SB 1437/775: A Snapshot of Impact

(Jan 2019 – June 2026)

Office of the State Public Defender

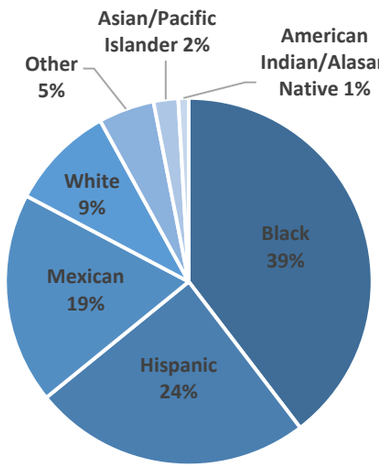
1,302 people resentenced[1]



70% of those resentenced were serving indeterminate or life without parole sentences[2]



Racial and ethnic background of people resentenced[3]



19,208 years



returned to individuals to care for loved ones and contribute to their communities[4]



$414 million

in potential incarceration cost reduction[5]

BACKGROUND

In 2018, the Legislature began amending California's homicide law 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 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 June 30, 2026, 1,302 people were resentenced. Based on these figures, estimated incarceration cost reductions range from **$159 million to $2.5 billion,** with $414 million estimated using the Legislative Analyst's Office (LAO) marginal incarceration cost estimate.[5]

SB 1437/775 Provides Relief to Communities of Color: Approximately **90%** of people resentenced under SB 1437 and SB 775 were people of color, with **Black Californians** comprising the largest single group (39%). 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**.[6] Parental incarceration can have deleterious psychological, academic, behavioral, and economic effects on children. Under SB 1437 and SB 775, approximately **19,208 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 long prison sentences 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 3.8%.[7]

1-According to data received from the California Department of Corrections and Rehabilitation (CDCR) spanning January 1, 2019 – June 30, 2026.
2, 3, 4-Based on calculations conducted by the Indigent Defense Improvement Division (IDID) on data received from CDCR. For full transparency, OSPD is providing the racial and ethnic categories as labeled and reported by CDCR.
5 -CDCR estimates $8,259 in marginal incarceration costs per person per year. The LAO estimates a marginal incarceration cost of $21,534 per person per year and $127,788 in average incarceration costs per year, https://www.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 Supplemental Recidivism Report for Individuals Released in Fiscal Year 2020-21: Board of Parole Hearings (June 2026)

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