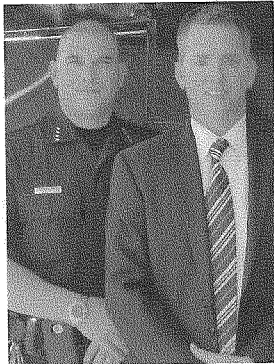


# No on Prop 57: The increasing burden of crime

TIM WARD and JASON SALAZAR 12:03 a.m. PDT October 15, 2016



(Photo: Provided)

Ninety nine police officers have lost their lives this year, 44 of them from gunfire. There has been a 78% increase in shooting deaths compared to last year and ambush style attacks have increased as well.

In October alone, five officers have been killed, three here in California. The murderers of these police officers are exactly the types of criminals Proposition 57 seeks to release back into our communities. Who is going to interact with these criminals who benefit from an early release? That could be anyone, anywhere, at any time, but one thing is certain, our women and men in uniform will be face to face with these offenders.

Los Angeles County Sheriff's Sgt. Steve Owen, Palm Springs Officers Jose Vega and Lesley Zerabny met their deaths from two criminals who had been in and out of prison.

How much crime is an average Californian expected to accept while we experiment at the ballot box? It is a basic human right not live under the siege and tyranny of criminals.

Over and over again, Californians are faced with ballot measures to improve the lives of convicted criminals disguised as 'crime prevention and/or public safety.' This November is no different, in support of Proposition 57, the San Francisco Chronicle described it as an opportunity to "encourage nonviolent offenders to use their prison time to improve themselves."

That sounds so simple, so idyllic, that non-violent offenders will now participate in rehabilitative programs because finally there is an incentive to do so. Proponents would have you believe that now misguided thieves, rapists, and burglars will get that missing message that will put them back on the straight and narrow.

The Los Angeles Times also recommends voting yes on Proposition 57, that it's a "much-needed check on prosecutorial power." Make no mistake, California media has decided who the "bad guys" are and it is not the criminals, it is prosecutors and police officers. When decriminalization and shorter penalties are the goals, proponents must declare law enforcement the enemy since it is our responsibility to arrest and prosecute the very criminals our governor would like released.

Despite what the LA Times may print, our current system of criminal justice does have checks and balances. The U.S. Constitution, the State Constitution, along with numerous ethical restrictions and guidelines, provide a framework for the justice system.

Victims of crime generally have two questions for a deputy district attorney, how many times will I have to come to court and when is he/she going to get out? If Prop 57 passes, no district attorney in the state will be able to answer that second question by relying on what sentence the judge has imposed. The answer will depend on how crowded the prison is, it will depend on what the California Department of Corrections and Rehabilitation recommends, and it will depend on the defendant's participation in programs. Yes, it will give the CDCR the constitutional authority to reduce sentences for "good behavior."

Part of the bamboozling of the public is the packaging of this proposition as giving an opportunity for reform to non-violent offenders. Here are the crimes the governor believes are non-violent and therefore eligible for reduced sentences: rape by intoxication, rape of an unconscious person, human trafficking involving sex act with minors, drive-by shooting, assault with a deadly weapon, taking a hostage, domestic violence involving trauma, supplying a firearm to a gang member, lewd acts with a child, hate crime causing physical injury, failing to register as sex offender, arson causing great bodily injury, felon obtaining a firearm, discharging a firearm on school grounds, and false imprisonment of an elder.

Read that list again and look for all the crimes that target vulnerable victims. The criminals who enslave and sell minors, who rape women and men after they're rendered helpless, criminals who harm children and the elderly – these are criminals who will be released back into our communities early, based on participation in a program. This proposition will also overturn key provisions of Marsy's Law, the Three-Strikes Law, the Victims' Bill of Rights, Californians Against Sexual Exploitation Act, and the Gang Violence and Juvenile Crime Prevention Act, all of which were enacted by Californians to protect victims and prevent further victimization.

Proposition 57 will only compound the effects of Proposition 47 – The Safe Neighborhoods and Schools Act, which passed in November 2014. Proposition 47 reduced many felonies to misdemeanors, including theft and drug offenses, that directly affect the quality of life in a community. Prior to the passage of Proposition 47, California was experiencing a 10-year trend of decreasing crime, as was the rest of the nation. After the passage of Prop 47, California's crime rates have increased while the rest of the country has seen property crime reductions. Prop 47 has not lived up to its name, and neither will Prop 57.

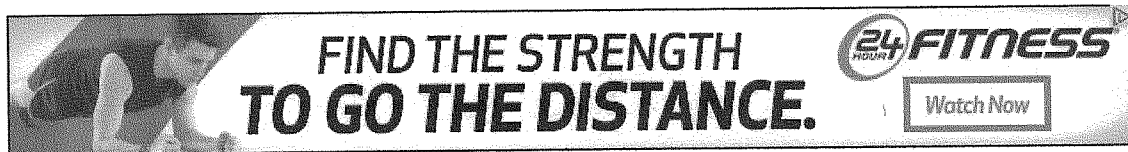
Your local law enforcement partners have made great strides in the past few years to reduce gang-related violence, to reduce gun violence, and to address the human trafficking tragedy and sex crimes in our communities. Proposition 57 threatens public safety through the early release of violent criminals and straining resources that force us to become more reactive, rather than proactive to prevent crime and maintain our quality of life.

This act will not promote public safety. The very population the Governor is seeking to release has a return to prison rate of nearly 50%. This is according to CDCR's own statistics not partisan politics. This is yet another gamble on crime disguised as public safety, we don't think 50% is a safe bet.

Every single day, deputy district attorneys answer "ready for the people" and every day (and night) police officers start their shifts "clear for calls," with the intent to make our community safe. Please join us in voting NO on Prop 57.

*Tim Ward is district attorney of Tulare County; Jason Salazar is chief of police in Visalia. The concerns they cite affect Monterey County as well.*

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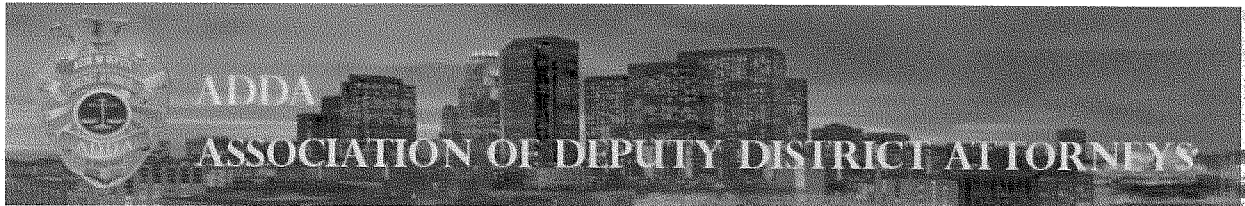
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## The Reality of Prop 57

*By Michele Hanisee*

As absentee ballots are beginning to be mailed out, it is necessary to again summarize what Proposition 57 does. It provides for earlier release of **ALL** inmates not serving a death sentence or life without parole sentence. It allows the Parole Board to release decades' early inmates who have committed violent crimes, including sex crimes, without the ability for review by a court or the Governor.

What Proposition 57 **IS NOT** is a narrowly crafted initiative limited to "non-violent" inmates.

First, Proposition 57 changes the Constitution to remove the

Legislature as the sole branch of government which can enact sentence credits. Instead, it allows unelected, faceless and nameless bureaucrats at the Department of Corrections to invent any kind of sentence credits they want. As written in Section 32(a)(2), *"The Department of Corrections and Rehabilitation shall have authority to award credits earned for good behavior and approved rehabilitative or educational achievements."* There is **no restriction** on the inmates to whom it applies; thus, these Department of Corrections can invent and apply new sentence credits for all inmates.

Next, it allows early release via parole of inmates who have served only a fraction of their imposed sentence, as long as they have completed "the full term for his or her primary offense." Consecutive sentences imposed because the inmate committed crimes against multiple victims can be ignored. In addition, "life sentence" enhancements imposed on habitual sex offenders, gang offenders, or three strikers.

The initiative has no criteria for what will guide consideration for parole. Instead, as soon as the full term for the primary offense is completed, an inmate is eligible for parole. If the Parole Board decides to parole an inmate, that decision is not reviewable by a court or the Governor. In short, the power to determine the length of sentences for convicted felons has been transferred from the courts to the Parole Board.

These three issues are serious and on their own are reason to oppose Proposition 57. However, as outlined in a [fact sheet on our website](#), there are other numerous dangerous flaws with Proposition 57 which should lead to its defeat. We urge you to read our fact sheet, keep in mind the points above, and vote "NO" on Proposition 57.

To learn more about this dangerous initiative, please visit, [www.stop57.com](http://www.stop57.com)

Please share this or our other related blogs on social media. To read or share the blogs, please click on the hyperlinks below: (1) [Prop 57-A "Criminal's Bill of Rights."](#) (2) [Governor Brown, Time to Debate Prop 57](#) (3) [Jerry Brown, Line 1 - It's Your Flawed Initiative Calling](#) (4) [Proposition 57 Unmasked: A Detailed Analysis of the Misleading Initiative](#) (5) [Those Who Care About Victims of Sex Crimes Should Oppose Gov. Brown's Initiative](#) (6) [Stanford Sexual Assault Case Typifies California's New Approach to Criminals](#) (7) [Governor's spokesperson confirms his initiative will allow early release of violent inmates](#) (8) [Gov. Brown: Longing for the 70's](#) (9) [Governor Brown's Power Grab](#) (10) [The truth will defeat an oft-repeated lie](#) (11) [Low-income communities will be devastated by felon-freeing fiasco](#) (12) [L.A. Gangs Will Love Governor's Ballot Initiative](#) (13) [Felon-freeing initiative advances](#) (14) [A Radically Dangerous Experiment with](#)