Office of the State Public Defender

What to Expect When Someone Is Sentenced to Prison

Information for family, friends, and community members

About this resource:

This resource provides general information and is not legal advice.

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What to Expect When Someone is Sentenced to Prison

Information for family, friends, and community members

This guide explains what happens before a person's final court date, what usually happens after someone is sentenced to state prison, and ways you can provide support along the way.

Before Sentencing

Sentencing hearing

A sentencing hearing is when a judge decides the punishment. It happens after a person:

- agrees to a plea deal (sometimes called a plea bargain),
- pleads "open" to the court without a deal, or
- is found guilty after a trial.

Sentencing usually does not happen right away. It often takes about four weeks or longer. During this time, the attorneys may submit written information to the judge and a probation officer will prepare a report.

The report is important. The judge uses it to help decide the punishment. The state prison system — called the California Department of Corrections and Rehabilitation (CDCR) — uses it to decide where someone will serve their sentence. The report may later be used by the parole board.

At the sentencing hearing, the judge listens to the attorneys and any victims who choose to speak. The person being sentenced also sometimes speaks. The judge then decides the punishment.

What is in a probation report

- Details about the offense.
- Interview with the person being sentenced (unless waived).
- Recommendations about fines, restitution, and the sentence.

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Writing a letter of support

Sentencing hearings often focus on what went wrong. A letter of support helps the judge see the whole person – not just the charges.

A support letter can tell the judge about a person's character, growth, and connections to family and community.

Tips for writing an effective support letter:

- Keep the letter short. One page is enough.
- Make sure the letter is easy to read. Typing is best if you can.
- Say who you are and how you know the person. For example, "I am their sister."
- Share positive things, including efforts to change.
- You may include one or two photos that show the person in a positive way (for example, with family, at work, or helping others).
- You do not need to pretend that a crime did not happen. You can acknowledge the crime happened and still express support.
- Explain how you will help them during their sentence and after their release. For example, you might describe your plans to visit, help with transportation, provide housing, or offer other support.

What to avoid:

- Do not blame victims.
- Avoid downplaying harm.
- Do not argue about guilt or innocence.
- Do not attack the court or anyone involved.
- Do not use angry or disrespectful language.

Special note:

❖ Try to give any letters to the attorney at least two weeks before sentencing.

❖ Always give letters of support to the person's attorney. Do not send letters directly to the court, probation, or prosecutor. The attorney will decide if the letters should be used. Sending letters on your own can cause problems, even if you are trying to help.

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After Sentencing

Where are prison sentences served?

Prison sentences are served in CDCR or at the county jail. This guide focuses on sentences that are served in CDCR.

A person will serve their sentence in CDCR if their charges require a state prison sentence or if they are not eligible for a county jail sentence because of certain prior convictions.

Moving to state prison

People usually remain at the county jail for a short time after the sentencing hearing. They are then moved to a CDCR Reception Center (sometimes called Reception). Which location they go to depends on where the person was sentenced.

Transfers do not happen on a set schedule. Some people move in a few days. Others wait for several weeks. Delays are common and do not mean that something is wrong.

Arriving at the Reception Center

A Reception Center is the first place someone goes to after being sentenced to state prison. People usually stay at Reception between 30-60 days. Some people stay at Reception longer.

At Reception, CDCR collects information about a person. This includes reviewing records, conducting health checkups, and assigning a classification score. This helps CDCR decide where the person will go next to serve their sentence.

Limitations during Reception

Communication is limited during Reception. This is normal and temporary.

Initially at Reception, a person is placed in Privilege Group U. This means:

- The person can make one 15 minute phone call per week.
- No "family visits."
- Non-contact visits may be permitted with CDCR approval.
- No personal packages.
- No tablet access.
- You can send letters to stay in touch.

These restrictions are not permanent and will change when the person is placed into another privilege group.

> *Tip*: For additional information on what to expect during Reception, visit: https://www.cdcr.ca.gov/ombuds/ombuds/entering-a-prison-faqs/

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Placement

A Classification Services Representative decides where a person will go after Reception. They look at the classification score, available space, required security level, and other factors. Where a person is placed after reception is called an "endorsement."

Staying Connected

Staying in touch

Letters, phone calls, tablet messages, and visits can help people feel supported. Even short messages can help.

> ***IMPORTANT:*** **All messages and phone calls are monitored by CDCR staff. Do not include or discuss anything that could cause problems for your loved one.**

Phone calls

Most people in prison have access to telephones and can make free 15-minute phone calls from CDCR's monitored system.

> ***Caution*****: Do not text or accept telephone calls from anyone using a contraband or unauthorized cell phone. There are serious consequences – including the loss of credits and future visits – that can result from this practice.**

Emails and messaging

CDCR has provided access to tablets in many prisons. If a person has access to a tablet, they can receive emails, text messages, photographs, and short videos from friends and family for a small cost. Information on setting up an account is available at: https://www.cdcr.ca.gov/family-resources/tablets.

Visiting

Visiting can help people stay connected. Visitors require approval and must follow CDCR's rules, including what they wear.

You must apply in advance. Information is available at this website: https://www.cdcr.ca.gov/visitors/.

Mail

Normally, a person's mailing address is different from the prison's main address. Once a CDCR number is assigned, you can find the correct mailing address at this website: https://ciris.mt.cdcr.ca.gov/search.

Address your letters this way:

Name, CDCR number
Facility name (for example: Calipatria State Prison)
Facility, Building number, Cell number
P.O. Box number
City, State, Zip Code

Information about approved packages is available at this website: https://www.cdcr.ca.gov/family-resources/sending-inmate-packages-from-approved-vendors/.

Communication Tips:

- **Do not talk about their case.**
- **Remind them that they are not alone.**
- **Keep messages positive and encouraging.**
- **Be patient. Responses may be delayed due to prison rules.**

This resource was informed by the insights, experiences, and thoughtful contributions of many individuals and groups working to improve outcomes across California's criminal legal system. We are especially grateful to the Alameda County Public Defender's Office, the Anti-Recidivism Coalition, the Ella Baker Center for Human Rights, and the Prison Law Office for their time, perspectives, and contributions.

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