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*Your Responsibility When Using the Information Provided Below:*

*When we wrote this information we did our best to give you useful and accurate information because we know that prisoners often have difficulty obtaining legal information and we cannot provide specific advice to all the prisoners who request it. The laws change frequently and are subject to differing interpretations. We do not always have the resources to make changes to the information we send every time the law changes. If you use this information it is your responsibility to make sure that the law has not changed and is applicable to your situation. Most of the information you need should be available in your institution law library.*

**INFORMATION RE:  
GOVERNOR BROWN'S CRIMINAL JUSTICE REFORM INITIATIVE**  
Updated February 29, 2016

We have received your letter asking for information in regards to a new criminal justice initiative. We are unable to write individual responses to everyone who has contacted us about the initiative. We hope that the general information in this letter will help answer your questions.

In late January 2016, Governor Brown announced a criminal justice reform initiative. The Governor said the initiative, if it becomes law, would help keep California's prison population within court-mandated levels and give some prisoners an incentive for rehabilitation. To become law, the initiative must be placed on the November 2016 election ballot and then passed by a majority of voters. The official title of the initiative is "Criminal Sentences, Juvenile Criminal Proceedings and Sentencing, Initiative Constitutional Amendment and Statute." We cannot send you a copy of the initiative; it is on the California Attorney General's website at <https://oag.ca.gov/initiatives/active-measures>.

On [February 24, 2016, a superior court judge blocked the initiative](#), ruling it was improperly filed. Supporters of the initiative are asking the California Supreme Court to overturn the ruling. On [February 26, 2016, the California Supreme Court temporarily stayed the superior court order](#). This means that the initiative's supporters may collect signatures while the Supreme Court considers the case. Even if the initiative's supporters are successful in the courts, it is not known if the required signatures will be collected to put the initiative on the ballot, or, even if that is done, whether a majority of the voters will approve it at the November 2016 election. *The Initiative will not take effect unless and until it overcomes all of these hurdles.*

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The initiative has three main parts:

- The initiative would authorize parole consideration for non-violent inmates once they complete the full sentence for their primary offenses. The full term for the primary offense means the longest base term imposed by the court for any offense, regardless of any enhancements, consecutive sentences, or alternative sentences.
- The initiative provides that the CDCR "shall have authority to award credits earned for good behavior and approved rehabilitative or educational achievements," "shall adopt regulations in furtherance of these provisions," and "shall certify that these regulations protect and enhance public safety." It is not clear what this means and whether there would actually be any changes in prison credits.
- The initiative would eliminate laws that require some teenaged juveniles who are accused of very serious crimes to be prosecuted in adult criminal court. It would also give judges, rather than prosecutors, the authority to decide when teenagers are tried as adults. The initiative does not include any specific statement as to whether the change would or would not have any retroactive application.