

Prepared remarks for the Assembly Budget Subcommittee 5, February 2, 2011.

Thank you Assembly Member Cedillo. Jim Lindburg on behalf of the Friends Committee on Legislation of California.

We have a historical opportunity to rethink how we administer public safety in California. We are supportive of the concept of realignment and believe it could be a good first step. Prison space should be reserved only for those who pose a real threat to public safety, and it makes no sense for parole violators to cycle in and out of prison reception centers for short stays.

However, we should keep in mind that the root causes of overcrowding are the numerous sentencing enhancements passed by the legislature and voters since the 1980s without considering the impacts on prison capacity or the state's budget, as well as our failure to provide services for this population. Solving our corrections budget requires qualitative change, and this means that we have to look at sentencing policies.

Towards that end we are supportive of the proposal to reduce the felony penalty for drug possession for personal use to a misdemeanor. Doing so would greatly enhance the prospects for successful re-entry given that a felony conviction subjects one to employment discrimination and the denial of federal benefits for life. This helps no one.

Assembly Member Harkey expressed concerns that realignment increases the burdens on counties without lessening mandates on counties. That's a legitimate concern. Therefore, it would make sense to eliminate mandatory minimum sentences at the local level and allow judges to decide who warrants a jail term and would give counties more flexibility in managing this population.

We are very disturbed by the proposed \$150 million cut to prison programming. The Corrections Standard Authority reports that only one-in-ten prisoners is receiving any kind of education programming, this despite the fact that prisoners on average read at the 8th grade level. By default we are reverting back to the warehousing model that we said we were moving away from with the passage of AB 900. It makes no sense for people to spend time in prison without receiving any programming.

It would make more sense to reduce sentences by 30 or 60 days or some combination. If done thoughtfully, this can be accomplished without posing any risk to public safety.

Lastly, we have to look at the lifer population. Research has demonstrated repeatedly that elderly prisoners pose very little risk of re-offending and yet they cost us three times as much to incarcerate due to increased medical costs. This is not an efficient use of taxpayer dollars.

Thank you.