

★ **ARGUMENT IN FAVOR OF PROPOSITION 36** ★

The Three Strikes Reform Act, Proposition 36, is supported by a broad bipartisan coalition of law enforcement leaders, civil rights organizations and taxpayer advocates because it will:

• **MAKE THE PUNISHMENT FIT THE CRIME**

Precious financial and law enforcement resources should not be improperly diverted to impose life sentences for some non-violent offenses. Prop. 36 will assure that violent repeat offenders are punished and not released early.

• **SAVE CALIFORNIA OVER \$100 MILLION EVERY YEAR**

Taxpayers could save over \$100 million per year—money that can be used to fund schools, fight crime and reduce the state’s deficit. The Three Strikes law will continue to punish dangerous career criminals who commit serious violent crimes—keeping them off the streets for 25 years to life.

• **MAKE ROOM IN PRISON FOR DANGEROUS FELONS**

Prop. 36 will help stop clogging overcrowded prisons with non-violent offenders, so we have room to keep violent felons off the streets.

• **LAW ENFORCEMENT SUPPORT**

Prosecutors, judges and police officers support Prop. 36 because Prop. 36 helps ensure that prisons can keep dangerous criminals behind bars for life. Prop. 36 will keep dangerous criminals off the streets.

• **TAXPAYER SUPPORT**

Prop. 36 could save \$100 million every year. Grover Norquist, President of Americans for Tax Reform says, “The Three Strikes Reform Act is tough on crime without being tough on taxpayers. It will put a stop to needlessly wasting hundreds of millions in taxpayers’ hard-earned money, while protecting

people from violent crime.” The California State Auditor projects that taxpayers will pay millions to house and pay health care costs for non-violent Three Strikes inmates if the law is not changed. Prop. 36 will save taxpayers’ money.

• **TOUGH AND SMART ON CRIME**

Criminal justice experts and law enforcement leaders carefully crafted Prop. 36 so that truly dangerous criminals will receive no benefits whatsoever from the reform. Repeat criminals will get life in prison for serious or violent third strike crimes. Repeat offenders of non-violent crimes will get more than double the ordinary sentence. Any defendant who has ever been convicted of an extremely violent crime—such as rape, murder, or child molestation—will receive a 25 to life sentence, no matter how minor their third strike offense.

JOIN US

With the passage of Prop. 36, California will retain the toughest recidivist Three Strikes law in the country but will be fairer by emphasizing proportionality in sentencing and will provide for more evenhanded application of this important law.

Please join us by Voting Yes on Proposition 36.

Learn more at www.FixThreeStrikes.org

STEVE COOLEY, District Attorney
Los Angeles County

GEORGE GASCON, District Attorney
San Francisco City and County

DAVID MILLS, Professor
Stanford Law School

★ **REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 36** ★

HERE’S WHAT THE SUPPORTERS OF PROPOSITION 36 DON’T TELL YOU:

- A hidden provision in 36 will allow thousands of dangerous criminals to get their prison sentence **REDUCED** and then **RELEASED FROM PRISON** early. According to the Fresno Bee:

“If Proposition 36 passes, about 3,000 convicted felons serving life terms under Three Strikes could petition for a reduced sentence”

- Some of these dangerous criminals will be released **WITHOUT STATE PAROLE OR ANY LAW ENFORCEMENT SUPERVISION**. According to the Independent Legislative Analyst:

“Third strikers who are resentenced under this measure would become eligible for county community supervision upon their release from prison, rather than state parole . . . some of them could be released from prison without community supervision.”

- **PROPOSITION 36 IS TOTALLY UNNECESSARY**. Prosecutors and judges already have the power to implement Three Strikes fairly. Here’s what the President of the District Attorneys Association says:

“Judges and Prosecutors don’t need Proposition 36. In fact, it reduces our ability to use Three Strikes to target dangerous repeat felons and get them off the streets once and for all.”

- **36 IS OPPOSED BY EVERY MAJOR LAW ENFORCEMENT ORGANIZATION AND VICTIM RIGHTS GROUP**, including those representing California police chiefs, sheriffs, prosecutors, and police officers. Note that the supporters of 36 can’t name a single law enforcement organization on their side!
- **36 WON’T REDUCE TAXES**. Government doesn’t spend too much fighting crime. It spends too little. More crime costs taxpayers too!

We urge you to **SAVE** Three Strikes. Please Vote **NO** on 36.

CHIEF RICK BRAZIEL, President
California Peace Officers Association

HENRY T. NICHOLAS, III, Ph.D., Author
California’s Victims Bill of Rights

CHRISTINE WARD, Executive Director
Crime Victims Action Alliance

★ **ARGUMENT AGAINST PROPOSITION 36** ★

In 1994 voters overwhelmingly passed the Three Strikes law—a law that increased prison sentences for repeat felons. And it worked! Almost immediately, our state’s crime rate plummeted and has remained low, even during the current recession. The reason is pretty simple. The same criminals were committing most of the crime—cycling through our courts and jails—over and over again. The voters said enough—Three Strikes and You’re Out!

In 2004, the ACLU and other opponents of tough criminal laws tried to change Three Strikes. The voters said NO. Now they are back again with Proposition 36. They couldn’t fool us last time and they won’t fool us this time.

Just like before, Proposition 36 allows dangerous criminals to get their prison sentence REDUCED and then RELEASED FROM PRISON! So who does Proposition 36 apply to?

- Criminals so dangerous to society that a District Attorney chose to charge them with a Three Strike offense;
- Criminals so dangerous that a Judge agreed with DA’s decision to charge;
- Criminals so dangerous that a jury convicted them of that offense;
- Criminals so dangerous that a Judge imposed a 25-to-life prison sentence; and
- Criminals whose legal appeals were denied.

After all that, Proposition 36 would let those same criminals ask a DIFFERENT Judge to set them free. Worse yet, some of these criminals will be released from prison WITHOUT PAROLE OR ANY SUPERVISION!

Here’s what the Independent Legislative Analyst says about the early release of some prisoners under Proposition 36: *“Some of them could be released from prison without community supervision.”*

No wonder Proposition 36 is OPPOSED by California Police, Sheriff’s and law enforcement groups, including:
California Police Chiefs Association

California State Sheriff’s Association
California District Attorneys Association
Peace Officers Research Association of California
Los Angeles Police Protective League

What do you think these newly released hardened criminals will do once they get out of prison? We already know the answer to that: They will commit more crimes, harm or kill more innocent victims, and ultimately end up right where they are today—back in prison. All of this will cost taxpayers more than keeping them behind bars right where they belong.

No wonder Proposition 36 is opposed by victim rights groups, including:

Crime Victims United of California
Crime Victim Action Alliance
Citizens Against Homicide
Criminal Justice Legal Foundation

At the time Three Strikes was approved by the voters, some thought it might be too harsh or too costly. Voters rejected that view in 2004. But even if you believe that the Three Strikes law should be reformed, Proposition 36 is not the answer. Any change to the sentencing laws should only apply to future crimes committed—it should not apply to criminals already behind bars—cutting their sentences short. It is simply not fair to the victims of crime to have to relive the pain of resentencing and early release of these dangerous criminals. We kindly ask you to VOTE NO ON PROPOSITION 36.

www.save3strikes.com

SHERIFF KEITH ROYAL, President
California State Sheriff’s Association
DISTRICT ATTORNEY CARL ADAMS, President
California District Attorneys Association
HARRIET SALERNO, President
Crime Victims United of California

★ **REBUTTAL TO ARGUMENT AGAINST PROPOSITION 36** ★

Don’t believe the scare tactics used by opponents of Prop. 36. Here are the facts:

- Prop. 36 requires that murderers, rapists, child molesters, and other dangerous criminals *serve their full sentences*.
- Prop. 36 *saves taxpayers hundreds of millions of dollars*.
- Prop. 36 *still punishes repeat offenders* of nonviolent crimes by doubling their state prison sentences.

Today, dangerous criminals are being released early from prison because jails are overcrowded with nonviolent offenders who pose no risk to the public. Prop. 36 prevents dangerous criminals from being released early. People convicted of shoplifting a pair of socks, stealing bread or baby formula don’t deserve life sentences.

Prop. 36 is supported by law enforcement leaders, including:

- Steve Cooley, District Attorney of Los Angeles County
- Jeffrey Rosen, District Attorney of Santa Clara County

- George Gascon, District Attorney of San Francisco City and County
 - Charlie Beck, Chief of Police of Los Angeles
- They know that Prop. 36:
- *Requires:* Life sentences for dangerous criminals who commit serious and violent crimes.
 - *Makes the Punishment Fit the Crime:* Stop wasting valuable police and prison resources on nonviolent offenders.
 - *Saves Over \$100 Million Every Year.*

STEVE COOLEY, District Attorney
Los Angeles County
JEFFREY F. ROSEN, District Attorney
Santa Clara County
CHARLIE BECK
Chief of Police of Los Angeles