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California State Senate

SENATOR
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PRESIDENT PRO TEMPORE
SIXTH SENATE DISTRICT

STANDING COMMITTEES:
SENATE RULES
CHAIR
APPROPRIATIONS
PUBLIC SAFETY

June 24, 2013

The Honorable Edmund G. Brown Jr.
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

Dear Governor Brown:

I am in receipt of your administration's proposals that respond to the Three Judge Panel's order to release approximately 9,000 inmates from our state prison system. Like you, I read the ruling with alarm. With California's recidivism rate of 64 percent, the Federal Court's "solution" will not achieve what they seek to accomplish.

Given what we have accomplished with the 2011 Public Safety Realignment and its impact on our local law enforcement agencies, there is only one constructive solution to prison over-crowding: keep people from coming back to prison after they are released.

More than 80 percent of our prison population has some need for mental health services. The estimated recidivism rate for parolees with severe mental health disorders is more than 71 percent. While people living with mental health disorders are more likely to be victims – not perpetrators – of crime, this population remains over represented in the offender population. I believe we should lead with a continued focus on mental healthcare outside the prison walls.

Failure to deal effectively with criminal offenders who have serious mental health problems has set up a "revolving door" of a flawed, frightening and expensive system that sends repeat offenders back into the prison system over and over again. This revolving door harms more victims, uses up more local law enforcement resources and ultimately, takes up more of our prison capacity.

The budget before you offers the beginning of a tangible solution to slam this revolving door shut. California has yet to squarely address, through a set of comprehensive strategies, the mental health needs of inmates *reentering our communities*. This budget does exactly that, and finally targets exactly what needs to be done to manage the mental health demands of our offender population effectively.

By focusing our resources on ensuring people who leave incarceration have the services and treatment they need, we guarantee their success and a Constitutional prison system. That is why it is critical that the Investment in Mental Health Wellness be maintained in our state budget that is currently before you.

The $206.2 million to expand community-based mental health service capacity addresses short-term, acute needs and ongoing treatment and rehabilitation services for people by adding 25 mobile crisis teams; expanding by at least 2,000 crisis stabilization and crisis residential treatment beds; and adding 600 triage personnel to assist people with services. This investment makes sense.

The Three Judge panel suggests more jail capacity at the local level. Our investments need to be in community programs and services, not in constructing new prison capacity in California. What the Three Judge Panel has failed to consider, is how we spend our limited resources. Early release of approximately 9,000 inmates into communities that have limited community programs and resources guarantees most will return to prison. This effort will not result in a long term reduction in prison population.

The achievements in this year's budget that invests in mental health infrastructure, services and substance use disorder services (including Medi-Cal coverage), are essential to reducing overcrowding in our prisons, jails and hospital emergency rooms. We know access to early intervention and treatment is cost-beneficial to the State and facilitates rehabilitation and assimilation into the community.

I support your efforts to stay this order and have the State's appeal heard by the U. S. Supreme Court.

Thank you in advance for your consideration.

Sincerely,

DARRELL STEINBERG
President pro Tempore
Sixth Senate District

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