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Parole, Sentencing and Court Procedures

Initiative - Constitutional Amendment

The way it is now: The State of California has been making changes in sentencing and procedures for different kinds of crimes in order to prevent prison overcrowding. Before they can be eligible for parole, people with felony convictions must serve a minimum sentence for their main crimes and may serve additional time for lesser charges. Most inmates can reduce their sentences by earning credits for education, job training and good behavior. When someone is accused of a crime, court procedures are sometimes different based on whether the person is under the age of 18. Depending on the seriousness of the crime and their criminal history, youth 14 to 17 may be tried either as juveniles or as adults. In some cases, prosecutors can choose whether the case should be tried in juvenile or adult court.

What Prop 57 would do if it passes: Make changes to the State Constitution about sentencing and court procedures for two kinds of situations. Adults convicted of *non-violent felonies* would be eligible for parole after serving time for their main crimes. Inmates may also have more opportunities to reduce their sentences through credits for good behavior and approved educational activities. Changes would also be made to youth court procedures. Youth accused of a crime who are 14 to 17 years old could not be tried in adult court unless it was decided by a juvenile court judge.

Effect on state and local budgets: By reducing the adult prison population, the state could save money in the tens of millions of dollars each year. Moving youth offenders to juvenile courts would save an additional few million dollars. Counties would need to spend additional money in the short term to supervise a larger number of felons on parole. Moving youth out of adult court would likely cost counties a few million dollars each year.



People for Prop 57 say:

- Prop 57 would reduce overcrowding in state prisons and save money spent on non-violent offenders.
- Prop 57 would encourage inmates to take advantage of educational and rehabilitation opportunities.



People against Prop 57 say:

- Prop 57 would release a greater number of convicted felons onto the street.
- Prop 57 would weaken crime laws and fail to honor the original sentence ordered by a judge.

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English Language Education

Legislative Initiative

The way it is now: More than 20 percent of California students are considered English learners. These students have a hard time reading, writing or speaking in English. Under current law, the state requires schools to teach these students mostly in English. State law limits the use of bilingual programs, which teach students using English and their native language. As a result, very few schools offer bilingual programs.

What Prop 58 would do if it passes: Schools would no longer be required to teach English learners in English-only programs. Schools would be allowed to use bilingual programs to teach English based on the needs of their students. School districts would have to get feedback from parents about how English learners should be taught.

Effect on state and local budgets: Prop 58 would have no effect on the state budget. Costs for school districts and county governments would be small. Schools might need to develop new programs or train teachers, but these costs would likely be paid for within current budgets.



People for Prop 58 say:

- English learners should be educated in whatever way best meets their learning needs.
- Prop 58 would give parents and school districts more control over the way children are educated.



People against Prop 58 say:

- Since the state has required instruction primarily in English, student test scores have improved.
- Prop 58 would hurt some students' chances of learning English by creating classrooms that primarily teach in Spanish.