



Families to Amend California's Three Strikes

**FACTS**

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**SAVE THE STATE OVER A BILLION PER YEAR: RESTRICT THREE STRIKES  
SENTENCING TO VIOLENT CRIMES ONLY**

**Current Annual Costs for Incarcerating Non-Violent Strikers:** \$1,050,217,000

**Immediate Savings Potential for Resentencing Non-Violent 3<sup>rd</sup> Strikers:** \$187,033,000

**Potential Future Savings:** Over 1 Billion per Year<sup>1</sup>

**PROPOSAL**

**Reforming the Three Strikes Law** to apply only to people convicted of violent felonies will result in substantial savings of **over 1 BILLION per year** as the result of a combined approach of resentencing those currently serving 25-to-life for nonviolent offenses to twice a typical sentence *and* future savings of no longer having strikes result from nonviolent offenses.

**WHY?**

**Grossly Disproportionate Sentences in a Failed Prison System:** Unlike any other 3-Strikes Law in the nation, California is the only state where *any* felony can trigger a life sentence. In fact, for 57% of third strikers, their 25-to-life prison term was triggered by a nonviolent offense. When including second strikers, the percentage jumps to nearly two thirds (64.5%) who are serving time for a nonviolent offense.<sup>2</sup> In other words, due to the 3-Strikes Law, 24% of the California prison population are either serving *double* their sentence as a second striker or 25-to-life as a third striker, more commonly than not, for nonviolent offenses in a failed prison system! Incarcerating an individual for 25 years for “receiving stolen property” or “drug possession” —offenses typically punishable by just over a year in prison—is a clear waste of vital state resources.

**Biased Against Minority Populations:** African Americans represent 7% of the state’s population and 45% of third strikers while whites are just under 50% of the state’s population and 25% of third strikers. Comparatively, African Americans are incarcerated under the 3-Strikes Law at a rate 10 times higher than the rate for whites.<sup>3</sup>

**Costly and Ineffective:** In the first ten years after the passage of Three Strikes, **the state incurred \$4.8 billion in added incarceration costs** for housing people convicted of non-violent offenses beyond the time they would have otherwise received with no measurable results in terms of public safety. In fact, FBI Statistics show that non-strike states experienced *greater* declines in violent crime from 1993-2002. The 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.<sup>4</sup>

<sup>1</sup> Calculations based on LAO figure of \$49,000 annual incarceration rate per prisoner & 2009 CDCR Data indicating 21,433 total non-violent strikers and 3,817 nonviolent 3<sup>rd</sup> strikers. It also assumes that each of the 3<sup>rd</sup> strikers have served at least twice what their typical sentence and further assumes that the rate of 2<sup>nd</sup> strikers would remain consistent.

<sup>2</sup> CDCR September 2008 Striker Population Statistics

<sup>3</sup> Ehlers, Scott, Vincent Schiraldi and Jason Ziedenberg (2004). *Still Striking Out: Ten Years of California's Three Strikes*. Justice Policy Institute. Available at: <[http://www.justicepolicy.org/images/upload/04-03\\_REP\\_CASStillStrikingOut\\_AC.pdf](http://www.justicepolicy.org/images/upload/04-03_REP_CASStillStrikingOut_AC.pdf)>

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