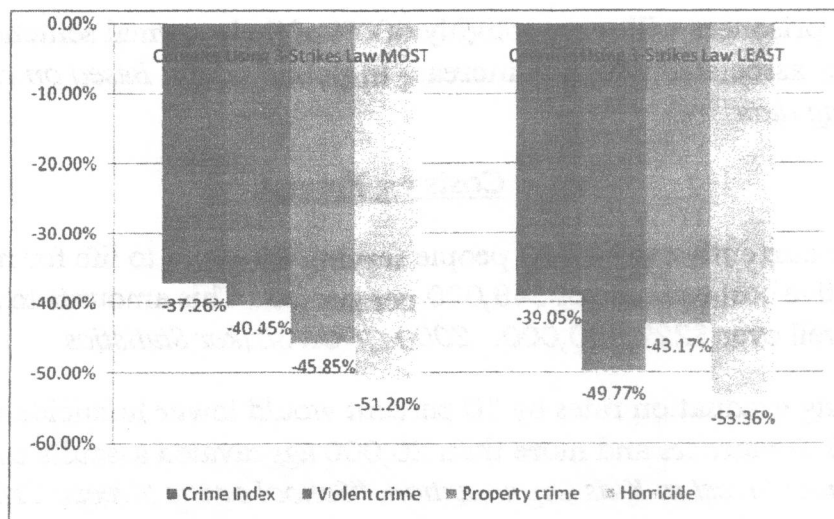
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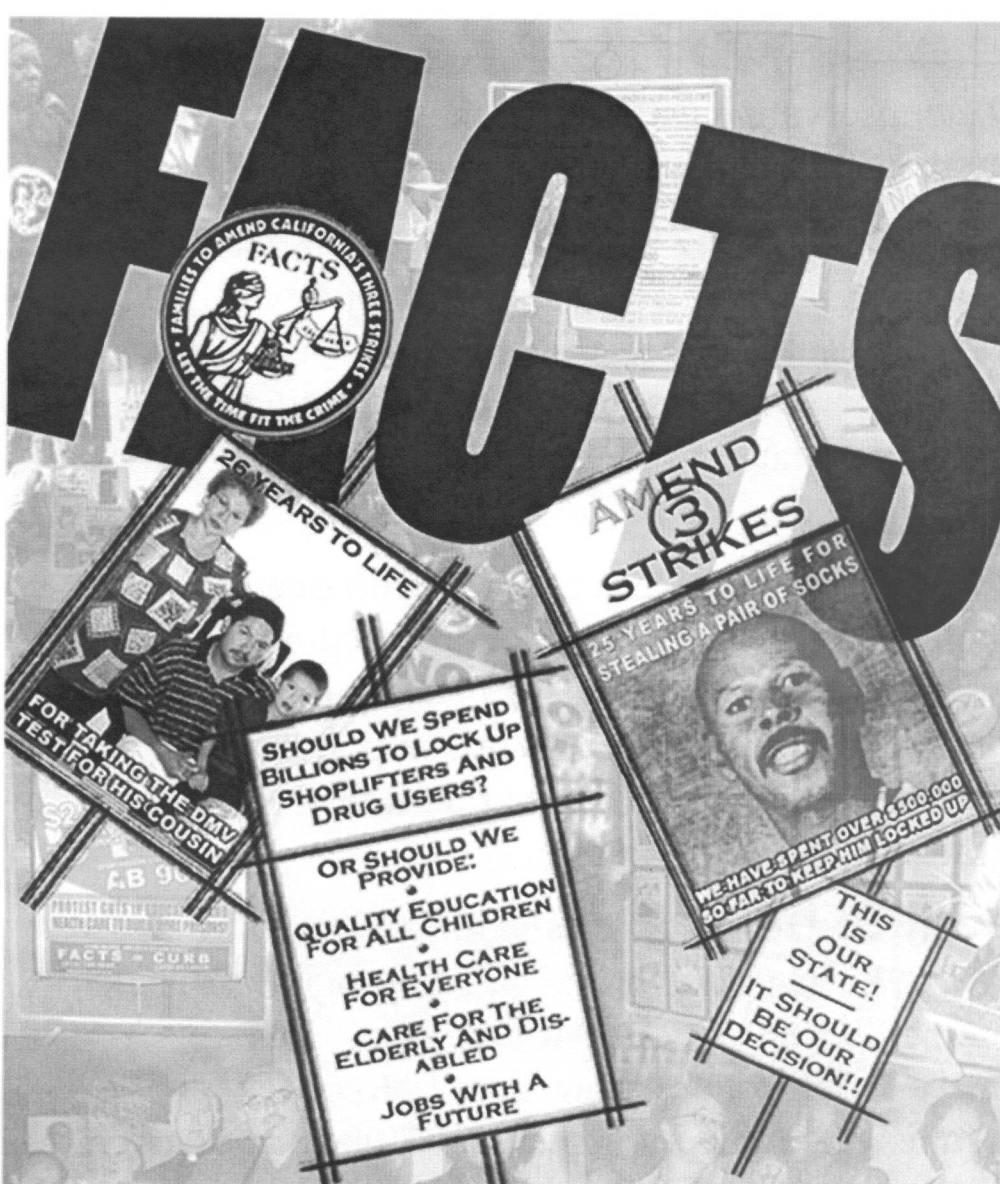
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For more information about the
LONG BEACH CHAPTER

Call: (562) 338-3021

THIS CHAPTER MEETS ON THE 2ND SATURDAY
OF EACH MONTH AT 2:30 P.M. AT SAINT LUKE'S CHURCH
525 EAST 7TH ST. IN LONG BEACH
OR CALL: (213) 746-4844 FOR A CHAPTER NEAR YOU

WWW.FACTS1.NET

AMEND THREE STRIKES

- A conservative estimate of the cost to house one prisoner for the period of one year is **\$49,000** a year.
- Under the **Three Strikes Law** over 4,000 prisoners were given life sentences for property offenses with thousands more serving time for minor crimes (possession of drugs, petty theft, receiving stolen property) related to drug addiction which we know to be a sickness
- Three Federal Judges charged with overseeing California's dangerously overcrowded prison system issued a tentative ruling stating that California can and must reduce its prison population by 57,000, with NO threat to public safety. Savings: almost \$2.8 billion a year.
- Why are the Governor and our elected officials calling for massive, brutal cuts to programs that people depend on for their very lives when the answer is in front of their faces? Reduce the number of people in prison by 57,000 and **reinvest** the savings in our schools, our healthcare, our welfare, our quality of life.

For information and to become a part of the solution call:

FACTS

(Families to Amend California's Three Strikes)

(562) 338-3021 (LONG BEACH)

(213) 746-4844 (STATE OFFICE)

or go to

www.facts1.net



**MARCH 7, 1994, WAS A DAY OF INFAMY
FOR THE STATE OF CALIFORNIA**

THREE STRIKES BECAME THE LAW

**Join FACTS
17 years later as we
mark another anniversary
of this barbaric law
at the same site and time of
its original signing. This
action affirms our pledge
to reform Three Strikes!
Are you with us?**

March 7, 2011

**at 2:00 p.m. at the
Hollywood Police Station
1358 N. Wilcox Ave.
(Between Sunset and Fountain Ave.)
Hollywood, CA 90028**

**For More Information Call:
FACTS at (213) 746-4844**

FACTS Membership and Renewal Form

Please start or continue my membership for *one year* from the date shown below.
☐ *Regular* - \$25 - Receive a FACTS t-shirt with each *NEW* membership.

Date: _____



T-Shirt Size (Circle): *Sm Med Lg XL XXL XXXL*

Enjoy premium membership:

- ☐ *Sponsoring* - \$50 - Receive t-shirt & cap
- ☐ *Friend* - \$100 - Receive t-shirt & cap
- ☐ *Sustaining* - \$250 - Receive t-shirt, cap & jacket
- ☐ *Silver* - \$500 - Receive t-shirt, cap & jacket
- ☐ *Gold* - \$1,000 - Receive t-shirt, cap & jacket
- ☐ *Platinum* - \$1,500 - Receive t-shirt, cap & jacket
- ☐ *Lifetime* - \$2,500 - Receive t-shirt, cap & jacket

Name: _____

Address: _____

City: _____

State: _____

Zip: _____

Telephone: _____

E-Mail: _____

☐ Check enclosed made payable to "FACTS"

☐ Credit Card: *M/C - Visa Acct#*
(Circle One)

☐ Yes, I want to be on your mailing list and receive your newsletter.

Exp. Date: _____

THANK YOU FOR YOUR MEMBERSHIP

Families to Amend California's Three Strikes - 3982 S. Figueroa St., #210, Los Angeles, CA 90037
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