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January 23, 2009

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

We write to express our opposition to two provisions of your latest budget proposal that relate to parole and time credits for inmates. Both concepts are deeply flawed and utterly contrary to the interests of public safety. Moreover, instead of saving money, these proposals carry the probability of increasing state and local costs.

First, your plan would eliminate parole supervision for all non-serious, non-violent, and non-sex offenders. Parole is an essential law enforcement tool enabling peace officers to search the persons, vehicles, and residences of parolees. Parole searches have saved innocent lives and prevented countless violent crimes. To unilaterally eliminate parole for thousands of prison inmates would constitute a public safety disaster. Any proposal that removes the existing right of law enforcement to conduct searches of parolees is unacceptable.

Our membership also has been concerned by the insistence of some CDCR officials that eliminating parole supervision of these offenders will result in cost savings. Since there are no *statutory* requirements for supervision and monitoring of non-serious, non-violent parolees, there are no costs incurred by the state in having such inmates on parole for three years as opposed to not at all. The costs to the state are only sustained by *violations* of parole. We are willing to work with the Administration to review so-called "technical" violations of parole.

The second matter of concern involves inmate credit calculation changes. This provision would allow up to four months of additional credit—over and above the day-for-day credits already in place—for each rehabilitative program an inmate completes. The plan does not define the content or duration of any of these programs, and does not limit the number of programs in which an inmate can participate. Thus, CDCR could, by regulation, allow participation in multiple, overlapping, and short programs so that thousands

of inmates gain release after only serving a fraction of their sentences. We are adamantly opposed to any scheme that vests CDCR with unfettered authority to release state prison inmates merely by deciding that they have completed unspecified "programs."

We assume that the credit proposal is intended as a cost-saving measure. In our judgment, it will actually substantially increase state costs. The "four months credit" programs will so reduce the sentences for "low-end" property and narcotics offenders that criminals who are sent to prison for the low term for many crimes would actually serve less time than those sentenced to probation and county jail. When criminals do the arithmetic, they will refuse probation, a right they have, and instead accept prison sentences. This anomalous result hardly advances the stated cost-saving purpose of this proposal.

We urge you to withdraw these two ill-advised concepts.

Very truly yours,

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cc: Members of the California State Legislature
Secretary Matthew Cate, California Department of Corrections and Rehabilitation