

SENATOR JOEL ANDERSON

THIRTY-EIGHTH SENATE DISTRICT



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SB 759 – Segregation Housing; earned credits. (Authored by Senators Anderson and Hancock)

SUMMARY

SB 759, as amended, restores eligibility for earning credits to people held in segregation housing. Prisoners who successfully complete specific program performance objectives will be eligible for credit. Credits will be awarded based on these specifications and are not automatic.

The Department of Corrections and Rehabilitation (CDCR) will generate regulations to determine which disciplinary infractions could result in loss of credits, time periods required for forfeited credits, and the amount of credit that could be lost, not to exceed percentages authorized for general population prisoners.

ISSUE

Prior to 2010, prisoners in security housing units were eligible to earn credit off their sentences if they remained disciplinary free. Because the vast majority of people held in SHU were there because the department believed they were involved in gangs, and not because of actual behavior violations, they qualified for these credits. In 2010, budget trailer bill (SB 3X 18) language took away credit earning from prisoners housed in isolation. This change in policy occurred without public input or the usual legislative vetting. As a result, prisoners have had months added to their sentences.

SOLUTION

Restoring eligibility for credit earning will save the state significant amounts of money as sentences are reduced. They will also restore hope to people and incentivize participation in rehabilitative programs and promote good behavior and improve safety for

staff and prisoners alike. Although very few programs have been available to prisoners in isolation, the Step Down Program and the court settlement will change that.

SUPPORT

American Friends Service Committee (co-sponsor)
Friends Committee on Legislation of California (co-sponsor)
American Civil Liberties Union of California
California Attorneys for Criminal Justice
California Catholic Conference
Californians United for a Responsible Budget
Ella Baker Center for Human Rights
Legal Services for Prisoners with Children
Prison Law Office

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