

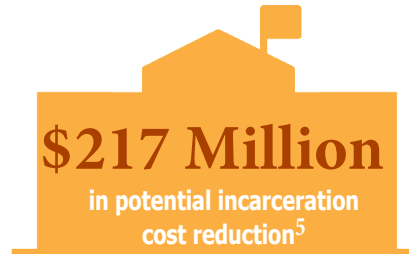
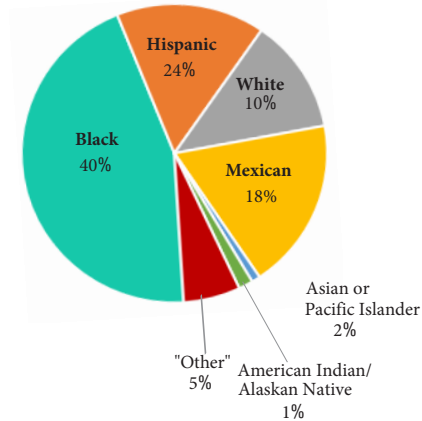
# SB 1437/775: A SNAPSHOT OF IMPACT (2019-2023)



## Demographics



### Racial and ethnic background of people resentenced<sup>3</sup>



## Overview

In 2018, the Legislature began amending California's homicide laws to remedy the long-standing problem of people being convicted of murder and given lengthy prison sentences when the individual was not personally responsible for the loss of life and did not have the intent to kill.

**SB 1437:** Effective January 1, 2019, SB 1437 created a legal path for those convicted of murder under the old laws to ask a judge to resentence them to a lesser crime if they (1) **were not the person who took a life**, (2) **did not act with intent to take a life**, or (3) **were not a major participant who acted with reckless indifference to life** in a felony that resulted in a loss of life.

**SB 775:** Effective January 1, 2022, SB 775 allowed those with similarly invalid manslaughter or attempted murder convictions to seek resentencing to a more appropriate lesser crime.

**Public Defense Pilot Program:** The Budget Act of 2021 (SB 129) established the Public Defense Pilot Program through which the Legislature provided needed funding to counties for public defenders to represent people in 1437/775 hearings.

## Impact on Our Communities

**Benefit to Taxpayers:** Between January 1, 2019 and December 31, 2023, 960 people were resentenced. Based on these figures, estimated incarceration cost reductions range from **\$119.6 million to 1.53 Billion**, with \$217,231,236 estimated using the Legislative Analyst's Office (LAO) marginal incarceration cost estimate.<sup>5</sup>

**SB 1437/775 Provides Relief to Communities of Color:** Approximately **90%** of the people resentenced under SB 1437 and SB 775 were **people of color**, with **Black Californians** comprising the largest share (40%). Most were serving indeterminate sentences (e.g., 25 years to life) and some were serving a life sentence without the possibility of parole.

**SB 1437/775 Provides Relief to Families:** About 47% of people incarcerated in state prisons in the U.S. are **parents to minor children**.<sup>6</sup> Parental incarceration can have deleterious psychological, academic, behavioral, and economic effects on children. Under SB 1437 and SB 775, approximately **14,482 years** have been returned to individuals to care for loved ones and contribute to their communities.

**Impact to Public Safety:** Research suggests that individuals released from a long prison sentence recidivate at a much lower rate than other populations. For example, according to CDCR, the three-year re-conviction rate for persons who previously served an indeterminate term was 3.2%.<sup>7</sup>

1-According to data received from the California Department of Corrections and Rehabilitation (CDCR) spanning January 1, 2019 - December 31, 2023

2,3,4-Based on calculations conducted by the Indigent Defense Improvement Division (IDID) on data received from CDCR.

5-CDCR estimates \$8,259 in marginal incarceration costs per person per year. The LAO estimates a marginal incarceration cost of \$15,000 per person per year and \$106,131 in average incarceration costs per year, [https://lao.ca.gov/policyareas/cj/6\\_cj\\_inmatecost](https://lao.ca.gov/policyareas/cj/6_cj_inmatecost).

6-Bureau of Justice Statistics (2021) <https://bjs.ojp.gov/library/publications/parents-prison-and-their-minor-children-survey-prison-inmates-2016>

7-Based on findings in the Recidivism Report for Offenders Released from the CDCR FY 2015-16