

TECHNICAL REPORT

Table of Contents

Introduction: Introduction to this HIA.....	4
What is a Health Impact Assessment?	4
Screening.....	4
Scoping.....	5
Assessment.....	6
Stakeholder engagement.....	6
Incarceration and Health: Mental Illness in the Incarcerated Population	9
Impacts of Reclassification of Six Crimes: Additional Punishments.....	12
California and federal additional punishments by consequence category	12
Impacts of Solutions Proposed by Proposition 47: Mental Health And Substance Abuse	14
Mental health and substance abuse funding in California’s correctional population	14
Inmates receiving mental health treatment before and in prison or jail.....	15
Effective mental health and substance abuse treatment.....	16
Predictions	17
Overview: The Numbers	18
Explanation	18
Reduced Prison and Jail Sentences and Increased use of Probation in the Future	18
Reduced Number of People in Prison and Jail Currently.....	19
Reduced Number of People Convicted of Felonies and with Felonies on their Record	19
Public Safety.....	20
Explanation	20
Additional Punishments	21
Explanations	22
Employment.....	22
Housing	23
Welfare Benefits.....	25
Family.....	27
Explanations	28
Family unity.....	28
Material Resources.....	28
Welfare of Children.	28
Mental Health of Mothers.....	29
Divorce, Relationships, and Family Separation.	29
Budget	30
Explanations	30
Mental Health and Substance Abuse.....	33
Explanations	33
Truancy and Dropout Prevention.....	37
Explanations	37
Eligible youth.....	37
Truancy	37
Employment and Income.....	38
Crime.....	38
Victim’s Services	39
Explanations	39
Funding	39

Mental Health	40
Physical Health.....	40
Employment and Housing.....	40
Cooperation with law enforcement and District Attorneys	40
Focus Groups	41
Focus group methodology	41
Focus group questions and probe guides.....	42
Questions people who were incarcerated	42
Questions for family members of formerly or currently incarcerated people	43
Questions for service providers.....	43
Final focus group codebook.....	45
Focus group findings	47
References.....	75

Tables

Table X.1. Substance use among prison inmates and convicted jail inmates, by mental health status
Table X.2. Types of "Collateral Consequences", by Consequence Category for all conviction categories in California and Federal Laws as of July 2014
Table X.3. Key sources of mental health and substance abuse treatment funding for California's Correctional Population, FY 2013-2014
Table X.4. Mental health treatment for inmates, United States, 2005
Table X.5. Overarching Numbers Predictions
Table X.6. Public Safety Predictions
Table X.7. Additional Punishments Predictions
Table X.8. Family Predictions
Table X.9. Budget Predictions
Table X.10. Mental Health and Substance Abuse
Table X.11. Truancy and Dropout Prevention
Table X.12. Victim's Services
Table X.13. Final Focus Group Codebook

Introduction: Introduction to this HIA

What is a Health Impact Assessment?

HIA is a public engagement and decision-support tool that can be used to assess policy and planning proposals and make recommendations to improve health outcomes associated with those proposals. The fundamental goal of HIA is to ensure that health and health inequities are considered in decision-making processes using an objective and scientific approach, and engaging stakeholders in the process.

HIA is a flexible research process that typically involves six steps:

1. *Screening* involves determining whether or not a HIA is warranted and would be useful in the decision-making process.
2. *Scoping* collaboratively determines which health impacts to evaluate, the methods for analysis, and the workplan for completing the assessment.
3. *Assessment* includes gathering existing conditions data and predicting future health impacts using qualitative and quantitative research methods.
4. *Developing* recommendations engages partners by prioritizing evidence-based proposals to mitigate negative and elevate positive health outcomes of the proposal.
5. *Reporting* communicates findings.
6. *Monitoring* evaluates the effects of a HIA on the decision and its implementation as well as on health determinants and health status.

Screening

In a health impact assessment, the screening involves researching and engaging stakeholders to decide if conducting an HIA on a policy would be valuable to inform the decision-making process and would be feasible. Due to Human Impact Partners' interest in the equity impacts of criminalization, we had been engaged in conversations with different groups working on reducing incarceration in California, and specifically in the Bay Area. Californians for Safety and Justice (CSJ) raised the question of the potential benefit of conducting a health impact assessment on the Safe Neighborhoods and Schools Act, should it gather the signatures to put it on the ballot.

Proposition 47 fulfilled several of the key criteria for a feasible and valuable topic of an HIA:

- Lack of a health perspective: while lack of access to proper health care due to overcrowding is a key issue that led to Public Safety Realignment, for the larger ongoing discussion, the fact that in California we treat mental health and substance abuse problems with criminal justice solutions, not health solutions, is still not the common frame.

- Timeliness: there was enough time to conduct a comprehensive HIA that would engage members of a community most impacted by this population
- Resources: HIP was able to gather funding to support the time needed to conduct this HIA and to pay impacted community members for their time.
- Openness of decision-makers to the results of the HIA – in this case, the decision-makers are both the voting public and the agencies that would have to implement Proposition 47. Unlike, perhaps, six or seven years ago, the public and our elected officials recognize the need to change the broken criminal justice system. As such it feels like a good time to raise the consideration that we should not treat health issues with a criminal justice solution.
- Partner participation: an HIA takes not only researchers, but a strong network of community advocates and experts, academic content experts, funders, those with knowledge of the legalities, and communications experts. We were able to recruit an excellent Advisory Committee (see below in Stakeholder Engagement)

Scoping

Scoping is the stage of HIA where stakeholder input propels prioritization of key issues for inclusion in the research tasks of the next step, Assessment. In the scoping step of the Rehabilitating Corrections in California: The Health Impacts of Proposition 47, our Advisory Committee guided us to research the impacts of the following health determinants that would result from the reclassification of the six crimes to mandatory misdemeanors on health:

- Numbers of people re-sentenced
- Public Safety
- Additional Punishments, such as the employment, housing, government benefits and societal inclusion
- Families
- State and County Budgets

The Advisory Committee also prioritized researching the impacts of the redirected savings to mental health and substance abuse treatment, truancy and dropout prevention, and victim's services, as specified in Proposition 47.

Additionally, guidance suggested focusing on an urban and a non-urban county, to give some case studies of how things might change in different counties. We chose Los Angeles and Fresno. While we gathered as much data as we could for all of the different health determinants in each chapter. However, what was available did not add to the analysis and except for a few data points for Los Angeles, was ultimately excluded. The Los Angeles data was included in certain cases because the size and proportion of Los Angeles's criminal justice contribution to the entire state. There were many cases when data was unavailable, which is noted in the text of the HIA.

Assessment

The basic data sources for this HIA included scientific (peer-reviewed) literature reviews and grey (non peer-reviewed) literature reviews, focus groups, Interviews with researchers, practitioners, and government officials, and secondary data.

Literature reviews focused on the impact of incarceration on health, family, employment to assess the reclassification of the six crimes. Literature reviews were also conducted on truancy and high school dropout prevention, mental health and substance abuse inside and outside the corrections system, and trauma recovery services for victims. We gathered evidence using databases such as JSTOR, PubMed, Google Scholar, general internet searches and other public health and sociological databases.

Grey literature reviews were conducted by analyzing reports from reputable organizations such as The Sentencing Project, Vera Institute, The Pew Charitable Trusts, California Sentencing Institute, and the Urban Institute.

Seven focus groups were conducted with formerly incarcerated, service providers, and family members of formerly or currently incarcerated to fill data gaps and provide further evidence in several areas. See the “Focus Groups” section of this Appendix for more information on focus group methodology.

Key Informant Interviews with researchers, practitioners, and government officials were held along the process of the HIA to further guide our research.

Secondary data sources were analyzed to inform baseline conditions and predictions. Sources include The United States Bureau of Justice Statistics, the Federal Investigation Bureau’s Uniform Crime Reporting Statistics, California Department of Education, and California Department of Corrections and Rehabilitation.

Our predictions are logical extensions of the analyses we crafted from the above sources. We did not use statistical analysis to inform predictions, but rather focused on the expected direction and magnitude of the impact.

Stakeholder engagement

Stakeholder engagement, including participation of community members who are directly impacted by the policy, is a vital part of HIA. We engaged stakeholders in the following ways:

- **Advisory Committee.** Our Advisory Committee consisted of the following individuals and their organizations:

- 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

Human Impact Partners was the lead agency in this HIA. Californians for Safety and Justice, a funder of this HIA and an Advisory Committee member, is an organization prominent in advocacy related to the impacts of criminalization and incarceration. The Advisory Committee met monthly between April 2014 – December 2014, and advised HIA researchers as needed. Advisory Committee members gave feedback on the scope of the research, where to find specific data and research, organizing the focus groups, how to communicate the HIA findings, review of the draft findings and the draft report, and prioritization and crafting of recommendations. The Advisory Committee played a key part in dissemination of the HIA results.

- Data Collection. The need to gather data and research for the HIA is one way to begin or start a discussion about the impacts a policy has on health. We engaged stakeholders for the following data collection tasks:
 - Focus Groups. Three key organizations held focus groups (for more detail on the methodology, see the Focus Groups section in this Technical Report): Oakland Rising, Legal Services for Prisoners with Children, and the Community Coalition of Los Angeles. In total, there were 58 focus group participants (formerly incarcerated, convicted for misdemeanors or felonies, families of people who are incarcerated, or people who provide services). Focus group participants provided thoughtful comments on our research and helpful advice, which informed the creation of recommendations in this report.
 - Secondary Data Collection. This HIA required contacting many different agencies to gather data, including the California Legislative Analysts Office, the California

Department of Education, the California Budget Project, the Los Angeles Unified School District, the American Bar Association; and the California Employment Development Department.

- Expert Opinion. The call in HIA for a comprehensive consideration of health often requires consultations with content experts. These experts provided thoughtful comments on our research and helpful advice, from organizations such as Center for Families, Children & the Courts; Trauma Recovery Center at the University of California, San Francisco; the Lawyer’s Committee for Civil Rights; the National Employment Law Project; the Public Policy Institute of California; the State School Attendance Review Board; and the San Jose State University Record Clearance Project.

- Report Dissemination. At the time of creation of this appendix, the report has not been disseminated but HIA researchers are in discussion with many advocates who are advancing educational efforts about the impacts that Proposition 47 may have. Partners from California Calls, PICO California, the Community Coalition of Los Angeles, the Advancement Project, the American Civil Liberties Union of Northern California, the Ella Baker Center, Legal Services for Prisoners with Children, the Sentencing Project, Break the Chains, Oakland Rising, and Alliance San Diego have all been consulted about how HIA findings may or may not fit in with their educational efforts about sentencing reform. Human Impact Partners is also holding a webinar to inform groups across the state about the HIA findings and how to disseminate those to the public.

Incarceration and Health: Mental Illness in the Incarcerated Population

Across the nation, mental health is one of the leading causes of disability for youth and adults and results in significant economic and social burdens. In California, approximately 16%, or four million people, of the adult population have mental health care needs.¹⁷ Of those, one in four (or 1 million) has a severe mental illness that impairs their daily functioning.¹⁷

In prisons and jails, the proportion of mentally ill individuals is significantly higher. Whereas nationally, one in ten (11%) adults has experienced a symptom of a mental health disorder in the past twelve months, roughly half (49%) of state prisoners and the majority (61%) of jail inmates were diagnosed by a mental health provider as having experienced a mental health disorder symptom in the past year.⁹ As detailed in the table below, rates of major depression are three to four times higher and rates of psychotic disorders are five to eight times higher in the incarcerated population than in the general adult population.

According to the 2009 US National Survey of Drug Use and Health, of people over age 12, there are 21.8 million people – 9% of the population – that used illicit drugs in the previous 30 days. Of those individuals, about one-third stated that they need treatment, but less than one-quarter received treatment.¹⁸ People living in poverty are more likely to need but not receive treatment than those with more resources.¹⁷

In California, between 2008 and 2012, approximately 2.3 million (7.6%) persons aged 12 and older reported dependence or abuse of alcohol and 947,000 (3%) persons reported dependence or abuse of illicit drugs within the previous year. These averages are fairly similar to the U.S. national average.¹⁹ Of those who received publicly funded services, methamphetamine was the most commonly reported primary drug (28%), followed by marijuana (24%), alcohol (21%), heroin (15%), and cocaine (6%). Methamphetamine use among females receiving public treatment services was higher than for males (34% vs. 24%), whereas marijuana use was lower among females than males (19% vs. 26%).²⁰ Marijuana was the most frequently reported primary drug among African Americans and Hispanics, whereas methamphetamines were most frequently reported primary drug among Whites, Asian/Pacific Islanders and American Indian/Alaskan Natives.²⁰

In correctional settings, rates of substance use are significantly greater than the general population. In 2008, Substance Abuse and Mental Health Services Administration (SAMHSA) researchers estimated that 60-80% of individuals under the supervision of the criminal justice system have a substance use-related issue, which they define as individuals who “committed a crime to support a substance use disorder, those charged with a drug-related crime and others who simply use drugs illegally or abuse alcohol regularly.”²¹ Roughly one half of all prisoners meet the Diagnostic and Statistical Manual for Mental Disorders (DSM) criteria for drug abuse or dependence.^{22 23} Nationally between 2002-2009, 41% of males age 18-49 who were on probation had illicit drug or alcohol dependence in the previous year compared to 16% of

those not on probation.²¹ The table below shows national substance use patterns among state prisoners and jail inmates surveyed between 2002 and 2005.

Table X.1. Substance use among prison inmates and convicted jail inmates, by mental health status

Type of Substance	Percent of Inmates in...			
	State Prisons		Local Jails	
	With mental problem	Without	With mental problem	Without
Alcohol or drugs				
Regular use*	87%	77%	90%	79%
In month before offense	81	70	82	70
At time of offense	53	43	54	43
Drugs				
Regular use*	76%	61%	78%	58%
In month before offense	63	49	62	42
At time of offense	38	26	34	20
Alcohol				
Regular use*	68%	58%	73%	62%
In month before offense	62	53	81	74
At time of offense	34	28	35	30
Binge drinking**	44	30	48	30
<p>* Regular alcohol use is defined as daily or almost daily or more than once a week for more than a month. Regular drug use is defined as once a week or more for at least one month.</p> <p>** Binge drinking is defined as having consumed a fifth of liquor in a single day, or the equivalent of 20 drinks, 3 bottles of wine, or 3 six-packs of beer.</p> <p><i>Data from: James DJ and Glaze LE. "Mental Health Problems of Prison and Jail Inmates." September 2006. Bureau of Justice Statistics, Office of Justice Programs, United States Department of Justice.</i></p>				

In the United States in 2005, almost 42% of inmates in state prisons and 49% of inmates in local jails have both a mental health problem and a substance dependence or abuse.⁹ Researchers from UCLA report that in California, 55-69% of individuals with a substance use disorder (alcohol or drug) have a co-occurring mental health disorder and up to 60% of those who have been diagnosed with a mental disorder also have a co-occurring substance use disorder.²⁴ In fact, those with co-occurring disorders were more likely to be serving sentences related to their substance use, to be homeless, to violate probation after release, and to recidivate to correctional custody than those with just mental health disorders.^{24 25}

Over one third of state prisoners (37%) and local jail inmates (34%) who had a mental health problem reported having used drugs at the time of the offense, compared to 25% of state prisoners and 20% of jail inmates without a mental problem. Other studies have found that

prisoners with co-morbidity of mental health and substance problems are more likely to be punished for rule violations and misconduct than other prisoners.²⁶

Impacts of Reclassification of Six Crimes: Additional Punishments

California and federal additional punishments by consequence category

In 2014, the American Bar Association, in collaboration with the National Institute for Justice, completed a comprehensive national inventory of any provision in state constitutions, statutes, and administrative rules that create collateral sanctions and authorize disqualifications of individuals with a conviction history. As of July 2014, the ABA had identified 44,407 collateral consequence laws for all 50 states plus the District of Columbia, US Virgin Islands, Puerto Rico and Federal Jurisdictions.

Table X.2. Types of "Collateral Consequences", by Consequence Category for all conviction categories in California and Federal Laws as of July 2014

<i>Consequence Category</i>	<i>Number of Consequences</i>	<i>Proportion of 2965 Total Laws</i>
Employment	1282	0.43
Business licenses and other property rights	1112	0.38
Occupational + professional licenses/certification	810	0.27
Government contracting and program participation	246	0.08
Political and civic participation	245	0.08
Registration, notification, and residency restrictions	238	0.08
Government benefits	147	0.05
Housing	117	0.04
Family/domestic rights	110	0.04
General relief	107	0.04
Government loans and grants	100	0.03
Education	100	0.03
Judicial rights	96	0.03
Motor vehicle licensure	67	0.02
Recreational licenses, including firearms	50	0.02
Total Number of Consequences	4827	
Notes:		
(1) Categories are not mutually exclusive. For example, one law may have multiple consequences and therefore be labeled with three consequence categories - employment, housing, and education. Each consequence category is counted once, therefore the "Total" number of consequences shown in the table is greater than the number of laws for each triggering offense.		
(2) The categories listed are based on the American Bar Association and National Institute of Justice's categorization and organization of collateral consequences. However, each category may have its own nuance. For example, "volunteering" may be included in employment or political and civic participation; often there is little distinction between professional license and business license; "financial aid" may be included in education or government benefits. Thus the categorization is subject to varying legal interpretation.		
Data from the American Bar Association and National Institute of Justice's Collateral Consequences of Conviction Database. Data is for California and Federal Laws only and was downloaded on July 20, 2014.		

In California, there are 2965 additional punishments – 1808 identified in California law, plus 1,157 more federal punishments that may also apply in California.³⁰ Of the 2965 California and Federal additional punishments identified, 1739 (58%) were related to employment or occupational licenses or certificates. Examples of this form of additional punishment include being prohibited from having a license or certificate to be a home health aide, a barber, a professional engineer or an emergency medical technician because of one's criminal history. Thirty-eight percent of additional punishments were related to business licenses or other property rights and 17% were related to government contracts, programs, benefits, loans or grants.

Of the 2965 laws, 73% are permanent or do not have a specified term when the consequence ends. Of the remaining 811 laws with more specific durations, 131 (or 16%) of the laws were for ten years or more in duration. 44% of the California and federal laws are mandatory or automatic additional punishments, e.g. the judge does not have discretion whether to apply the punishment or not.³⁰

Impacts of Solutions Proposed by Proposition 47: Mental Health And Substance Abuse

Mental health and substance abuse funding in California's correctional population

In FY 2013-2014, the total state budget for the California Department of Corrections was \$10 billion. This represented 7.7% of the total state budget for the state of California. The table below outlines the mental health and substance abuse program related funding available to California's Correctional Populations. In total, the CDCR MHSA budget is \$543.7 million, or 5.8% of CDCR's total \$10 billion budget. The \$543.7 million does not include \$1.6 billion allocated for the care of severely mentally ill individuals who have committed an offense but are unfit to stand trial and/or have been diagnosed as legally insane, nor does it include funding for individuals under community supervision who may be accessing community or state health services, or MHSA funding available to those in county jails.

Table X.3. Key sources of mental health and substance abuse treatment funding for California's Correctional Population, FY 2013-2014

Program	FY 2013-2014	Description
Department of Health and Human Services*		
State Hospitals (Part of Department of State Hospitals)	\$1.6 billion	Five state hospitals and three psychiatric programs, serving 6100 patients, of whom 90% have criminal offense. Includes \$1.56 billion for in-patient services, \$21.6 million for evaluation and forensic services and \$6.5 million for legal services.
Programs Offered to Indigent, Uninsured, and Low Income Populations	Not Available	Includes Medi-Cal, 1991 Realignment, 2011 Realignment, MHSA, and other funds described in the table above. These programs may be available to former offenders as they leave prisons and jails. However it is not known what amount is available.
California Department of Corrections and Rehabilitation*		
Psychiatric Services for State Prisoners (Part of Adult Health Care Services)	\$326.3 million	Total FY 13-14 budget for Adult Health Care Services was \$2.2 billion. Adult Psychiatric Services include \$24.3 million for contract services and \$302 million for other psychiatric operations.
Adult Substance Abuse Program (Part of Adult Education, Vocation and Offender programs)	\$122.4 million	Total FY 13-14 budget for Rehabilitative Programs- Cognitive Behavioral Therapy and Reentry Services - was \$122.4 million, all of which is allocated to state operations for substance abuse programming. This includes \$18.4 million for in-prison program, \$81.2 million for SASCA (Aftercare), \$10.3 million for the Female Offender Treatment Employment Program (FOTEP), and \$12.5 million for Parole Services Network.
Adult Community Based Programs (Part of Parole Programs)	\$65.7 million	Total FY 13-14 budget for Community-Based Programs was \$131 million. MHSA Related Services in Adult Community-Based Programs include: \$10.7 million for Day Treatment and Crisis Care for Mentally Ill, and \$2.3 million for Substance Abuse Treatment and Recovery. <i>Plus may include: \$10.6 for Day Reporting Centers, \$15.7 for Parole Services Center, \$7 million for Male Residential Multi-Service Centers, \$1.5 million for Female Residential Multi-Service Centers, and \$17.9 million for Community-Based Programs-Other.</i>
Psychiatric Outpatient Services (Part of Parole Programs)	\$29.3 million	Total FY 13-14 budget for Community-Based Programs was \$131 million. Psychiatric Outpatient Services included \$16.3 million for psychiatric outpatient services and \$13 million for psychotropic medication and lab services.

Board of State and Community Corrections*		
Residential Substance Abuse Treatment Grants	\$1.6 million	Program assists states and local governments in developing and implementing substance abuse treatment programs in state, local, and tribal correctional detention facilities (federally funded). Includes roughly \$185,000 each to Riverside, Sacramento, Tulare and Kern Counties.
County Jails and Probation Programs**		
Mental health services	Not available	Includes provision of mental health services in jail and to those on probation
Substance Abuse services	Not available	Includes provision of alcohol and substance abuse treatment services to those in jail and on probation
Comprehensive Re-Entry Services	Not available	May include mental health and substance abuse services as part of other services for those re-entering civil society from prisons and jails
*Estimates are 2013-2014 calculations listed in the 2014-2015 California State Budget. Available at: http://www.ebudget.ca.gov/ [accessed on July 20, 2014]		
** Estimates not currently available. This only provides summary of adult mental health and substance use services. Funding for juveniles in detention or probation and for tribal communities are not included in these estimates.		

Inmates receiving mental health treatment before and in prison or jail

Table X.4. Mental health treatment for inmates, United States, 2005

Mental health treatment received by inmates who had a mental health problem		
	% of inmates who had a mental problem in...	
Type of mental health treatment	State prison	Local jails
Ever received mental health treatment	50%	43%
Had overnight hospital stay	20	18
Used prescribed medications	40	33
Had professional mental health therapy	35	31
Received treatment during year before arrest	22%	23%
Had overnight hospital stay	6	7
Used prescribed medications	16	17
On prescribed medication at time of arrest	11	12
Had professional mental health therapy	12	12
Received treatment after admission	34%	18%
Had overnight hospital stay	5	2
Used prescribed medications	27	15
Had professional mental health therapy	23	7
<i>Data from the Bureau of Justice Statistics, 2006 Report on Mental Health Problems of Prison and Jail Inmates.</i>		

Effective mental health and substance abuse treatment

There are many different types of treatment in community-based and correctional settings. Principles of effective mental health treatment have been offered by three leading mental health organizations: the National Alliance for the Mentally Ill's 10 Pillars of Quality Mental Health System³², the Substance Abuse and Mental Health Services Administration's 10 Fundamental Components of Recovery³³, and the National Council for Correctional Health Care's Necessary components of mental health care inside prisons³⁴.

Similarly, principles for effective substance abuse treatment for the general population, criminal justice populations and individuals involved in drug courts have been offered by the National Institute on Drug Abuse's Principles of Effective Drug Treatment³⁵ and Principles of Effective Treatment for Criminal Justice Populations³⁶, and the National Drug Court Institute's Guidelines³⁷.

Predictions

An important step in Health Impact Assessments is making predictions of how health and equity will change based on the best available evidence and existing conditions. This portion of the Technical Report gives detailed background on how the HIA research team came to the predictions listed in this report.

The legend for the symbols of “How Many?,” “Who,” and “Certainty” are:

- ◆ = less than 5,000, ◆◆ = 5,000 – 99,999, ◆◆◆ = more than 100,000.
- Who?
 - Current = People who are currently convicted of the 6 crimes
 - Former = People who have a felony conviction on their record but have already served their sentence
 - Future = People who commit the 6 crimes in the future
- Certainty – the number of asterisks equates to the certainty that the HIA team has in the evidence to support the Prediction, or the column entitled “If the ballot initiative passes...” The certainty does not apply to how certain we are of the magnitude, or column entitled “How Many”. A greater number of asterisks indicates a higher level of certainty.

Overview: The Numbers

Table X.5. Overarching Numbers Predictions

If the ballot initiative passes...	How many?	Who?	Certainty
More people will be convicted of a misdemeanor (instead of a felony)	◆◆ More than 40,000 people yearly	Future	***
Fewer people will be sent to prison	◆ More than 3,000 people yearly		***
Fewer people will be sent to jail	◆◆		**
More people will be sentenced to misdemeanor probation (instead of more severe punishments)	◆◆		***
People currently in prison will be resentenced to jail or probation or released	◆◆ More than 9,000 people, including more than 1,500 people incarcerated for a second strike	Current	***
People currently in jail will be resentenced and potentially released	◆◆		***
Fewer people will have felonies on their record	◆◆ (at a minimum)	Former	***

Explanation

For those with no history of serious or violent crime, the ballot initiative would change six crimes related to drug possession and petty theft from felony or wobbler to misdemeanor and limit sentences to a maximum of one year in jail. Because there were 42,900 – 55,400 people convicted of the 6 crimes in 2012, we predict that approximately 40,000 people each year would be convicted of a misdemeanor instead of a felony. The effects are described below.

Reduced Prison and Jail Sentences and Increased use of Probation in the Future

The ballot initiative would reduce the future prison population because people convicted of these six crimes in the future would not be eligible for prison. Based on 2013 prison admission rates, we predict that in the future, **there would be more than 3,000 fewer people sent to prison each year**, starting immediately after implementation, should the ballot initiative pass.

People who would have been sent to jail in the future for a felony would now be charged with a misdemeanor and would likely be given reduced sentences, such as misdemeanor probation only. This is offset, however, because people not sent to prison in the future could be sent to jail or released on probation. The LAO predicts that, **if the ballot initiative passes, “the total**

number of statewide county jail beds freed up by these changes could reach into the low tens of thousands annually within a few years.”¹

The ballot initiative would have a particularly significant impact for people each year who would have been convicted for a felony for one of the six crimes as a second or third strike. Because the crimes would now be misdemeanors, the increased penalties of a second or third strike, such as a sentence of 25 years to life in prison, would not be mandated.

Thousands of people would be sentenced to misdemeanor probation rather than incarceration or felony probation annually. As described in the introduction section, misdemeanor probation is less intensive and less time than felony probation.

Reduced Number of People in Prison and Jail Currently

If the ballot initiative passes, as resentencing is implemented over the next three years, more than 9,000 people currently in prison for a felony for one of the six crimes could apply to be resentenced for a misdemeanor and be released from prison. A substantial number of these would likely be resentenced, **leading to the reduction of the prison population by several thousand people.**

Similarly, people serving time in jail for felonies related to the six crimes could apply to be resentenced. While an estimate of the number of people currently serving time in jail for a felony related to the six drug possession and petty theft crimes is not available, it is expected that **thousands of people would be released from jail over the next three years** should the ballot initiative pass.

The ballot initiative would have a significant impact for people who had been convicted for a felony for one of the six crimes as a second or third strike. Because the crimes would now be misdemeanors, the increased penalties would be dismissed and these individuals would potentially be released from prison and resentenced to jail or misdemeanor probation. Using 2012 data, this would result in more than 1,500 people no longer serving a lengthy second strike term.

Reduced Number of People Convicted of Felonies and with Felonies on their Record

Going forward, approximately 40,000 people annually would be convicted of a misdemeanor rather than a felony. This is consistent with the LAO’s estimate.¹

People with felony convictions for one of the six crimes (but not with convictions for serious or violent crimes) would be eligible under the ballot initiative to apply to have the felony on their record expunged. It is not clear how many such people there are currently in California because a subset of the population convicted of a felony for one of the six crimes has been convicted more than once and/or for more serious crimes.

Public Safety

Table X.6. Public Safety Predictions

If the ballot initiative passes...	How many?	Who?	Certainty
If programs for mental health and substance abuse, truancy prevention and victim’s services are fully funded and faithful to evidence-based principles, crime will decrease	◆◆◆	All Californians	***
If programs for mental health and substance abuse, truancy prevention and victim’s services are fully funded and faithful to evidence-based principles, recidivism will decrease	◆◆ Recidivism will decrease by at least 10%	Future and current – for those using services and programs	***

Explanation

Releasing more non-violent, non-sex offender, and non-serious offenders to county supervision or jail from California’s historic Public Safety Realignment has not led to an increase in violent crime. This population is similar to the group of people that would have their sentences for low-level, non-violent petty theft and drug possession crimes reclassified from felonies into misdemeanors if the SNSA passes. **We therefore predict that violent crime will not increase if the ballot measure passes.**

There is disagreement about the impact of Realignment on property crime. One study finds that property crime rates did not change, but another concludes that while most property crime rates did not change, motor vehicle theft rates increased. Regardless, the funding for substance abuse treatment and mental health programs that would be available as a result of the SNSA is a key opportunity for counties to offer much needed services. Evidence clearly shows that implementing programs that deal with the underlying causes of crime are effective at decreasing recidivism. Offering these programs in the community, through community corrections, and in institutions such as jails are all effective – but only if fully funded and faithful to evidence-based implementation. **If the SNSA passes and rehabilitative programming as defined in the ballot initiative is fully funded and implemented correctly, we predict that property crime will decrease.**

There are many studies of recidivism after substance abuse treatment in community-based settings as well as substance abuse and mental health treatment and rehabilitation in alternatives to incarceration. Because recidivism is measured in so many ways (re-arrest, return to prison, self-reported criminal behavior, income made from illegal activity) and because the treatment types are very different, it was difficult to come up with one number. However, based on these varying and multiple findings, it appears that consistently the lower estimate is about 10%, with many treatment and diversion programs finding even higher rates of recidivism reduction.

Additional Punishments

Table X.7. Additional Punishments Predictions

Additional Punishments	How Many?	Who?	Certainty
Increased employment	◆-◆◆ Several thousand to tens of thousands (Closer to the high end of the scale for those with their records expunged.)	Former Current	* _ ** (Less certainty for public agencies)
	◆◆ Up to 40,000 yearly	Future	**
Increased access to housing	~ No change	Former / Current Future public housing residents with a drug possession offense	* **
	◆ Up to thousands yearly for public housing residents ◆◆ Up to tens of thousands yearly for private housing residents	Former / Current with record of felony drug possession expunged	*
	◆ Up to several thousand yearly	Future	*
No change in eligibility for CalFresh	~ No change	Former / Current / Future	***
No change in eligibility for CalWorks	~ No change	Former / Current / Future	***
Increased eligibility for federal education loans	~ No change	Former / Current / Future (drug possession only)	***
	◆ Less than 5,000 yearly	Former / Current / Future (record expunged for three drug possession charges)	*
Voting Rights are never suspended	~ No Change	Former	***
	◆ Thousands	Current	*

	◆◆ Up to tens of thousands yearly	Future	*
Increased ability to serve on jury	~ No change	Former / Current / Future	***
	◆◆* Up to tens of thousands yearly	Former / Current with record expunged	*

Explanations

Several factors go into our prediction of SNSA’s potential impact on additional punishments. First, there are many legal exclusions from certain types of employment, occupational licenses, housing and other ways of participating in society currently in place in California. There are more exclusions for felony offenses than misdemeanor offenses. Second, employers may have access to different types of background checks. Most private employers and private landlords only have access to credit-reporting agency background checks, which is more likely to have a limited description of past criminal history than the FBI/DOJ fingerprinting background check. Those who are employing individuals in child care, health care, law enforcement, public government or other jobs with regular contact with the public have access to FBI/DOJ databases. The third consideration is accuracy, thoroughness, and how up-to-date an individual’s criminal record is likely to be. Fourth, how likely is the employer or landlord to accept someone with a criminal record and whether that likelihood varies by type of offense (violent, property or drug) or by sentence (felony or misdemeanor). The fifth consideration is the potential impact of record expungement, and the final consideration is what percentage of previously and currently incarcerated individuals that are eligible for resentencing under SNSA will obtain a revised sentence. Proposition 47 in and of itself will have some impacts on limiting additional punishment, however record expungement would dramatically increase that effect.

Employment

We predict that the Safe Neighborhoods and Schools Act will result in a slight increase in employment among those who are resentenced, based on the following evidence:

- a. there are more California and federal legal employment and occupational licensing exclusions for those with felony convictions than misdemeanor convictions,
- b. surveyed employers reported being more likely to hire someone with a drug or property offense than a violent offense,
- c. misdemeanors may be less likely to appear on a background check conducted by a credit reporting agency than felony offenses,
- d. there is high competition for jobs, particularly jobs that do not require particular levels of education or training,

- e. employment discrimination persists against those with a criminal record and particularly against African Americans who are likely to be overrepresented in the resentenced drug offenses.

Those seeking employment in public agencies may have a slightly higher chance of obtaining employment due to “ban the box” legislation that requires state, city, county, and special district agencies to remove questions about convictions from job applications and to postpone inquiries into criminal record until later in the hiring process, exempting law enforcement and other positions that require a criminal background check by law (enacted July 1, 2014). “Ban the box” legislation does not prohibit the consideration of conviction histories, but it does remove the important initial screen in many job applications, thus potentially increasing the chance to be called in for an interview. However, there are two factors that could minimize the impact of this benefit: 1) as noted by the Equal Employment Opportunity Commission, “black applicants are less often invited to interview, thereby having fewer opportunities to counteract the stigma by establishing rapport with the hiring official,”² and 2) there are comparatively fewer public sector jobs relative to the private sector.³

One other factor that could influence the likelihood of increased employment is whether or not people who are resentenced have their record expunged. Expungement allows people to honestly check “no” they have never been convicted of a crime on employment forms if asked and significantly decreases the likelihood that their previous felony or misdemeanor charge will appear on a CRA background check. Although the former conviction will appear on FBI/DOJ background checks, it will state clearly that there was a dismissal indicating the record was expunged. It is not clear how many people in California could have their record expunged and benefit in this way, because a subset of this population has been convicted more than once and/or for more serious crimes that would still be on their record. Also, it is unlikely that all individuals eligible for expungement would seek it out and receive it.

Using the considerations described above, we make the following predictions:

- Current and formerly incarcerated: we predict that several thousand people will have a slight increase in eligibility for employment. Up to tens of thousands of people who obtain record expungement could be more eligible for employment.
- Future: tens of thousands of individuals in the future will experience increased eligibility for employment and be slightly more likely to find employment than those who were formerly or currently incarcerated.

Housing

Private Housing.

There are no laws prohibiting housing discrimination based on a criminal record. Landlords often conduct credit reports and background checks on potential tenants and ask about previous criminal convictions as part of the tenant application. Depending upon the type of credit reporting agency used to conduct the background check, a prior felony or misdemeanor offense may or may not appear on the individual’s record. Formerly incarcerated individuals who do not have regular employment are likely to have trouble paying a security deposit and

regularly paying rent. Previous surveys of landlords suggest that there is considerable variation in the weight that landlords place on criminal histories relative to other factors such as previous rental history and employment/income but not a lot of distinction between conviction of a felony versus a misdemeanor. Given this, there will be little to no change in the likelihood of a formerly or currently incarcerated individual's ability to rent private housing based on Proposition 47 implementation. Among those who may be incarcerated for a misdemeanor rather than a felony in the future for one of the six crimes, there may be a slight increase in the number of individuals who are able to secure private housing, in the range of several thousand individuals annually.

However, if the SNSA-eligible individual successfully applies for resentencing and record expungement, the individual would not have to report any criminal record (unless there are other existing offenses on record) and his or her expunged record would most likely not appear on credit reporting agency background checks, assuming the data is accurately updated. Although income and employment may factor importantly into tenant selection, an individual's earning potential and employment eligibility increases significantly with record expungement. Thus, we predict that up to tens of thousands of individuals annually who have been, currently are, or will be convicted of one of the six crimes and who successfully seek record expungement would be more likely to be considered for private rental housing moving forward.

Public Housing.

Public housing authorities and property owners that accept Section 8 housing vouchers are basically encouraged to discriminate against individuals who abuse alcohol or illicit drugs in order to protect "the health, safety or right to peaceful enjoyment of the premises by other residents." In the years following the 1996 "One Strike" Housing and Urban Development policy, thousands of public housing residents were evicted from their homes because a member or guest of the household was found to be using drugs or abusing alcohol one or more times. Given the risk of eviction, family members and friends may be very hesitant to accept those coming out of jail or prison back into their subsidized housing. Although managers of public housing properties have discretion in how they consider "evidence of rehabilitation" such as completion of drug treatment, the high demand for public housing puts individuals with a drug-related criminal record at significant disadvantage for securing limited housing availability. Given these existing challenges, there will be little to no change in the likelihood of securing public housing among people resentenced under SNSA.

If people are resentenced and have their record expunged, they would not need to report former drug convictions and former convictions would not appear on background checks conducted by public housing managers. Assuming that they are income eligible for subsidized housing, Proposition 47 resentencing and record expungement may increase likelihood of securing public housing or Section 8 vouchers, or being able to stay with existing family members, assuming that they remain drug-free. But other barriers, long waiting lists, and considerable discretion of the property managers continue to exist. We predict that there may

be an increase of several thousands of individuals annually who may be more likely to receive public housing with SNSA and record expungement.

Welfare Benefits

CalFresh:

Since the passage of AB 1796 (Leno) in 2004, people with a felony drug possession conviction have been eligible for enrollment in CalFresh. Those with other felony drug charges (transport, sale or manufacturing of drugs) continue to be banned from receiving CalFresh benefits, although with the recent passage of AB 1468, those with felony drug distribution offenses would be eligible if they have no other felony charges. Because Proposition 47 only covers individuals with a felony drug possession charge, there will be no change in the number of people eligible for CalFresh benefits if SNSA passes.

CalWorks:

People with a felony drug offense are currently banned for life from participating in CalWorks benefits. However, as of April 1, 2015, all individuals with a felony drug offense will be eligible for CalWORKS benefits, assuming they meet eligibility criteria (AB 1468). Given this change, if SNSA were to pass in November 2014, it would essentially have no additional change for CalWorks eligibility.

Education.

Currently, a drug conviction, regardless of whether it is a felony or a misdemeanor, makes people ineligible for federal education loans unless they have completed drug treatment or their record has been “revoked, set aside or deemed nugatory”. Thus there would be no change in eligibility if a drug conviction is changed from a felony to a misdemeanor.

Individuals with one or two drug possession convictions regain their federal loan eligibility within two years. Those with three drug convictions are deemed indefinitely ineligible. Given that resentencing and record expungement could take up to one year or more to process Proposition 47 may only impact those with three or more drug convictions. Using the GAO’s estimate that there were 41,000 people nationally who were denied federal education loans because of a drug conviction, we estimate that roughly 12% of that population was in California and so there was an estimated 4920 Californians denied federal education loans in 2001. It is unknown how many of those 4920 had three drug convictions, therefore the impact would be less than 5,000.

Voting Rights.

In California, the right to vote is suspended while a person is imprisoned or on parole for the conviction of a felony.⁵ A person whose prison sentence is suspended does not lose the right to vote unless and until actually incarcerated.⁶ Thus, for those individuals who were formerly

convicted of one of the six crimes but have already completed their sentence and/or parole, their right to vote will already have been reinstated.

For the more than 9,000 individuals currently in prison for a felony for one of the six crimes, if they are resentenced under Proposition 47 and have no other felony charges, they would be able to vote once their conviction has been changed if they are still under correctional supervision. Because some of the 9000+ individuals likely have additional felony charges (separate from the six crimes), we estimate that thousands of currently incarcerated individuals would have their voting rights reinstated. Moving forward, approximately 40,000 people would be convicted of a misdemeanor rather than a felony each year, thus tens of thousands of people each year will now never have their voting rights suspended.

Jury Service.

Anyone with a misdemeanor or felony conviction on their criminal record in California is excluded from being able to serve on a jury, so there would be no change in the number of people who can serve on juries if Proposition 47 passes. However, if people eligible for record expungement apply for and receive expungement, tens of thousands of those with former, current and future convictions for the six crimes would be eligible to serve on a jury. Eligibility for record expungement and subsequent eligibility to serve on a jury will depend on whether the individual has other felony or misdemeanor charges on their record, violates parole or probation, and applies for and is granted expungement.

Family

Table X.8. Family Predictions

If the ballot initiative passes...	How Many?	Who?	Certainty
Parents eligible for resentencing	◆ 4,900 parents	Current	***
Children of parents eligible for resentencing	◆◆ 10,200 children	Children of people currently imprisoned for one of the 6 crimes	***
Parents who would have a misdemeanor conviction instead of a felony conviction	◆ 1,900- 2,800 yearly	Future	***
More children would have a parent at home or close by in the community	◆◆ 3,900 to 5,800 yearly	Children of people convicted in the future of the 6 crimes	***
Decrease in material hardship: fewer children in poverty, increased parental employment, increased family income of over \$1,000 annually for families	◆◆ 3,900 to 5,800 yearly	Families of people convicted in the future of the 6 crimes	**
Decreased risk of child and adolescent depression, anxiety, PTSD and aggression	◆◆ 3,900 to 5,800 yearly	Children of people convicted in the future of the 6 crimes	**
Reduced substance abuse in youth of incarcerated parents	◆◆ 3,900 to 5,800 yearly	Children of people convicted in the future of the 6 crimes	**
Improved academic outcomes	◆◆ 3,900 to 5,800 yearly	Children of people convicted in the future of the 6 crimes	**
Decrease in numbers of children put in foster care	◆ yearly	Children of mothers convicted in the future of the 6 crimes	*
Reduced maternal depression	◆	Female partners of people convicted in the future of the 6 crimes	*
Improved family visitation	◆◆ 3,900 to 5,800 children + other family members (yearly)	Families of people convicted in the future of the 6 crimes	*
Decreased divorce rates, thus fewer single parent homes	◆◆ 3,900 to 5,800 children + partners (yearly)	Families of people convicted in the future of the 6 crimes	*

Explanations

Family unity.

Currently, approximately 53% of individuals in state and federal prison are parents nationwide, and the average number of children among parents is just over two. In 2012, there were 266,890 adults in California's prisons, and an average of 157,924 adults in county jails.⁷

Sentencing reform will mean that approximately 4,900 parents currently imprisoned with approximately 10,200 children will be eligible for resentencing, reducing their prison sentences to shorter jail sentences or to misdemeanor probation.

Annually, going forward we estimate that 1,900 to 2,800 parents (with 3,900 to 5,800 children) will be sentenced with a misdemeanor instead of a felony charge, most of whom will be serving shorter jail sentences closer to home or be living at home with their children under a misdemeanor probation sentence.

Material Resources.

Predicting the impact of the Safe Neighborhoods and Schools Act on levels of employment and income for those formerly and currently convicted of these six crimes is challenging because there is little distinction in the existing literature between felony and misdemeanor convictions when looking at employment outcomes (See the "Additional Punishments" for a thorough review of this topic).

However, because we predict a decrease in the number of people who would be incarcerated in state prisons, a shorter length of time that people would spend in jail, and a higher likelihood that people would be sentenced to misdemeanor probation, and because of the strong and consistent relationship in the literature between paternal incarceration in prison and outcomes relating to material hardship, we conclude that the Safe Neighborhoods and Schools Act would have a positive impact on employment, family income, and decreased rates of poverty.

If Proposition 47 is implemented, fathers will contribute more to their families. According to Geller, et al., fathers who are incarcerated contribute an average of \$1,300 less annually to their families.⁸ Therefore, we would expect to see an increase of over \$1,000 annually for families impacted by sentencing reform.

Welfare of Children.

Sentencing reform, by keeping more parents out of prison, will mean that children will be less exposed to the traumatic experience of having a parent sent to prison. Because we know that: children with incarcerated parents have a much higher rate of post traumatic stress disorder; they face a 10% increase in risk of antisocial behavior; and children in one study were 44% more likely to display aggressive behavior than their peers without incarcerated parents, we expect

the prevalence of post traumatic stress symptoms, anxiety, depression, and aggression to decline for impacted children. We expect that this will affect 3,919 to 5,823 children annually.

Substance abuse among youth is strongly and independently linked with parental imprisonment. If Proposition 47 passes, we expect to see a reduction of substance abuse among youth.

If Proposition 47 passes, we expect that youth will have better academic outcomes. Children with imprisoned parents score lower on tests and a father's imprisonment decreases his child's highest level of educational attainment. Also children who had an extended household member incarcerated were twice as likely to fail graduate high school as their peers, and children of fathers with a history of incarceration face a much higher risk of being expelled or suspended from school than children without incarcerated fathers.

Reducing felony charges to misdemeanors will mean that fewer children of women charged with felonies will be placed in the foster care system. In Michigan children of mothers arrested for a felony charge were five times more likely to be placed in foster care than children whose mother was arrested for a misdemeanor or ordinal offense.

Mental Health of Mothers.

Reclassifying the six crimes to mandatory misdemeanors will reduce the prevalence of depression among mothers with a recently imprisoned male partner by keeping more fathers out of prison and closer to home in county jail or in the community while in probation.

Divorce, Relationships, and Family Separation.

More than half of prisoners with children live over 100 miles from where they lived before prison and 40% of mothers and 60% of fathers report no weekly contact of any kind. Proposition 47 will keep people out of prison and instead sentence them to county jail, where it would be easier for families to visit, or misdemeanor probation, allowing them to remain in the community. Thus we predict that family visitation will improve because more family members will be able to visit their incarcerated parent or spouse, there will be shorter sentences, and thus improved exposure with family. We estimate that 1,866 to 2,773 parents and their 3,919 to 5,823 children will have a chance at not being separated or being separated for a shorter amount of time, depending on sentence (misdemeanor probation, jail, or prison), if Proposition 47 passes.

Among married men, those who were imprisoned were nearly twice as likely to divorce or separate compared to those who were never imprisoned, and because the more years a partner is incarcerated, the higher the risk of divorce, we expect that the number of spouses and partners separated by incarceration will decline. This will result in fewer single-parent families.

Budget

Table X.9. Budget Predictions

If the ballot initiative passes...	How much?	Who?	Certainty
State spending on corrections will decrease	\$200M to \$300M	All Californians	***
County spending on corrections will decrease	\$400M to \$600M	All Californians	***
State spending on mental health and substance abuse programs will increase	\$130M to \$195M	Those who suffer from mental illness and/or substance abuse	***
State spending on truancy prevention will increase	\$50M to \$75M	At-risk youth	***
State spending on victim services will increase	\$20M to \$30M	Crime victims	***

Explanations

We base our predictions on the analysis conducted by the California Legislative Analysts Office (LAO).¹ The LAO is a nonpartisan office of the California state government that provides fiscal and policy advice to the legislature. The LAO predicts that the ballot initiative would lead to savings “in the high hundreds of millions of dollars annually.” They predict “Net state criminal justice system savings that could reach the low hundreds of millions of dollars annually” and “Net county criminal justice system savings that could reach several hundred million dollars annually.” Using logical extension plus communication from the LAO, we interpret these numbers to be \$200 - \$300 million for “low hundreds of millions”, \$400 - \$600 million for “several hundred million” and “\$600 - \$900 million for “high hundreds of millions”.¹ The main drivers of these cost savings are the reduction in incarceration for future crimes, though releasing people currently incarcerated for the six crimes would also lead to savings.

The LAO analysis considers the following state budget impacts:

- *State Prison and Parole:*
 - Reduced future prison populations (“several thousand inmates within a few years”)
 - Reduced current prison populations (“release of several thousand inmates, temporarily reducing the state prison costs for a few years after the measure becomes law”)
 - Increased state parole population from resentencing of those currently serving prison sentences (“by a couple thousand parolees over a three year period”)

¹ Personal communication, Legislative Analyst’s Office to Human Impact Partners, June 16, 2014.

- *State Courts:*

- Increased state court costs for:
 - Resentencing those currently incarcerated as felons
 - Reclassifying those who have served their time

But these would be offset by:

- The lower cost to adjudicate misdemeanors as compared to felonies; and
- Reduced number of revocation hearings since fewer people would be on county community supervision

Overall, the LAO finds “that the measure could result in a net increase in court costs for a few years with net annual savings thereafter”

In addition, the LAO analysis considers the following county budget impacts:

- *County Jail and Community Supervision:*

- Reduced jail populations because:
 - Those currently in jail would likely serve reduced terms; and
 - Some offenders serving time in jail whose felony sentences are reduced to misdemeanors would be released.

But these would be “slightly offset” by an increase in the jail population because people who were being charged as felons and serving time in state prisons would now be serving time in county jails. Overall, the LAO finds “that the total number of statewide county jail beds freed up by these changes could reach into the low tens of thousands annually within a few years.”

- Reduced number of people under county community supervision because those serving time for misdemeanors would spend less time under supervision. The LAO concludes that “county probation departments could experience a reduction in their caseloads of tens of thousands of offenders within a few years after the measure becomes law.”

- *Other County Criminal Justice System Effects:*

- Increased county court costs in the short run for resentencing those currently incarcerated as felons. But these would be offset by:
 - The lower cost to adjudicate misdemeanors as compared to felonies; and
 - Reduced number of revocation hearings in the long run

The LAO concludes: “As a result, while county district attorneys’ and public defenders’ offices (who participate in these hearings) and county sheriffs (who provide court security) could experience an increase in workload in the first few years, their workload would be reduced on an ongoing basis in the long run”

In addition, the LAO notes that there could be additional savings at the state and county level if the additional funding for truancy prevention, mental health and drug treatment, and diversion programs reduce future crime rates.

In summary, as stated above, the LAO concludes that there could be hundreds of millions of dollars saved in both the state and county criminal justice-related expenses. Based on

predictions made in this report related to decreases in crime rates as a result of funding for mental health and substance abuse programs and for truancy prevention, we believe the LAO's estimates of savings are conservative.

The ballot initiative allocates savings at the state level to substance abuse and mental health programs (65%), truancy prevention (25%), and victim services (10%). The LAO analysis indicates that the state will save “several” hundred million dollars. Based on past analyses from the LAO, “a few” hundred million corresponds to between \$200 million and \$300 million. The ballot initiative would therefore increase:

- Substance abuse and mental health program budgets by between \$130 million and \$195 million
- Truancy prevention funding by between \$50 million and \$75 million
- Victim services funding by between \$20 million and \$30 million

Mental Health and Substance Abuse

Table X.10. Mental Health and Substance Abuse

Mental Health and Substance Abuse Treatment	How Many?	Who?	Certainty
\$130 - \$195 million increase in funding for mental health and substance abuse treatment services, which represents up to a 31% increase in funding for these services	◆◆ yearly	Former / current / future with MHSA service needs	**
Continued need for jail-based and probation-based treatment	◆ yearly	Current / Future people in jail or on probation	**
Decrease risk of suicide and inmate victimization	◆ yearly	Mentally ill individuals resentenced to jail or probation	*
	◆◆ yearly	Mentally ill individuals who remain in prison	**
Improved MHSA outcomes if Prop 47-funded MHSA services are offered through community-based programs	◆◆ yearly	Former / current / future with MHSA needs receiving community-based treatment	**
Reduced rates of recidivism	◆◆ yearly	Former, current and future with MHSA needs receiving treatment in prisons, jails, probation, diversion programs, or community	**

Explanations

Prediction #1: SNSA funds represent up to a 31% increase in funding for mental health and substance abuse services compared to what is currently available in the state prisons and county realignment budgets (not including current jail and probation funding).

By our reading of the Legislative Analyst’s Office’s analysis, the Safe Neighborhood and Schools Act would increase funding for mental health and substance abuse services by \$130 to \$195 million annually. This funding would be allocated to the Board of State and Community Corrections to administer a grant program to public agencies aimed at supporting mental health and substance abuse treatment services and diversion programs for individuals in the criminal justice system.

Based on our analysis of the CDCR state budget, we estimate that the state prisons will spend roughly \$544 million in FY 2013-2014 on mental health and substance abuse services and programs, or roughly 5.8% of the over \$10 billion budget for FY 2013-2014. Using Lin and Petersilia's analysis of AB 109 realignment plans, we estimate that 5-25%² of the \$379 million Realignment dollars (or \$19-\$95 million per year) spent on Programs and Services will be allocated to Mental Health and Substance Abuse services for the county jail populations. Compared to the \$563-\$639 million allocated by the California state prison budget and projected Realignment dollars for county jails, Safe Neighborhoods and Schools Act funding will represent a 23-31% increase in funds available for mental health and substance abuse treatment to correctional populations. Importantly, this estimate does not include the amount of treatment funding currently provided in jails or on probation, outside of realignment dollars, nor does it include funding for community-based treatment services that may be utilized by those leaving prisons and jails.

Prediction #2: There will be increased demand and need for treatment services in jails and on probation.

As previously discussed, we anticipate that of the 9,000 individuals currently in prison for a felony for one of the six crimes, several thousand will be eligible to apply for resentencing and could be released from prison to jail and/or probation. Similarly, we estimate that thousands of people currently in jail for felonies related to the six crimes would be released from jail. Moving forward, 3,000 fewer people will be sent to prison each year and tens of thousands of county jail beds will be freed up because of Proposition 47 resentencing.

Even though there will be fewer people in county jails and on probation, a significant proportion of those individuals will have mental illnesses and/or substance use disorders. Nationally, an estimated 64% of jail inmates have a mental illness and 53% of jail inmates have a substance use disorder.⁹ One of the six crimes is drug possession, and those convicted of drug possession are more likely to be diagnosed with a substance use disorder and/or co-morbid mental illness than those convicted of the other five crimes.

In California, the proportion of severely mentally ill individuals *in prison*, relative to non-severely mentally ill, appears to be growing. Between August 2011 and February 2014, the state prison population in California decreased by 16%, but during this time, the population of severely mentally ill decreased by less than 3%, and now represents 26% of total prison population. As noted in the 2014-2015 CDCR budget, the population of inmates requiring mental health treatment is approximately 2,400 inmates higher than what had been projected in 2012.¹⁰

²While the 5% estimate is intended to be conservative, we believe 25% is an ambitious but reasonable statewide estimate, given that many counties could, but likely not all would, increase funding for in-jail MHSA treatment and Detention-Release Services/Alternatives.

Based on the information above we can predict that of the individuals who will be sentenced to jail or probation under SNSA, a significant proportion (possibly up to half or more) will likely have needs for substance abuse and/or mental health treatment. Increased funds available through SNSA for mental health and substance abuse services may help address some of this increased demand and gap in current treatment availability.

Prediction #3: Reclassifying the six crimes will decrease overcrowding in prisons, which will reduce the risk of suicide and inmate victimization among mentally ill prisoners.

If Proposition 47 passes, there would be several thousand fewer people sent to prison each year and the jail population would decline by thousands of inmates. Although the population that would be resentenced under the Safe Neighborhoods and Schools Act is smaller than those who were resentenced under realignment (up to 9,000 under Proposition 47 annually compared to 26,600 felons in June 2011-June 2012 under realignment), the Proposition 47 reduction in the prison population would be an important, significant, and ongoing contributor to reducing California's prison population.

In the past two years, there has not been a notable reduction in the number of mentally ill people in California's prisons,¹³ nonetheless, reducing overcrowding is predicted to decrease rates of suicide and inmate victimization among mentally ill prisoners. Specifically, less overcrowding should result in fewer inmate-to-inmate conflicts that result in solitary confinement. Fewer individuals in solitary confinement may result in fewer suicide attempts and fewer exacerbations of acute severe mental illness. Jason (2014) predicts that although realignment has resulted in a higher percentage of prisoners convicted of a violent offense in prisons compared to pre-realignment, the majority of those offenders are individuals who committed multiple offenses a long time ago and are less likely to commit acts of violence in prison. He concludes that prisoners with mental illnesses are likely safer after realignment than they were before.¹³

Prediction #4: Investing Proposition 47 mental health and substance abuse dollars in community-based treatment services will have the largest impact on improving mental health and substance abuse outcomes compared to other forms of treatment.

Those who are transferred from prison to jail will spend less than one year in jail, and many may be transferred directly to community supervision. Research shows that the length of time in treatment is one of the most important factors in the success of treatment outcomes. Because people will spend less than one year in jail, and many re-entry services have time limits on how long a person can use services after they have been released from jail and/or community supervision, community-based treatment services offer the most potential for *continuity* of treatment for those leaving prisons and jails.

Another benefit of immediate enrollment of those exiting prison or jail into substance abuse programming is that of avoiding overdose-related deaths. There is a three- to eight-fold increased risk of drug-related death in the first two weeks after release from prison compared

with the subsequent 10 weeks.¹⁴ Being directly engaged in substance abuse and mental health services as individuals exit prisons may help prevent these deaths.

Prediction #5: Increasing funding for mental health and substance abuse services for the criminal justice population will decrease recidivism.

See the Public Safety section.

Truancy and Dropout Prevention

Table X.11. Truancy and Dropout Prevention

If the ballot initiative passes...	How Many?	Who?	Certainty
\$50 - \$75 million increase in funding for truancy and dropout prevention; Increase in programs for students in California	◆◆◆ Could reach up to 1.9 million students each school year	Students at risk of truancy or dropping out	**
Improved attendance			**
Improved academic performance			**
Increased graduation rates			**
Improved health determinants			*
Improved employment rates	25% more likely to be employed	Students at risk of not graduating high school	**
Higher incomes	\$9,000 more annually	Students at risk of not graduating high school	***
Decreased crime	Short term: decrease in daytime crimes	Students with truancy problems who improve attendance	***
Decreased violent crime	For every percentage point increase in graduation rates, a two-percentage point reduction in violent crime.		**
Decreased incarceration	Long term	Students at risk of not graduating high school	*
Decreased risk of being a victim of crime	Long term	Students at risk of not graduating high school	*

Explanations

Eligible youth.

The ballot initiative would increase truancy prevention funding by between \$50 million and \$75 million per year. This extra funding would not go to schools directly, but rather to public agencies to prevent truancy and dropout.

Truancy.

If current truancy rates remain constant through the first year of the law being in effect, there will be approximately 1.9 million (over 980,000 of whom are in elementary school) at-risk students eligible for truancy prevention efforts through this new source of funding. This is the number of students who were truant in the 2012-2013 school year.

Additional funding for truancy prevention would allow school districts to expand current and create new first-level (pre-School Attendance Review Board) truancy prevention programs that address the root cause of truancy before the behavior becomes habitual. Additional funding could also help the 15 counties without review boards create them. Further, funding could also help expand and improve the other 43 counties' current review boards to reach habitual truants.

Additional funding for truancy prevention would improve academic performance and graduation rates. Because children who are absent in their early years of school are more likely to have difficulty academically in their later years, we predict that decreasing truancy as predicted above will lead to better academic achievement.

Further, decreasing truancy, especially in the early years of elementary school, will lead to a gain in graduation rates in California. One study estimates that first grade students who miss 9 or more days of school are twice as likely to drop out of high school compared to their peers with regular attendance.¹⁵ If effective truancy prevention programs are funded, more students will stay in school, and ultimately more students will graduate from high school.

Educational attainment has been positively associated with making healthier food choices, increasing physical activity, and limiting excessive alcohol use and smoking.¹⁶ We expect increasing levels of educational attainment resulting from truancy prevention funding would result in a positive improvement in these health determinants for those impacted.

Employment and Income.

If effective truancy prevention programs are funded, more students will stay in school, and ultimately more students will graduate from high school. These high school graduates are more likely to be employed, with recent Bureau of Labor Statistics (BLS) data showing that those with a high school degree as their highest level of education are 25% more likely to be employed than their counterparts who did not finish high school. Further, having a high school degree has been shown to boost lifetime earnings. BLS data shows that adults with a high school degree make a median of \$9,000 more per year than their peers without a high school diploma.

Earning more money will increase life span, improve nutrition, lead to more physical activity, reduce risk behavior such as tobacco use, and generally improve health outcomes.

Crime.

A reduction in the high school drop out rate will lead to a decrease in aggravated assaults and murders. Since it is not possible to estimate by how much the additional funding will increase graduation rates, the magnitude of the relationship is between funding and violent crime reduction cannot be estimated. However, if the graduation rate went up by only one percentage point, it could prevent 50 murders and 2,000 aggravated assaults in California per

year. Effective truancy prevention would also lead to less juvenile delinquent behavior. The forecast of decreased incarceration is tied to the prediction of better graduation rates; for example one study showed that people who do not graduate are eight times more likely to be incarcerated. With regard to the final prediction of Safe Neighborhoods and Schools Act fund decreasing the risk of being a victim of homicide, we say that in San Francisco, 94% of the victims of homicide under age 25 from 2004 to 2008 did not complete high school.

Victim’s Services

Table X.12. Victim’s Services

If the ballot initiative passes...	How Many?	Who?	Certainty
\$20 - \$30 million increase in funding for trauma recovery centers; increased access to trauma recovery services	◆◆ 11,900 – 17,800 people	Victims of violent crime in California	***
Increased use of mental health services	◆◆ 8,800 - 13,200 people	Victims of violent crime who access TRCs	***
Improved mental health			
Improved physical health	◆◆ 6,100 – 9,100 people	Victims of violent crime who access TRCs	**
Decreased loss of employment after victimization	◆◆	Victims of violent crime who access TRCs and are at risk of unemployment	**
Decreased homelessness following victimization	◆◆	Victims of violent crime who access TRCs and are at risk of homelessness	**
Improvement in cooperation with law enforcement	◆◆	Law enforcement and District Attorneys	**

Explanations

Funding.

If Proposition 47 passes, savings from reduced prison and jail sentences will be directed to victim services. We project that new funding for trauma recovery centers will be between \$20 million to \$30 million annually. In 2003-2004, the UCSF’s Trauma Recovery Center average patient received 20 units (hours) of services. Adjusting for inflation, we estimate that the per-unit cost of services in 2013 is \$84.14. We predict that **trauma recovery center programs could serve 11,900 to 17,800 new victims** of violent crime annually with the new source of funding. Victims of sexual assault, in particular, stand to gain.

Given that there were over 160,000 new violent crimes in California in 2012, and an estimated 160,000 victims associated with these crimes, there is a high need for these services.

Mental Health.

If Proposition 47 passes, trauma recovery center services will help victims of crime access mental health care, and improve health. In the randomized control trial evaluation of the current Trauma Recovery Center, 74% of those served accessed mental health services (vs. 30% of the usual care clients). Thus, of the 11,900 – 17,800 new clients that Trauma Recover Centers would serve in California, 8,800 to 13,200 of them would successfully access needed mental health services after experiencing a violent crime. Since the evaluation also found that of those accessing services, 74% reported improved mental health, with funding provided through the Safe Neighborhoods and Schools Act, 6,500 – 9,800 people in California would experience improved mental health.

Physical Health.

If Proposition 47 passes, trauma recovery center services will help victims of crime see improvements in physical health. Given that 51% of those treated at the San Francisco Trauma Recovery Center experienced improvements in physical health, we predict that expansion of those services could lead to 6,100 to 9,100 Californians with improved physical health outcomes after being a victim of violent crime.

Employment and Housing.

If Proposition 47 passes, trauma recovery center services will reduce participants' risk for unemployment and homelessness after victimization in a violent crime.

Cooperation with law enforcement and District Attorneys.

Participation in trauma recovery centers has shown an increase in filing of police reports and cooperation with District Attorneys. Increased cooperation with law enforcement among victims of sexual assault has been shown to lead to increased likelihood that the perpetrator is arrested and charged.

Focus Groups

Focus group methodology

Seven focus groups were conducted between June 23 and June 27, 2014. Focus groups were conducted to answer questions where there were gaps in the literature and existing conditions data, to confirm findings from those sources, and to provide additional localized context and understanding to these topics. Partner organizations were compensated for their services in recruitment and facilitation. They were also provided additional funds to give stipends to each focus group participant, to supply food during the meetings, and to address any other barriers to participation through the provision of transportation or parking reimbursement, childcare services, and so on.

A critical case sampling selection strategy²⁷ was used to recruit participants from three critical populations where data was currently lacking: those who were formerly incarcerated, family members of those who were formerly or currently incarcerated, and service providers who work with those groups.

Partner organization Community Coalition of Los Angeles (COCO LA) recruited focus group participants for three different groups – formerly incarcerated (10 participants), service providers (8 participants), and family members of formerly or currently incarcerated (7 participants). A staff member from COCO LA facilitated the three focus group meetings on June 23 and 24 in their offices in Los Angeles, CA, with a Human Impact Partners staff member present as a note-taker.

Partner organization Oakland Rising recruited focus group participants for two groups of formerly incarcerated individuals. One group consisted mostly of participants who had only misdemeanors (6 participants) while the second group consisted mostly of those who had felonies (5 participants). Two Human Impact Partners staff facilitated the focus groups and took notes, while an Oakland Rising staff member co-facilitated the groups. The meetings were both conducted in the Oakland Rising offices in Oakland, CA on June 25, 2014.

Partner organizations All of Us or None and Legal Services for Prisoners with Children recruited focus group participants for two focus groups – one with formerly incarcerated individuals (13 participants) and one with family members of those who were formerly or currently incarcerated (9 participants). Two Human Impact Partners staff facilitated the focus groups and took notes, while a staff member from these partner organizations co-facilitated the groups. The meetings were conducted in the partner organization offices in San Francisco, CA on June 26 and 27, 2014.

Partner organizations were provided with semi-structured interview guides specific to each population group they recruited (see following pages for details), as well as recruitment flyers,

fact sheets explaining the topic of the HIA, sign-in sheets, and sheets for participants to sign up to receive the executive summary of the report.

Detailed notes were collected at each focus group, in addition to audio recordings, which were used just to clarify specific quotes as needed. Following the guidelines of qualitative researchers Miles and Huberman²⁸, a codebook was created prior to reading the data that was informed by theoretical constructs, literature review, and preliminary research gathered from stakeholder feedback during the early phases of the HIA process. The data from the focus group notes were then reviewed line by line by two different Human Impact Partners staff to identify segments of the text that could be coded according to these previously selected themes and categories (each staff member reviewed their own set of notes – they did not both code the same notes). In addition, data that did not fit into these themes and categories were categorized into their own “in vivo” codes, according to Strauss’s guidelines on codes that derive from the data itself.²⁹ (Codebook is provided after interview guides.) Finally, the data were analyzed by reviewing all codes in the same category to derive and further summarize the codes that most clearly represented those overall concepts. Selected examples of these codes were incorporated into the final HIA report where they offered additional context, depth, validity, or original concepts to the critical concepts in the report. A full summary of the focus group findings is also provided to allow the reader greater depth of understanding of the data collected with this method.

Focus group questions and probe guides

For each focus group, we prepared a set of questions for the focus group guides to facilitate the conversation. We also included probes for some questions in case the focus group discussions needed extra direction. See below for a list of the questions.

Questions people who were incarcerated

1. How has having a felony conviction impacted your life since you were released? Probes:
 - Experiences trying to find work
 - Experiences trying to find housing
 - Experiences qualifying for education loans, trying to enter the military, or any other services they could not access
2. How has incarceration impacted your relationship with your children and family?
3. How did being incarcerated impact your involvement in future criminal activity?
4. How did being incarcerated impact your mental health and your drug or alcohol use?
5. We’ve talked about how a felony conviction impacted your life in terms of getting a job, getting other services like housing, education, etc., how it impacted your relationship with your family, and how it impacted any future criminal activity, and how it impacted

your mental health and drug or alcohol use...

How would any of those experiences have been different if you had a misdemeanor sentence instead of a felony?

6. How would having your sentence modified to a misdemeanor impact your life?
7. How would it have impacted your life if you had been referred to mental health or substance abuse services instead of being incarcerated?
8. Do you have any suggestions for lawmakers or service providers if this law passes?
Probe: Is there anything they should keep in mind if this law goes into effect?
Do you have any suggestions for improving the system beyond this law?

Questions for family members of formerly or currently incarcerated people

1. How has having a family member with a felony conviction impacted your life and the life of your family?
Probes:
 - Impact on the relationship/marriage/home life
 - Impact on any children (guardianship, relationship with incarcerated parent, stress/emotional/behavioral problems, involvement in risky/criminal behavior, education)
 - Impact on income
 - Impact on housing, other public services, education loans, trying to enter the military, etc.
2. How would any of those experiences have been different if your family member had a misdemeanor sentence instead of a felony, and did not go to jail or prison?
3. How would having your family member's record modified to a misdemeanor impact your life and the life of your family?
4. Do you have any suggestions for lawmakers or service providers if this law passes?
Probe: Is there anything they should keep in mind if this law goes into effect?

Questions for service providers

1. How does a felony conviction impact the lives of your clients and their families?
Probes:
 - Impact on employment/income
 - Impact on access to public services like housing, education loans, access to the military, etc.
 - Impact on family (partner, children, extended family)
 - Impact of incarceration on future criminal activity

2. What kinds of services are needed to address these issues?
3. In what way (if any) would the need for any of these services change if a client's sentence was modified from a felony to a misdemeanor? We estimate that between 3500 and 8000 people across the state would potentially be diverted from jail/prison because they would be charged with misdemeanors instead of felonies. LA has up to 25% of the state's incarcerated population. Some of those diverted from incarceration will be referred for mental health and/or substance abuse services instead. How would our mental health and substance abuse treatment services need to be changed if we were to serve these additional people?
 - Are there currently enough staff providers?
 - Enough training and supervision?
 - Adequate case load?
4. Do you have any other thoughts about how this might get implemented? Probes:
 - Is there anything that lawmakers should keep in mind if this law goes into effect?
 - Any suggestions for ways to address any additional concerns?
 - In what way would it impact services if they are offered through the criminal justice system (or accountable to them), vs through public health or Health and Human Services?

Final focus group codebook

Table X.13. Final Focus Group Codebook

Theme	Category	Source/Type*
IMPACTS ON THE CURRENT/FORMERLY INCARCERATED		
Additional punishments/collateral consequences	Employment	Prelim research/lit review
	Housing	Prelim research/lit review
	Education/loans	Prelim research/lit review
	General Assistance	Prelim research/lit review
	Food Stamps/EBT	Prelim research/lit review
	Additional time while incarcerated	In vivo
	Other	In vivo
Connections to family		In vivo
Prison as crime facilitator		Prelim research/lit review
Mental health/substance abuse	Contributed to crime	Prelim research/lit review
	Treatment needed	Prelim research/lit review
	Affected by prison	Prelim research/lit review
Stigma		Prelim research
Misdemeanor instead of felony		In vivo
IMPACTS ON THE COMMUNITY		
Crime	Violent crime	Lit review
	Property crime	Lit review
	Drug offenses	Lit review
	Recidivism	Lit review
	Prison as crime deterrent	Lit review
IMPACTS ON THE FAMILY		
Relationship (strain/separation/divorce)		Lit review
Children	Emotional/behavioral problems	Lit review
	Relationship with incarcerated	In vivo
	Education	Lit review
	Involvement in crime	Lit review
	Substance Use	Lit review
Friendships		In vivo
Poverty/material hardship	Lack of income	Lit review
	Additional expenses (phone charges, sending money to incarcerated, etc.)	In vivo
	Need to rely on public services (food, housing, etc.)	Prelim research/lit review
Depression		Lit review
Additional punishments/collateral consequences	Access to resources such as public housing	Prelim research/lit review

Table X.13. Final Focus Group Codebook, Continued

Theme	Category	Source/Type*
IMPACTS ON THE FAMILY (continued)		
Stress of interacting with the criminal justice system		In vivo
Misdemeanor instead of felony		In vivo
County jail instead of state prison		Prelim research
Civic engagement/trust in system		Literature
SERVICE PROVIDERS		
Services needed now		In vivo
Services needed if law passes	Staffing	In vivo
	Training & supervision	In vivo
	Caseload	In vivo
Services needed outside the criminal justice system		Prelim research
RECOMMENDATIONS		
Service providers		In vivo
Lawmakers		In vivo
Suggestions beyond this law		Prelim research
THEORY OF SYSTEMIC OPPRESSION/RACISM		
Personal		Theory
Cultural		Theory
Structural		Theory
	Unfair sentencing	In vivo
	Prison industrial complex	In vivo

* Sources/types of codes can be codes that were informed through theory, through the literature review, through preliminary data collection (such as a scoping meeting discussing pathway diagrams), and through in vivo analysis – codes that were not anticipated but were revealed through a review of the data.

Focus group findings

- I. Impacts on the Formerly Incarcerated
 - a. Additional Punishments/Collateral Consequences
 - i. Employment

People convicted of felonies and their family members consistently mentioned that obtaining employment after receiving a felony conviction is a barrier. The process of seeking employment was described as being stressful and discouraging.

When you look for a job, you're down to minimum wage no matter what. With a felony on your record it's hard to get an interview...I know the law has been changed but ... you know you're not going to get the job. You end up looking for jobs that are not even enough to pay rent, lights. You don't have enough money because you can only look for a job that will accept you. Your expectations are really limited. It's a barrier, it really is. My son, his whole life is screwed, because he can't get a job. He will have to check the box that he has been convicted [of] a felony.

Having a felony cut me off from a lot of employment opportunities. Access to better jobs would help my situation a lot.

Before the felony, I had no problem getting jobs. After the felony, I started leaving that spot that asked about criminal records blank. I told prospective employers that I have a colorful background. I don't tell them I have a felony.

I have a bachelor's degree, computer training and truck driving, but I can't get a job because of my felony. With the internet, anyone can tell I have a felony; I have all these qualifications, but instead I am sitting here collecting a social security check.

Obtaining employment immediately after release from prison, when the need for income is immediate yet other resources such as housing, clothing, and social networks have been removed, proved so difficult for some that they returned to criminal activity when they could not overcome those barriers.

It used to be you do the crime, you do the time ... but it's no longer like that; the felony conviction on your record lasts for a long time ... you can't get a job, you can't get housing, and you recidivate.

Felonies make it legal to discriminate. You have to stay in the county you are released in. My family lives in Stockton, but I had to stay in Alleghany when I was released on parole. It forced me to be homeless. It forced my child to not have a father in his life. My wife had to raise him without me. The punishment should end when your time ends. Why do I need to be punished after I serve my time? Now I have to live and survive when I don't have a job and can't get one? That's when you start thinking of doing more crime. Then

we go back to crime. The government could lower the crime rate if they stopped punishing people so much.

People convicted of misdemeanors had a variety of experiences. Some did not experience any challenges seeking employment afterwards, while others did.³

ii. Housing

Felony convictions can eliminate public housing options for the formerly incarcerated, but also influence selection for housing among fair market housing options.

When you look for housing, they have that box there too on the application. If you have a felony, they won't even accept your money for a deposit. You have to pay for a background check and knowing that you won't get the place. You end up living in a place that you don't really want to live in.

When I came out, the most important thing would have been housing. If I had housing, support, transportation, I could have stayed out.

Housing – that's heavy for people coming out. I've been out of the joint since '75. Recently I was looking for a place to live, and something that came up is that I have a criminal record, and I was denied housing because of that. To be out as long as I've been out and for it to be an issue, drove home for me how important it is to have housing. After a 14-year sentence, when I got out, the first thing on my mind was housing. Luckily my parents let me live there... My mom lives on the same block that I got arrested on. There's crack and meth and weed. I could just walk out and get anything. So it's not just housing, it's also support.

iii. Education & Food Stamps

One family member reported that her son's conviction would keep him from being able to go to college. Another focus group member mentioned that a felony conviction would impair the ability to re-acclimate to society by not allowing access to food stamps. Another focus group member confirmed the challenge of obtaining food without assistance after a felony conviction. One person who was formerly incarcerated also commented on limited access to resources after a felony.

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.

³ Several people with misdemeanors commented on how restraining orders also impacted their employment opportunities.

Felony cuts your money on your grants or student loans. And no one coming out of prison has money to go to school, for sure.

iv. Other

One additional consequence that was mentioned by several focus group participants was the accumulation of sentencing after the first offense

They give you like petty theft – then they give you petty theft with a prior. So they enhance. You have to pay for the crime that you already committed, then you turn around and get petty theft with a prior – you’re paying again for the first crime! You could end up doing 60 years for petty theft. You’re never forgiven.

Each one of these offenses is not a threat to society by itself. It becomes a danger when you add to it. OK let’s do the time for the crime, but let’s not make people repeat doing time for the first crime over and over.

The fear of felony offenses leading to three strikes with very lengthy sentences, or even a life sentence, was also mentioned.

Last case I got a first strike, so if any of these happen and I get double time because it’s a second strike.

I walk on eggshells because anything I do: 25 to life because of second strike if I get arrested for a felony.

Fear of interactions with police was also mentioned by focus group members, because a prior felony conviction could influence how that interaction is handled.

Every time I get pulled over or stopped, they know I have a felony... Once the cops stop you it’s pretty much bad from there to have a felony.

Finally, focus group participants mentioned a variety of other permutations in the impacts of felony and misdemeanor convictions on daily life, including family members being viewed differently in their workplace after they reveal a connection to someone with a felony, life insurance companies asking about a criminal record, not being able to join the military, and being barred from a variety of resources if you have a misdemeanor charge for a violent offense.

Medical treatment while in prison was also mentioned as a challenge.

I was a very sick person when I went to prison, had to have a major surgery, but it was all put on the back burner in prison. I suffered in county jail and prison – they don’t have medical facilities out there. I almost died in prison.

b. Connections to Family

People who are incarcerated have challenges maintaining connections to their families.

They signed my rights away to my kids while I was in prison... you were deemed not fit to be the father because you have a felony... I want to be her father and be in her life. They are looking at me like I'm not fit to be her father because of what I did so long ago. The felony is affecting me because my voice isn't being heard.

I got two daughters. When you leave your kids that is hard... Some people can't visit their kids because they are too old or because they don't have the finance[s].

When I first got home my mom was sick, had an operation for cancer, the parole officer didn't even want me to ... visit her when she was sick. That really hurt me.

c. Prison as crime facilitator

While many formerly incarcerated focus group participants felt that prior incarceration did not encourage them to engage in criminal activity again after their release, some had witnessed others engaging in this cycle, for a variety of reasons.

Some felt that having a prior felony or strike on their record made the stakes higher after people were released, encouraging them to become more desperate in their criminal actions to avoid getting caught and receiving a second or third strike.

Others spoke to the experiences that some have of becoming institutionalized and engaging in criminal activities as a means to return to the prison system, which now feels more like home to them.

For me, it started young, 10 or 11, in Juvenile Hall. [Going to juvenile hall] was a badge of honor. It almost was something you had to do to be accepted in your community. I spent every year of my life from 11 till 21 in jail. I never stayed out more than 6 months. At 22, I started going to prison. I was institutionalized. Prison was my upbringing. The system took over my mind. I wanted to be somebody in prison, someone that was a leader, feared. And that is how jail took over my mind. I had more power in prison than the streets. It was an addiction. When you go back, it's almost like you had better go back with a bigger and badder charge. It's nothing to brag about now, now that I've woken up. That is what a felony can do to a person.

And still others spoke to the desire to avoid criminal activity after release, but not being able to overcome the new challenges imposed on them.

All the barriers makes it easy to come back. Rent is high, even studios... when you get out, you want a place and you need money to do that. It's easy to go back to criminal activity because it pays well. You can make a lot of money.

Some people say they don't want to go back when they get out. You try to get a job, try and try, but they say no prior convictions. So you have to go back [to criminal activity] to make some quick money.

- d. Mental health/substance abuse
 - i. Contributed to crime

Multiple focus group participants spoke about their own drug addiction or that of a family member, and how that contributed to being arrested.

The police came to my home, and said my mom committed a robbery... She is a meth addict. I wasn't surprised that she would have robbed someone.

It was like a revolving door until I got treatment – I would be in for 9 months. When I was in the fourth grade I stopped going to school... I was already an addict, smoking crack. They said, you're a fucking criminal. They said, if you can make it until you're 18 and not get arrested, then we'll seal your record. But I said, I can't make it to tomorrow. I would go to prison, get out 7 years later, smoke that day, violate... I would get high as soon as I got off the bus, and I went to the parole office high. I eventually found 12-step recovery.

If I had help for mental illness, I wouldn't have went to prison. If I had a job, I wouldn't have gone to prison.

- ii. Treatment needed

While there were some focus group participants who felt that offering treatment services would not have benefitted them personally, either because they were not ready to make use of such services or because their offense was not drug-related, many focus group participants felt that mental health and substance abuse treatment services are needed and could be very helpful.

When you get out, people won't hire you because you have a drug problem... Instead of having services... they have 5 dispensaries and 10 liquor stores on every block. No programs to help people resist temptation.

When I went to prison, there were 25 of us on the bus who all needed help, and there was no treatment in prison.... It would be much cheaper to have a drug facility to assist in getting treatment instead of imprisoning people.

Substance treatment... on your record is better than having jail on your record. It might not even come up on a background check. Not only can it have an impact on your behavior, but it can also help by not having jail on your record.

Some people get locked up for crimes they committed because they have things like schizophrenia or bipolar.

iii. Affected by prison

The need for mental health and substance abuse treatment was impacted by prison and jail for many formerly incarcerated focus group participants.

Some participants mentioned that they received treatment in prison or jail that helped them.

I submerged myself in every drug program I could in prison... They all helped me make up my mind that when I did get out of prison I was going to stay clean... It's still in my mind right now...

Being locked up has really made me become better through reevaluating my decisions.

Others mentioned that their addictions or mental health problems got worse and they received no treatment.

I smoked a lot of weed when I got out.... Stress makes me need weed, and jail really exacerbates that.

I was in and out of jail. The only thing I would hear about in jail was dope and sex. People would talk about how they got high, how they wanted to get high. It is easy to go back to dope when you get out because you are so immersed in it thinking about it everyday.

If you are already conditioned to depression or anxiety, being locked up does increase that stuff.

The first time I was locked up, I broke down ... it disrupts the little amount of happiness you have left.

It had a profound effect on my brain and the way I think. I still am not even adjusted back to society yet... They give you all these pills to take, and make you feel like a zombie. You can't even feel anything. You should at least be able to feel something, even if the feelings are negative. Then, the only way you can release anger is through violence... It was very hard for me. Little shit can make me fly off the handle... It has really affected me. When... I feel comfortable enough to talk about it, I can talk about how mentally hard it was.

How do we come back and try to survive after being traumatized in prison?

I still have a lot of anger built up from prison. What really affected me was ... we would have to strip naked... bend over and the guards would look at your ass. That stuff is humiliating. That is what really got to me, the humiliation... Even when I interact with cops today, I get that anger back.

e. Stigma

Some focus group participants spoke to the traumatizing experience of those who are incarcerated and how adjusting to life after jail or prison can be challenging because of this additional trauma that has been experienced.

One participant described the additional stigma that is associated with a criminal record.

That label they put on you is with you the rest of your life... If I do one small thing, I get a record that stays with me for the rest of my life. That follows me forever. I need a job, we need jobs to provide for ourselves. They are making it harder to do that. You messed up once, and that changes the direction of your life forever. They don't care about us as humans. I didn't hurt anyone, didn't sell someone's kids drugs. Why am I still treated as a criminal?

Even the way my family treated me was different... When you look for a job... that constant rejection, it wears on you. The... system makes you think that you deserve... that constant rejection, and you think that you deserve it because you did something wrong. Then you try to go to school and your friends say, "Why are you trying? You a felon."

f. Misdemeanor instead of felony

Focus group participants who were formerly incarcerated spoke to the fact that a misdemeanor conviction would reduce some of the barriers to employment and higher income that a felony conviction creates.

When they hear it's a felony, it's this huge bad thing. It would help everything if it was just a misdemeanor... If it's a misdemeanor it's a slap on the wrist. Employers might think this... people... won't feel as bad about themselves. You don't have to check the box if it's a misdemeanor.

I also have a felony, in addition to the misdemeanor. I know that when I had a felony, it made it hella hard to get a job. A misdemeanor makes it hard, but a felony makes it much harder. It is hard to get around that... But you know, a felony, that isn't who I am. But it changed all kinds of dynamics. Misdemeanor is better than a felony, for sure. I couldn't get a job when I got out. I went to Berkeley Youth....and they asked me if I had a felony. If I had had a misdemeanor I wouldda got a job.

I would be making more money now. My felony has changed my ability to make money.

Several focus group participants who had been convicted of misdemeanors felt that they would have been more likely to resort to crime after release from a felony conviction, because of the additional barriers that they felt would be almost impossible to overcome to obtain employment, housing, and other necessary resources.

I wouldn't have had a chance with a felony. It would have eliminated any hope that I would have had in doing anything.

Some focus group participants mentioned that a misdemeanor would not bar people from receiving benefits for food and housing assistance in the same way a felony conviction does. One person even mentioned being barred from receiving therapy because of a felony conviction.

The misdemeanor, if they switched all those crimes - I could get food stamps to feed my family... When I first got out of prison, I needed food stamps, I was homeless, no one hands you jobs or services, you need these resources... Coming home and trying to get resources is hard, you can't get it because you have felony.

A therapist came down.. to do free therapy. Then we find out what the criteria are to receive therapy – you can't have committed a felony! So no services available.

Others talked about the impact a reduced sentence would have on subsequent sentencing.

I just did two decades on a third strike for receiving [\$20 worth of] stolen property. If this law was in effect in 1994 I would have gone to a drug program, because my crime was because of addiction.

Because of my past record... I can get charged with petty with a prior. If I come into contact with the police, they can throw a charge at me and I have that strike already so I would get thrown in prison.

Several participants spoke about the mental impact of receiving a felony conviction and the fact that it may encourage people to take more criminal risks because of the potential hopelessness of the situation.

I am about to bury my brother this week. He got a felony for two and a half joints... Once he got a felony... he was like all bets are off. If he would have had a misdemeanor, I think his life trajectory would have been different.

When they make these crimes a severe penalty, they create a mentality that would be more dangerous than if they had the lesser charges... It creates this dangerous situation

where if a guy knows he's going away for life it becomes a desperate dangerous situation.

Felony convictions play a major role on how a person feels and thinks, and how a person feels in society.

One participant mentioned that most of her convictions were drug-related, and if she had received treatment instead of incarceration, she could have maintained her relationship with her children.

We were both heroin addicts... I lost my children, because I kept going in and out [of jail or prison]... This law, it would have changed my life, because I wouldn't have been going in and out. At least one of us would have been out.

Some focus group participants discussed the fact that changing sentences from felonies to misdemeanors would reduce the prison and jail populations and the costs associated with housing them.

All the people in prison for these crimes – that is a LOT of people. It would certainly help to let these people go, we wouldn't have to have a bunch of new jails. These people are not people with heinous crimes. These are nonviolent... If they release these people, the money they spend housing people will surely reduce. If we continue with those crimes all being felonies, the population of prison will never decrease... Crimes like these are survival crimes – shoplifting, etc – petty theft – it's survival, not killing people!

- II. Impacts on the Community
 - a. Prison as crime deterrent

Some of the focus group participants who had been formerly incarcerated spoke about how their experience in jail or prison influenced their decision not to return.

I saw a guard in there. He said, "I go home every night and say, 'Thank you inmates for buying my boat, for buying my house.'" And I said, "You ain't buying anything more from me because I'm not coming back. I'm not going to buy you a hot dog."

After juvy hall, locked up for 3 years, ankle monitor - I never did any crimes after.

- III. Impacts on the Family
 - a. Relationship (Strain/Separation/Divorce)

Both family members and those incarcerated talked about the strain that incarceration placed on their relationship.

My partner being in prison has been rough... I have struggled with depression my whole life. Him being in prison takes my depression to a whole other level. I didn't even know how to prepare for this... My partner's little brother is heartbroken that he is locked up. It hurts a lot because I am trying to keep it together. It feels like a breakup or that he is dead. But he is still there, being held hostage.

When I got locked up my partner turned her back on me.

- b. Children
 - i. Emotional/behavioral problems

Focus group participants who have family members who are formerly or currently incarcerated talked about the emotional toll the situation places on them. For some, it was the pain of the absence of the parent for significant events.

When he went to jail my son was 9 months and now he's 8 years old. He gets emotional because [he] sees other kids' daddies there, and they tease him. He asks me, "Mommy do I have a card from daddy? Why didn't my daddy write me?"

It was really hard for me. My dad has been in jail for awhile, ever since I was a kid. He didn't get to come to my graduation and I thought he was going to come. He is still in jail. It hurt. I used to see my grandmother cry because of it.

Others talked about how the lack of a parent – especially a father – to guide a child away from bad decisions may be leaving the child vulnerable to engaging in similar criminal activity, resulting in a multi-generational cycle of incarceration.

If he had been able to get out his son would be different right now. His son has a lot of anger problems... He would have a better influence to teach him how not to make those mistakes. Now the kid says, "You can't tell me nothing, you're not here."

My nephew, when he went in, his significant other was pregnant. The child is now 15. His Dad not being there has had a big effect... I now see his son going down the same path. We are trying to stop it, but it feels like there is nothing we can do... It has caused a lot of turmoil in our life. The real victims of incarceration are the families.

My daughter is doing 40 to life. Had I been out at that time I don't think she would be a gang member, but I was separated and she turned into a gang member. If you're in prison and separated it has a tremendous impact on the family. The father is not there, and the streets eat them up. You're not there as the backbone to keep them up.

Some talked about the overall impact of a parent's incarceration on their mental and emotional health.

As a teacher, we need to be aware of how incarceration affects children... [It] affects them academically, socially, emotionally - dealing with things beyond their control... We need to be able to help them. If we don't understand where they are coming from we will ... not help them.

Sometimes, I don't know how I manage, every day. The woman who gave me life, now is locked up... It's really hard to wake up every day... It really makes me want to go crazy. I am sitting here questioning my life. My mom – does my mom really love me? ... People don't understand that. That when you lock someone up, it makes their family go through that mental turmoil, that trauma every day. Locking someone up tears families up, it makes them go crazy.

My dad can't even give me advice about this depression and anxiety I have about the situation. I sometimes have suicidal thoughts. I would never take my life, because I love my family too much, but it is hard sometimes. It is so hard that we don't get help to people who need it.

For kids, it is hard as hell. My little sister is suicidal, I don't even know what to say to her and help guide her without going off track completely... They need to have counseling available for kids going through this.

ii. Relationship with incarcerated

Several focus group participants commented on how incarceration kept family members from developing emotional connections.

What I would witness when I was at the prison, it would break my heart when kids would go see their parents. Fathers are limited in the physical contact they allow... Prisoners are limited to a brief hug and kiss, if the child is clinging on to their father, the guards have no regard for that, and they would threaten the prisoner to give them a write up with excessive contact... If someone has a life sentence in California they don't qualify for family visits.

His dad went to jail when I was three months pregnant, and he wants his daddy. He would be so angry with me ... for months after [a visit with his dad in jail] and so I had to stop taking him. [During visits he] can't play with him or sit in his lap, has to sit far away, father can't even play with his son. Kids develop ... emotions toward the parent that is there and it hurts so bad. Then, they can't bond with the father either.

The first time my son was arrested, it was hard... I could sense my grandchildren change because of the stress and sadness of having their father taken away... I know my son's sentence is 13, he only did 10. I know he is going to be ok, but how do you explain that to his 6 year old son?

I was incarcerated a few times... being a father... I missed a lot of Christmases, and birthdays, a lot of special days. Now that my son is in jail, my granddaughter is missing her father, the same special days that I was missing.

Others talked about how existing emotional connections with family members were damaged after incarceration.

My two brothers were incarcerated. It was hard, because they were my role models at first.

My uncle died when I was in jail, and I come home to that news. I'm sad that I couldn't be there to support my family. It still affects me today.

Going in and out of prison builds a disconnect with you and your family... Your family ends up knowing you as a person who goes to prison and can't be trusted. You lose touch with your family members, our sisters and brothers who have kids – when you get out they are grown up and you barely know them. I was at a party of my niece and she was greeting everyone she was home from Oakland, and I said, "Are you not even going to give your uncle a hug?" And she said, "I don't know who you are."

My mother was always right there for me, in juvenile hall, always there all along the way. I started going to the board of prison terms – she was so supportive of me, she said, "We know you coming out."... They denied me...

I went to the board 23 times before I got out... She got very angry and said, "They wouldn't deny you unless you were doing something. You must have been doing something." I had to stop talking to her... A lot of people who go to prison lose the connection with their parents.

For a long time, I villainized my dad... To cope, I used to tell people that he was dead because it was so hard to tell people that he was in jail... It became hard to have a relationship with him... My little brother is traumatized because he didn't grow up with a father. It's put barriers between my dad's side of the family and my Mom's side. My parents' families are butting heads because the system is tearing us up.... The shorter a person's sentence in correctional facilities is, the better chance they have of reconciling with their families, and those repaired relationships are going to help them stay away from crime. It's like the system doesn't know what it is doing, what the implications are. I am the black sheep. My family are law abiding. They disowned me. I can't go to my sister's house. They will come see me but I'm not welcome in their home.

If I come out and now try to discipline her, it affects me that I've been in prison. She doesn't respect me because I was gone for so long.

Some mentioned the feeling of being incarcerated themselves, when a family member was incarcerated.

I feel pain, I feel loss. When your family goes to jail, your family members, to different degrees, go to jail too.

Incarceration affects the family unit. Your family does time with you, basically... If you're in prison and separated it has a tremendous impact on the family. The father is not there, and the streets eat them up. You're not there as the backbone to keep them up. If your loved one is behind the prison walls then you are too.

iii. Education

It affects the children, I teach in the inner city... Back to school night, dealing with other kids who have parents, activities after school and other parents are there, mother's day cards, father's day cards. I see how, as a teacher, we need to be aware of how incarceration affects children. We need to be able to help them. If we don't understand where they are coming from we will ... not help them.

iv. Involvement in crime

In his family, all the men go to prison. He wants to break the cycle, but then he got locked up.

I wanted to be like ... my dad – whenever he came out of prison, they threw him a party. When I went to juvenile hall and then got out I was excited because I got a party. My older brother died in 1981 from gang violence. All my other siblings are in prison or can't come back to CA. Traditions are handed down, that's what incarceration does to families.

I am the oldest, and some of my siblings went to jail, and now I wonder if I started some sort of trend. It makes me depressed to think about my siblings. Families are affected because kids are without a parent or both parents, raised by grandparent or out on the streets. The cycle continues, becomes this revolving door. Kids model what they see, so if that's what they see, that's what they do.

I've been a criminal since I was 17 ... Both my sons went to prison, it was like a cycle.

v. Substance abuse

The stress of having an incarcerated family member can contribute to substance abuse for some.

My little sister stays out all night, smokes and drinks, and I sit up waiting for her, worried sick. It makes me sick. She says that she has a lot of things going on in her life, but she says, "It's Mom, it's Mom".

c. Friendships

My partner being in prison has been rough... His friends don't understand. They don't think it is a big deal... it is hard, because some of our friends are starting to turn on us. I don't think they are going to help him re-enter successfully.

I lost a lot of friends who died while I was in. I don't associate with a lot of people I hung with beforehand. I think that was a positive thing [it got me on the right track].

d. Poverty/material hardships

Several family members discussed the additional material hardships that are brought upon them by trying to maintain contact with a loved one who is incarcerated.

My partner being in prison has been rough. I'm broke... I send up to half of my money to him when I can. It is so expensive to even have a phone call.

Our phone bills were thousands of dollars a month. They used to make us prison wives carry MCI, and it was expensive.

It's financially a rough thing. Prisons are so far away. They take the greyhound or carpool, gas is expensive, food inside the prison is expensive.

A pack of ramen noodles here cost 10 cents. In the pen it cost \$5. They charge us \$5 for a three-minute phone call in the pen. We have to give them all our money.

One focus group participant remarked on how this could cause family members to have to rely more on public assistance.

When you take a partner out of the house, you gotta have someone getting food stamps, and government assistance. Society pays for that.

e. Stress of interacting with the criminal justice system

Numerous focus group participants mentioned the stress they experienced when interacting with various parts of the criminal justice system that their family member was now a part of.

Some mentioned that they felt unsafe or harassed by members of the criminal justice system.

The police came to my home and said my mom committed a robbery... They threatened to shoot our dogs, shoot me... The police have been following me and my sister. It really has made me question everything. It makes me want to go crazy.

I've found myself in very dangerous situations trying to visit my son in prison, at 3 am on the prison grounds, the sheriff runs out and ran me off, across the highway.

Sometimes the guards are young, rude and disrespectful. If you're trying to look cute for your loved one, they said it's too tight, too revealing, it's the wrong color, etc.

Emotionally having to go through the process of being processed from the moment you step on the prison ground to the point where you're given a visiting pass, then you have to wait... Some families don't go visit because they don't want the harassment, the long drives, the long wait. Guards take their time processing your visiting pass. Even once you're processed you take a shuttle maybe, and that guard takes their time... They say you get a 6-hour visit, but it's not. The processing can take 2 hours. Then you have to wait for them to now call for them to bring your partner. One time I had to wait for an hour at that point because the guard forgot to call him. Then, if you complain, they can terminate your visit.

I spent \$300... to get braids in my hair, and they wouldn't let me in...because I had braids. And I couldn't take it out in that short a time. And then I've seen all sorts of people with braids. And it's unfair – some people are denied visits for the same things they see other.

Sometimes you go and they are on lockdown and you didn't even know, and you do this whole thing for nothing.

Others mentioned that the system prevented them from seeing their loved ones when they were sick, or prevented their sick loved ones from obtaining treatment.

My son now has Valley Fever, he is sick in prison. He just came out of ICU and they are trying to not let me see him... Other prisoners had to take cups and bang the bars because my son was hollering in pain and no one was attending to him. The other prisoners were asking for help for him. Now they don't want me to see him because they say it's close to the end.

My dad, while locked up, was diagnosed with testicular cancer, and they were refusing to give him the surgery. People locked up don't get the health care they need. What would happen if my dad died in prison and our family couldn't reach him?

One person remarked on how the criminal justice system has changed its approach on family time, for the worse, in their opinion.

It is really hard for these young people, because they don't have hardly any time to visit anymore. Back in the day, we used to have four days at a time to visit with our family in prison.

f. Misdemeanor vs felony

Family members also remarked on the differences they anticipate they would experience if their loved one received a misdemeanor sentence rather than a felony. One difference would be increased access to employment after release.

I think there is a lot of things that go out the door with a felony. My son, who has a degree in finance, was told he wouldn't ever be able to work in finance because of his felony.

When I told the job corps program that I had a felony, the woman didn't even put it into the system because she said with a felony that I wouldn't have ever gotten the job. I got lucky.

Other differences mentioned included more time to maintain/build relationships with others.

Had it been a misdemeanor, he would be able to come home.

Getting it reduced to misdemeanor helps them have a second chance... to have a better life for themselves and their families... They can teach their children not to go [to prison]. It will bring the families closer and make it better for people. It's ridiculous the way it is now.

g. County jail instead of state prison

Focus group participants were asked if they thought experiences would be different for those who are incarcerated or their family members if they were housed in county jails as opposed to state prisons. Answers were mixed, with some saying it would be better and others saying it would be worse.

It's still expensive, but at least the county jail is in your area. State prison you have to travel hundreds of miles. When my husband was in county, even though it took time and the visit was shorter, you could go more frequently and you didn't have the same kind of processing.

I'd rather be upstate...It's way worse in the county jail.

h. Civic engagement/trust in system

Some focus group participants remarked on the impact being incarcerated or having a family member incarcerated had had on their trust in the criminal justice system.

The sign on the [police] car saying, “protect and serve” needs to be removed. They never protect and serve me. The police are the worst gang bangers in the world and they got a license to kill. It’s not justice. It’s just us.

These 6 crimes – the impact they have on the community is one of rage. Ok, here’s a murder – fine, send them away. Then you have drug possession, people suffering from addictions, petty theft. They go to jail and get life in prison. What does that do to a mother, a sister, a brother, a neighbor, the community? They got how many years for what? Damn. So the community doesn’t trust law, doesn’t trust authority. My son, he had some crack and they gave him a life sentence. He was 16. He did a burglary – he wanted an Atari game. That was a strike, and now at 18 he had a little crack and they gave him life. People see it happening to everyone and they get disheartened. What are they doing to us?

IV. Service Providers
a. Services needed now

Service providers were asked about current demands on the system for services. Many responded by describing services that are already needed with the current prison and jail populations, such as re-entry services.

There should be a pre-release assessment: what do you need, what are you lacking, do you have your family ties, do you have health issues, what skills do you have, do you need training, do you have housing. They could get out and hit the ground running, they could have a plan. But what happens, kicked out with gate money, you need to go to the probation officer, need to get a job. But the person getting out of prison doesn’t know how to do all of these things. He can’t get food stamps, can’t get housing, setting him up for failure. There’s a window when they get out if they don’t get something pretty soon, they go back to what they know [crime].

For people coming out of prison, [we] need [a] program to prepare the person to come out...

I don’t know how to talk to my son, he was 1 when I went in and he’s 15 now. What do I say? When I went in, the cars looked like this and now they are like this. What do I do?

Your wife has been taking care of everything while you’re gone, and you step in and say, I’m here.

Programs before leaving prison will help with this kind of thing.

Key is housing – where are they going to stay? What neighborhood are they going to stay/be from? This question should be addressed when they are still in jail, be in a reentry process.

Other suggestions had to do with counseling, treatment, education, and life skills services.

Mental health, drug, domestic violence, housing, employment, how to address someone's spirit to give back hope and knowledge of who we are. Because the spirit is gone if people are caught in the system for a long time.

Substance Abuse Program in prison was a great program that... prepared us.

The most powerful and effective people in field of substance abuse treatment are ex-felons.

Empowering the inmate to know how to read, write, and be literate... You must be able to empower yourself to learn computer skills... Going back to school attributes to rehabilitation.

The situation is so bad we need everything and then some. The need for services wouldn't change. Keep all that you have in place. Are there enough that we could serve all those people? No, we don't have enough now.

We need to close down all the prisons and open up drug programs.

Yeah, I think that if there were drug programs it would change people. Even if people go out and use again, you learn a lot in those programs. You learn over time.

I know how privileged people are to have mental counseling and get therapy. If people had these resources – drug counseling or a counselor to talk to – people probably wouldn't go to prison.

b. Services needed outside the system

Focus group participants also remarked on the need for additional substance abuse treatment services outside the system.

When we talk programs, there's a big range. Some are brainwashing abusive, and some are worse than being in prison... The programs are so intertwined with the system that they are just an extension of that system. Some programs are completely racist, some are completely sexist. Then you go and relive that in a program.

A program that is offered to you in prison doesn't have a crack house two blocks away, doesn't have a liquor store down the block. In prison, I didn't have the temptation.

When you go to a drug facility on the street, if you are not able to get clean you can rely on the support of the community facility. If you are on the streets in a drug program you have a real chance, you can come back if you slide back. The drug program in jail is different than one on the street.

The most effective way to set up a program to do drug treatment [is] in the community.

People keep saying, though: DO NOT OFFER THESE SERVICES THROUGH THE CRIMINAL JUSTICE SYSTEM.

- V. Recommendations
 - a. Service Providers

Focus group participants offered recommendations to service providers for services needed, such as substance abuse treatment/rehab and mental health services.

Using those of us who have the experience as drug addicts and behavior issues and been in and out of incarceration – we know there’s a better life out here and we’ve chosen to live positively. We are the gateway to a better and stronger community – to people getting off drugs. We are the biggest key, because we’ve been there and we’ve gotten off it.

PTSD services – everyone has untreated PTSD, which contributes to recidivism and people being unable to move forward with their lives.

When they shut down mental health, they ... turned people out on the streets. When people are drinking out on the streets, they are constantly going back to prison. Mental health services are very needed.

Mental health piece is big in terms of services needed... It would be setting people up for failure to send people out to society without getting their mental health needs addressed... spiritual... we need to have the whole person... The mental health stuff is central... True rehab would prevent recidivism.

More people to help felons out once we get out... They need more programs instead of building jails. Need programs for alcoholics and addicts for people who are coming from prison... Rehab services that will really rehabilitate us so we don’t come back... There was money. Then 12 years ago or so, the money went away.

It used to be that prisons were supposed to rehabilitate people. Prisons aren’t working because they don’t do the rehabilitation. If you have a component that is not connected to law enforcement that could provide the services, that would be better than if the services are provided through law enforcement.

b. Lawmakers

Focus group participants offered messages to lawmakers regarding the proposed referendum.

Do it now, do it fast, and do it right. This has a chance to really impact people.

It is so important for policy makers to do this thing right. Address alternative forms of sentencing, alternative forms of treatment. Let's make sure you don't create a jail industrial complex with all these changes.

There are other countries that have drug problems, and they treat it as a health issue. They have success, and it is a lot less expensive. Why can't we treat instead of incarcerate? I think we should have a treatment approach.

Policy makers should remember that we are people too, we have feelings, we are not just a number.

How can they sleep at night if they don't pass this?

When do we begin to understand that people in jail have basic human rights?

If this comes to pass it will restore people's faith a bit in the community... The justice system moves slow, but they made it happen. Like prop 36.

If this passes it will help all the young men and women and families - the ones behind the prison walls and the ones that are out.

It's a conflict of interest for law enforcement and probation to get reentry dollars... They say they want to help people while they are inside, but that's not rehab inside, that's incarceration.

Have money diverted to a non-law enforcement component that would go in and deal with people before they get out of prison. Need to talk with people who are not law enforcement because if you say the tiny little thing that is wrong, then you go back to jail. Non-law enforcement should get the money to go into prison and get people ready to come out.

c. Suggestions beyond this law

Focus group participants also offered suggestions that go beyond the parameters of the proposed referendum, but still relate to similar concepts.

Several focus group participants felt that crime could be reduced by offering alternatives – more social support services, more activities for teens, and more business opportunities.

Provide resources, programs, educational programs, vocational training, apprenticeship training for young adult, mental and emotional services, building self-esteem, family and parental seminars. When I was in high school, we had cosmetology and woodworking and home ec. Now in school they are taking out the arts and music. If we can provide these resources for families in the community it will cut back on the crime, it will cut back on the idle hands. If we can give our youth direction, there's no reason why our youth should deviate.

End result to where the money should be donated: to the ethnicities most affected, and programs that make you self sufficient, like farming. Teach a kid how to plant, it's a skill they can take with them. I was taught how to sew and do fashion design, and I still sew right now. If I had a garden to grow my own tomatoes, I would save more money.

Passing this bill is not the only way to reduce crime. There's an indirect way. How about we make businesses – put a business workshop, science camp, art camp. They condition our kids to buy things and not think and use their creativity to make things.

Independent Living Programs when you're 18 – that counseling you can do for kids can help tremendously.

65% of our young people are not graduating from high school, so there are your next crimes.

Others returned to the concept that people released from jail and prison need more resources and skills to reintegrate into society.

Giving identification and birth certificates when you get out. When you start out with that you have a chance. But it's hard to come out with only \$200. That's so little to come out of prison and get started. A hotel is \$65, you can buy one pair of pants/shoes. You have to pay the bus ticket. You don't even have clothes to look for that job.

First thing they need is their I.D. when they get out of prison. Police start bugging you and the first thing you need is an I.D. and social security card in their hand. They should get at least \$500, not just \$200. They need... mental health and substance abuse services. Creating opportunities for folks to give back as part of the rehabilitation. And opportunities for them to use their education.

Organizations are really helpful, I got help from A New Life and other organizations.

In the 2 weeks before we went home, we set in a classroom setting, and they told us some stuff to expect. When those doors open, it was hard. A program that accepts people for the first 30 or 60 days to decompress would help. Coming out is hard, you gotta get clothes, get a job, pay bills, etc. It would be helpful to have this program that

supports people. It's so much pressure when you come out, I can understand that guy from Shawshank Redemption that hung himself.

There's resources available through parole but it's like pulling teeth to get to them. They have a lot of funds for clothes, tokens, but where are they?... I get out and have to report to my parole agent in 24 hours ... ask them for the voucher, they have to contact their supervisor... But you want me to look for a job in my prison gear? And wait for the voucher for clothes. In the meanwhile, my neighbor has a little dope that I could start selling. You fall prey to those things because parole is a barrier, it's not a help.

Parole is set up to send a person back to prison. They don't give you food, voucher, SSN card, you need these in order to even get other resources, to be set up for food stamps. They should give you a place where you can sleep for 30 – 60 days. Then you could get a good start.

Others commented on broader societal changes needed.

They have to change the police force. The government has to change. The police is the dirtiest. We have to create our own like the Black Panther program... We need our own protective force.

We have to combat the whole drug culture. Decriminalize the drugs, you'll make society a whole lot safer.

You can't leave everything in the hands of the criminal justice system. It's like the fox in the henhouse. There's no oversight or transparency.

Stop with the background checks for housing, insurance, everything. We need to be able to create jobs. We can't get the jobs, so we need to be able to create jobs.

You're not going to change things until you redistribute the wealth in society. People do crimes because of poverty. Too many wealthy people in this society and at the same time you have people who don't have anything. People need to have hope.

They give low income folks the worst teachers. I want to see us getting the right people for our communities to get educated.

White folks need to get they ass locked up too. Any crime we all do equally we all need to get the same time. We all are equally intelligent. Everyone. But why do you want to make us in the cesspool while you are rising.

If they want to make decision about formerly incarcerated people, it should be mandatory to have formerly incarcerated people at the table.

For politicians who advocate for these crazy laws judges who lock people up for 2000 years, they need to go to the facilities and see what happens to people the the SHU and Pelican Bay. They need to see.

It's so hard for hard-core addicts to stop using. When people have their needs met ... they will not do crimes. But all of these crimes are just people trying to get their needs met.

A lot has to do with money. This country was founded on cheap labor, and in the prison system the inmates are working for pennies a pittance. Give people in prison a living wage. The rehabilitation should be for the Koch brothers – rehabilitate them. The people that are receiving those goods, packaging them and selling them are making millions. Rehab needs to take place - and not just for the felons and ex-felons but also for those who are controlling this society. They need rehab.

Social justice is not enough for the people who are going to vote on this. It might be economic restructuring or economic socialization.

We can't change the system until they recognize that they think we're broken.... When people ask you that question about rehabilitation – they start the conversation off with saying that we are broken, not the system... If they see you as broken, then they also see the necessity for the prisons. If we see ourselves as broken it will continue to have our families embarrassed as a result of our incarceration, to recognize ourselves as experts in our own experience.

Some commented on the way substance treatment should be modified to be more effective.

If we are trying to really prevent people from going to prison for drugs, we need to actually empower people. We need [a] different treatment modality. We have to empower people, not teach them that they are powerless and need to pray to some God. I think the treatment should not include God or something intangible. I really think the best treatment modality is education. Take your ass to college, and you are around people who are a positive influence, you are busy with homework.

[We need] better treatment programs with good counselors. Most of the programs now are so watered down that they are not attacking people's problems... We need programs that actually work.

How can we reduce the stigma so people will ask for help? Get the police out of it. There's a level of stigma about recovery. If you remove the stigma, people who are struggling who move in that direction will meet people who've been down the road.

We need to let people help themselves before they get arrested. Why do we have beds for people in the jail system who don't even want help, when there are people in the community who want help and can benefit from it?

Others suggested modifications to the current criminal justice system.

If they institute family visiting, that would make a big impact in prison. Used to have it that you could have a visit with your family in the trailer. Then they started to chop it up. If they instituted it again you could have contact with your kids and keep connected.

In prison, one thing that really helped me [was] when we had the chance to counsel little kids. It caused us to bring out our higher selves. We had to clean our own selves up to be role models for the kids. We participated in this group to help those kids, and it was really strong and vital, and it carries on out here.

Crimes are different magnitudes. Prosecution should match that. For small crimes, you shouldn't have to keep paying for it after you paid for it once! When I went to jail, I lost my apartment, job, and everything. I paid so much for a small crime.

I want to see more Restorative Justice. I think RJ is very effective and gets people to think about their crime... Some of these people don't know any better. The system is not designed for them. We need to push Restorative Justice.

Community policing would prevent a lot of recidivism. Police walking the street, knowing residents. If my brother on the street got pulled over, I would talk with him, and the police would see me taking care of him. We should be able to police ourselves if we have a sense of culture. We have been disconnected from each other and from our culture. That was by design.

Prisons don't get money if beds aren't filled, like schools don't get money if they have lower attendance. So prisons want those beds filled... Sherriff's department gets so much money for reentry... all the money goes to them while everyone else (in the community) is out here trying to do work for nothing.

The reason why I don't think that will happen is because to get a law enforcement position in this country the education requirement is high school or GED equivalent – it's low. And yet they make 6 figures, and they have the strongest labor union in this country. So I just don't think that you'll get it through that these services don't go through law enforcement.

VI. Systemic Oppression/Racism

Focus group participants commented on the racism in our culture that influences crime, incarceration, and alternatives.

a. Cultural

Focus group participants discussed how racism influenced what is perceived to be a crime and how it is pursued and punished.

Culture – if you don't know your history than you will repeat it, and we're getting ready to repeat it. For now, instead of plantations it's the penitentiary. You work and get nothing, you come out and you got nothing. Same as slavery.

This is the new Jim Crow – after the emancipation proclamation, they had to find a new way to keep us down. Every time we try to pull ourselves up.

When 3 strikes came into effect, they had crack as a felony but meth as a misdemeanor. The people who use crack are in our communities, the people who use meth are in other communities. It's outrageous. Only recently is Attorney General Holder talking about changing it.

These laws need to be voted on, the ones we have now are discriminatory. We need to go back and vote on all the laws.

In the 80's all you heard about was "crack this" and "crack that", and you always saw a black face. So black people were demonized, and we are still feeling the effects.

The police don't go into white neighborhoods and arrest white people. They go into black neighborhoods and arrest black folks.

People do white collar crimes, why aren't they punished as much? People do this shit everyday, and some just don't get caught.

All of my arrests are from political activities. I'm a white man, though, so I didn't have to do the time – there are people who are brown and black who didn't do more than I [did], and they had to do the time.

The impact [is] on families of color. There is a different application of law for people of color. White women don't have convict husbands.

In slavery they take your life away, take your daddy away, take your kids away.

They should do a poll in prisons to see what race is most affected – black and Mexican... So all the money should go to Mexican and black children to help to deter them from crime.

[Prison] is a conscious plan to eliminate the African American in America.

Studies show that black and minorities commit crimes at the same rate as whites, but whites are underrepresented in the penal system. That shows you where the targets are. In the community there's a stigma: black = crime. If you tell someone that your son or daughter is in the penitentiary and getting out, it's shameful. There's a stigma. There's a lot of depression. People are depressed because they are discriminated against. The impact is mental, physical, and social.

Focus group participants also commented on historical racism its implications on individual behaviors and community resources today, and what is needed to address it.

We don't really know our culture, as African Americans, we need someone to tell us that we are worth something. We got labels on ourselves before we even begin doing anything. We need to feel good about ourselves. Someone to tell us we are worth something.

... hopelessness - it's so impregnated into the community that the masses are ending up part of the system, or not part of any system at all... Makes it that we can't get out of the cycle when there are large amounts of people being incarcerated.

I give you a little bit of money and you become a non-person... People do crime and time so they can survive. I know that population can do more, I see better than they see it. But once people don't see it in themselves – they aren't there. We got a hole in our soul and it's being fed by the system.

The response needs to be cultural. When we get back to our culture, which is really our identity. When we understand our ancestors, our connection to our people, then we can really incite an insidious revolution. Take back what belongs to us, and not let people take our identity from us. We need culture. Our identity.

b. Structural

Emotionally, financially, holistically, this is so hard. I wish we could let people out of prison and get the services we need to get better. We shouldn't have to fight our government to live and be free. We built this fucking country, and we get thrown back to the middle ages. It makes me so angry. We get criminalized in society, and the more that happens, the less we are going to.

Sometimes I feel like we can't fight the war against this system because we are too busy taking care of our incarcerated families.

i. Unfair sentencing

The laws affect the neighborhood – those little crimes are all that’s available to most people to make a dollar.

One of my friends had a bag of dope on her and they put her away for 2 years. She missed her kid’s first birthday.

This kid was 16... robbing houses when people are not there... and they put him in prison for 52 years. Jesus he deserves to have 52 years of his life taken away? He didn’t kill nobody.

My one son committed a crime, he served his time, but since his crime was on federal property, the feds took him away and charged him again and he had to serve the time again. For the same crime. He wasn’t even able to tell the jury that he had already served time. When I went to court I saw the judge fall asleep and three jurors fall asleep during the trial. It really bothered the hell out of me.

The laws that you’re talking about - this stuff don’t happen by accident... These crimes being charged as felonies are as a result of the mandatory sentencing laws. Prior to that the judge had discretion – he could say it’s not a felony; I’m not going to charge that, just don’t show up in my court again. Judicial discretion got taken away and the power is in the hands of the prosecutor not the judge. Because of mandatory sentencing.

ii. Prison/jail industrial complex

They’ve been having hunger strikes in the prison because of numerous human rights violations... Most prisons are... owned by private corporations - that’s who runs it. So we can’t ask the government to change the prison - it’s not their prison. We need to go directly to the problem. We need to stop selling our prisons. They say we need to have prisoners so we have our money... These prisons need to get shut down.

When do we begin to understand that people in jail have basic human rights? I think this is all tied to the capitalist system, being in prison makes other people money.

Instead of fixing the dispensaries and liquor stores, they are going to build more prisons. Because they are fixing for us to go to prison.

When they give you 25 years to life, they get their money back. They pay for welfare, schooling, etc throughout the course of a person’s life, but when you get arrested and convicted of a felony, and then you get a sentence of 25 to life, they change you from a “liability” [that they have to pay for] to an “asset” [because you’re working in prison for a pittance].

Private prisons, they tap your phone... I was telling my friend about the private prisons and someone came on the phone and said, "That's not so." They were listening to my conversation.

Racism perpetuates in this country – this prison industrial complex is just the latest form. Maybe by the grace of some power, it's coming to light.

It's a black thing when it comes to who is in jail, etc. I don't see a lot of opportunity as to where black folks are coming. We are drugged out, beat down, thrown away. I guess it was somebody's idea that we're not going to kill them, we are just going to lock them up. It's called the prison industrial system. And they make us work. It's just like down on the plantation.

I don't know who the criminal is: the one who is locked up or the one who turned the key. \$6000 worth of TVs that are being sold to inmates. The market inside of prison.

America was founded on not taking any crap. We can't let this happen, we have to shut these private prisons down.

References

1. Legislative Analyst's Office. *Proposition 47: Criminal Sentences, Misdemeanor Penalties. Initiative Statute*. Legislative Analyst's Office; 2014. Available at: <http://www.lao.ca.gov/ballot/2014/prop-47-110414.pdf>.
2. U.S. Equal Employment Opportunity Commission. Questions and Answers About the EEOC's Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII. 2012. Available at: http://www.eeoc.gov/laws/guidance/qa_arrest_conviction.cfm.
3. California Employment Development Department (EDD). 2010-2020 Industry Employment Projections. Available at: <http://www.labormarketinfo.edd.ca.gov/county/california.html#IND>. Accessed July 31, 2014.
4. Hancock. *SB 283 (Hancock): CalFresh Eligibility*. California; 2013.
5. *California Elections Code*. Available at: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=elec&group=02001-03000&file=2200-2213>. Accessed July 31, 2014.
6. City and County of San Francisco, Department of Elections. Voting Rights for People Convicted of a Felony. Available at: <http://www.sfgov2.org/index.aspx?page=880>. Accessed July 31, 2014.
7. The Center on Juvenile and Criminal Justice. California Sentencing Institute. Available at: <http://casi.cjcj.org/>. Accessed July 18, 2014.
8. Geller A, Garfinkel I, Western B. Paternal Incarceration and Support for Children in Fragile Families. *Demography*. 2011;48:25-47.
9. Glaze LE, James DJ. Mental Health Problems of Prison and Jail Inmates. 2006. Available at: <http://ntis.library.gatech.edu/handle/123456789/3801>. Accessed July 24, 2014.
10. California Department of Finance. *Governor's Proposed Budget: 2014-2015 - 5225 Department of Corrections and Rehabilitation*. California Department of Finance; 2014. Available at: <http://www.ebudget.ca.gov/2014-15/pdf/GovernorsBudget/5210/5225.pdf>.
11. E. Lea Johnston. Vulnerability and Just Desert: A Theory of Sentencing and Mental Illness. *J Crim Law Criminol*. 2013;103(1):84.
12. Lofstrom M, Raphael S. *Public Safety Realignment and Crime Rates in California*. Public Policy Institute of California; 2013. Available at: http://www.ppic.org/content/pubs/report/R_1213MLR.pdf.

13. Jason KE. Fulfilling Coleman's Promise: California Prisons and the Mentally Ill Post-Realignment. 2014. Available at: <https://publicpolicy.stanford.edu/publications/fulfilling-colemans-promise-california-prisons-and-mentally-ill-post-realignment>.
14. Merrall ELC, Kariminia A, Binswanger IA, et al. Meta-analysis of drug-related deaths soon after release from prison: Drug-related deaths after release from prison. *Addiction*. 2010;105(9):1545-1554. doi:10.1111/j.1360-0443.2010.02990.x.
15. Kamala D. Harris. *In School and On Track: Attorney General's 2013 Report on California's Elementary School Truancy and Absenteeism Crisis*. California; 2013. Available at: <http://oag.ca.gov/truancy>. Accessed June 10, 2014.
16. Egerter S, Braveman P, Sadegh-Nobari T, Grossman-Kahn R, Dekker M. *Education Matters for Health*. San Francisco, CA: Robert Wood Johnson Foundation; 2009:1-15. Available at: <http://www.commissiononhealth.org/PDF/c270deb3-ba42-4fbd-baeb-2cd65956f00e/Issue%20Brief%206%20Sept%2009%20-%20Education%20and%20Health.pdf>.
17. Substance Abuse & Mental Health Services Administration. The NSDUH Report: State Estimates of Adult Mental Illness. Available at: <http://www.samhsa.gov/data/2k12/NSDUH110/sr110-adult-mental-illness.htm>. Accessed August 6, 2014.
18. Substance Abuse and Mental Health Services Administration. Results from the 2009 NSDUH: Summary of National Findings, SAMHSA, OAS. Available at: <http://www.oas.samhsa.gov/NSDUH/2k9NSDUH/2k9Results.htm>. Accessed August 6, 2014.
19. Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration. *Behavioral Health Barometer: California, 2013.*; 2013. Available at: http://www.samhsa.gov/data/StatesInBrief/2k14/California_BHBarometer.pdf.
20. California Department of Alcohol and Drug Programs. *Californians in Treatment Report: State Fiscal Year 2011-2012.*; 2013:13. Available at: <http://www.dhcs.ca.gov/provgovpart/Documents/OARA/OARA%20Reports%20and%20Fact%20Sheets/Californians-in-Treatment-Report.pdf>. Accessed July 31, 2014.
21. Feucht TE, Gfroerer J. *Mental and Substance Use Disorders among Adult Men on Probation or Parole: Some Success against a Persistent Challenge*. Substance Abuse and Mental Health Services Administration; 2011. Available at: <http://www.samhsa.gov/data/2k11/MentalDisorders/MentalDisorders.pdf>.
22. Chandler RK, Fletcher BW, Volkow ND. Treating Drug Abuse and Addiction in the Criminal Justice System: Improving Public Health and Safety. *J Am Med Assoc*. 2009;301(2):183-190.

23. Karberg JC, Mumola CJ. *Drug Use and Dependence, State and Federal Prisoners, 2004*. Bureau of Justice Statistics, Department of Justice; 2006. Available at: <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=778>. Accessed August 1, 2014.
24. UCLA. *Evaluation of Proposition 36: The Substance Abuse and Crime Prevention Act of 2000*. Los Angeles, CA: University of California, Los Angeles; 2008. Available at: <http://www.uclaisap.org/prop36/documents/2008%20Final%20Report.pdf>.
25. Hartwell S. Triple stigma: Persons with mental illness and substance abuse problems in the criminal justice system. *Crim Justice Policy Rev.* 2004;15(1):84–99.
26. Houser KA, Blasko BL, Belenko S. The effects of treatment exposure on prison misconduct for female prisoners with substance use, mental health, and co-occurring disorders. *Crim Justice Stud.* 2014;27(1):43-62. doi:10.1080/1478601X.2013.873204.
27. Cohen D, Crabtree B. *Qualitative Research Guidelines Project*. Robert Wood Johnson Foundation; 2006. Available at: <http://www.qualres.org/HomeSamp-3702.html>.
28. Miles M, Huberman A. *Qualitative Data Analysis*. 2nd ed. Thousand Oaks, CA: Sage; 1994.
29. Strauss A. *Qualitative Analysis for Social Scientists*. Cambridge, UK: Cambridge University Press; 1987.
30. ABA National Inventory of Collateral Consequences of Conviction. ABA collateral consequences of criminal conviction. Available at: <http://www.abacollateralconsequences.org>. Accessed August 6, 2014.
31. State of California, Office of Governor Edmund G. Brown Jr. How to Apply for a Pardon. 2013. Available at: http://gov.ca.gov/docs/How_To_Apply_for_a_Pardon.pdf.
32. Aron L, Honberg R, Duckworth K, et al. Grading the States 2009: A report on America’s health care system for adults with serious mental illness. *Arlingt Va Natl Alliance Ment Illn.* 2009.
33. Paolo del Vecchio. SAMHSA’s Working Definition of Recovery Updated. 2012. Available at: <http://blog.samhsa.gov/2012/03/23/defintion-of-recovery-updated/#.U9wQM6PQqrY>. Accessed August 1, 2014.
34. National Commission on Correctional Health Care. *Standards for Mental Health Services In Correctional Facilities*. National Commission on Correctional Health Care; 2008. Available at: <http://www.ncchc.org/standards-for-mental-health-services>. Accessed August 1, 2014.
35. National Institute on Drug Abuse. *Principles of Drug Addiction Treatment: A Research-Based Guide*. National Institute on Drug Abuse, National Institutes of Health; 2009.

36. National Institute on Drug Abuse (NIDA). *Principles of Drug Abuse Treatment for Criminal Justice Populations - A Research-Based Guide*. National Institute on Drug Abuse (NIDA); 2014. Available at: <http://www.drugabuse.gov/publications/principles-drug-abuse-treatment-criminal-justice-populations/principles>. Accessed August 1, 2014.
37. Committee NA of DCPDCS, Office USDPC. *Defining Drug Courts: The Key Components*. US Dept. of Justice, Office of Justice Programs, Bureau of Justice Assistance; 1997.
38. Julie Salley-Gray. *SB 283 Senate Bill - Bill Analysis.*; 2013. Available at: http://leginfo.ca.gov/pub/13-14/bill/sen/sb_0251-0300/sb_283_cfa_20130812_152445_asm_comm.html. Accessed August 6, 2014.