

Negotiating from the Margins: The Santa Clara Pueblo Seeks Key Ancestral Lands Sequel

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Introduction Background



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Topic #1 Cost Effectiveness



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Topic #2 Lack of Cost Effectiveness



Topic #3 Racial Disparities



**Crossing the Bridge
Proposition 36**

Road Block #2

• Areas with higher Latino populations increase the probability of recidivism third strike
• African Americans are 1.5 times up 4% of the population but comprise 15% of the second-strike in prison and 45% of the third-strike
• African Americans have 60% higher odds of receiving a third strike than whites
• African American incarceration rates for these strikes was 12 times higher than the third strike incarceration rates for whites
• Racial disparities between blacks and whites is more severe when it comes to lower offenses

Road Block #1 cont.

Lack of Cost Effectiveness

- Excessive requests for parole are not as great as initially reported.
- Many states passed the law but still have the reputation of full-time inmate sentencing not doing the job.
- Some states have spent the annual going costs and imposed new costs on the local criminal justice system, including court fees, delays, and inmate dollar costs.
- In California alone, there was a \$1.8 billion increase in additional prison and jail expenses from March 1998 to September 2005, with this increase the result of longer prison terms. These findings are consistent with the assumptions of individuals who did not believe in the law.
- In May 2002 about 25 percent of the population was incarcerated under the three-strike law, which estimates the individual sentences to be about nine years longer. These additional years of incarceration represent a cost to the state of \$150 million.



Goal

• Researcher aims to understand how the law is being used and how it is affecting the lives of those who are incarcerated. The goal is to provide a clear picture of the law's impact on the lives of those who are incarcerated.

Proposition 36

• In California, Proposition 36, also known as the Three Strikes Law, was passed in 1993. It requires that individuals who are convicted of a second strike offense receive a life sentence, and those convicted of a third strike offense receive a term of 30 years to life in prison.

Sources

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- Source: North Carolina Department of Public Safety. (2011). Cost of supervision. Retrieved from <http://www.doc.state.nc.us/drop/cost/>
- Source: KBSS New Station. (2012). Prop. 36 would amend "three strikes law". Retrieved from <http://www.youtube.com/watch?v=CgAYrRtUg>
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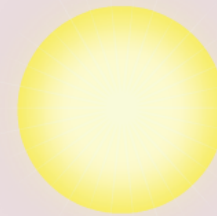
Thank You!

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Up)



Proposition 36

- In 2012 California passed Prop. 36, a law which allows to re-sentence the non-violent offenders on a reduced sentence other than the original mandatory minimum sentence of 25 years to life

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Defintion

Three strikes laws are criminal statutes that mandate increased sentences for repeat offenders, usually after three serious crimes. These laws provide strict mandatory sentencing guidelines once an offender is convicted. After a third serious offense an offender can be sentenced up to 25 years to life in prison without the possibility of parole. (The Free Dictionary, 2014)

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Birth of Three Strikes Laws



- In 1993 12 year old Polly Klass and 18 year old Kimber Reynolds were brutally murdered by habitual violent offenders.
- Polly Klass was a 12 year old girl kidnapped from a slumber party, ultimately being raped and murdered by a recidivist violent offender.
- In Reynolds case her murderer was an addict to methamphetamine. He tried to steal Reynolds purse, when she refused the man shot her in the ear with a .357 magnum gun at point blank range. He was recently released from prison two months prior Reynolds murder. (Skelton, 1993)

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- To my left is Mike Reynolds, Kimber's father. He became an advocate in proposing to state legislature and the nation to create laws that would place habitual violent offenders behind bars for the rest of their lives.
- According to Mailcoat, often times society reacts to certain historical events and demand action be taken immediately on new laws and policies becoming implemented. Without realizing the reciprocal effects these new laws and policies could have on society politically and economically. (Mailcoat, 2014)

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- *In 1993 Three Strikes Laws became enacted in America by the State of Washington, subsequently California followed in 1994. Currently there are 25 states who enforce three strikes laws, but none with more strict enforcement than California.*
- *In California's case they passed Proposition 184 in 1994, which basically states an offender on their third offense receives a "third strike and you're out."*
- *During this time society wanted more get tough on crime policies in order to combat with the increase of crimes being committed, which ranged from drug related crimes to more serious crimes.*
- *The philosophy behind three strikes laws was to place the most serious offenders of serious crimes in prison. These crimes can include murder, assault with a deadly weapon, sexual assault etc.*



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Topic #1

Cost Effectivness



Road Block #1



Lack of Cost Effectiveness

- With laws that extend an offenders sentence in prison, more funding will be necessary to the criminal justice system in order to provide justice to it's citizens. The criminal justice system is already a multi-billion dollar organizational structure, which places a burden on taxpayers and also the economy.
- Three Strikes Laws alone cost the U.S. \$500 million dollars a year to implement. According to the department of public safety, in N.C. the cost to house an inmate in prison is 27,747 per inmate. (North Carolina Department of Public Safety, 2011)

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