DATE

Assemblymember Reginald Jones-Sawyer, Sr., Chair

Assembly Public Safety Committee

1020 N Street (LOB), Room 111

Sacramento, California 95814

**RE: AB 965 (Mark Stone) SUPPORT - Credits towards Youth Offender and Elderly Parole Hearings**

Dear Assemblymember Jones-Sawyer,

On behalf of [Insert Organization Name], I write to you in strong support of Assembly Bill 965 (Mark Stone), a bill which would allow eligible people to earn credits from their Youth Offender Parole Date or from the 25 years of incarceration for Elderly Parole hearing dates.

**[Insert information about your organization].**

The implementation of Proposition 57 ensures that people who are currently incarcerated have expanded opportunities and incentives to participate in rehabilitative and educational programming. Increased credits for significant educational achievements and participation in rehabilitative programs have opened up opportunities for many incarcerated people to become involved in positive programming. Evidence shows that people who complete such programs are dramatically less likely to return to prison and have better outcomes in their communities. Voters unanimously approved Proposition 57 in 2016, but the California Department of Corrections and Rehabilitation (CDCR) regulations limited the full implementation by only allowing credits to be earned off a person’s base term. In practice, this prevents people with Youth Offender and Elderly parole hearing dates from accessing the credit earning opportunities and rehabilitative programs created by Proposition 57.

Allowing every person with a Youth Offender Parole date or an Elderly Parole date to earn time off of their earliest parole date will maximize the intent of credit-earning systems. The expanded credit-earning opportunities made possible should apply to these Youth Offender Parole or Elder Parole Hearing dates, not their original sentence. Governor Brown signed SB 260 (Hancock) in 2013, SB 261 (Hancock) in 2015, and AB 1308 (Mark Stone) in 2017, recognizing that many young people were victims of extreme sentencing; therefore, credit-earning opportunities made possible by Proposition 57 should be applied to their amended hearing dates in order to ensure that participation in rehabilitative programming and remaining disciplinary-free are adequately incentivized.

Additionally, Elder Parole is a program that seeks to meet the court deadline to reduce the prison population. On February 10, 2014, a three-judge court overseeing the California prison overcrowding class action lawsuit, *Plata v. Brown*, issued an order that required the Board of Parole Hearing (“BPH”) to put in place a new parole process for persons 60 years of age or older, who have been imprisoned for at least 25 years.[[1]](#footnote-0) In October 2017, Governor Brown signed AB 1448 (Weber) into law, moving forward the elder parole process. Older people who are currently incarcerated have reduced recidivism and arrest rates, and higher parole success. People that qualify under this program should be able to apply their credits to reduce the minimum of 25 years of continuous incarceration to be eligible for the Elderly Parole Program.

The average annual cost to incarcerate a person in prison in California has increased from $51,000 in 2010 to $71,000 in 2017.[[2]](#footnote-1) California spends between $98,000 and $138,000 per year to house elderly prisoners.[[3]](#footnote-2) By expanding the credit earning opportunity for eligible people to earn credits from their Youth Offender Parole date or Elderly Parole date, if that date is sooner than their original parole eligibility date, California may further incentivize positive and rehabilitative programming, reduce corrections spending and continue to move toward reducing the recidivism rate overall.

For these reasons, we proudly support AB 965, and urge the legislature to pass this important bill.

Sincerely,

Signature

Name

Organization

cc: Keely O’Brien, Office of Assemblymember Stone ([keely.obrien@asm.ca.gov](mailto:keely.obrien@asm.ca.gov))

Eric Henderson, Initiate Justice ([eric@initiatejustice.org](mailto:eric@initiatejustice.org))

1. <http://www.cdcr.ca.gov/News/docs/3jp-Feb-2014/Three-Judge-Court-order-2-20-2014.pdf> [↑](#footnote-ref-0)
2. <http://www.lao.ca.gov/PolicyAreas/CJ/6_cj_inmatecost> [↑](#footnote-ref-1)
3. [http://www.lao.ca.gov/handouts/crimjust/2010/Elderly\_Inmates\_05\_11\_10.pdf, pg. 2](http://www.lao.ca.gov/handouts/crimjust/2010/Elderly_Inmates_05_11_10.pdf) [↑](#footnote-ref-2)