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California State Senate

MIKE MORRELL
SENATOR, TWENTY-THIRD DISTRICT



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August 16, 2017

California Department of Corrections and Rehabilitation
ATTN: Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

RE: Credit Earning and Parole Consideration Proposition 57 (NCR 17-05)

To whom it may concern:

I write this letter to express concerns about the proposed regulations put forth by CDCR to implement Proposition 57 (2016). Over the last several years, Sacramento has enacted changes to the public safety system that have made our streets less safe and inhibited the ability of local law enforcement to fulfill their charge to protect our communities. As the state prepares to undergo another such change, it is critical these regulations are crafted in a way that does not put families and individuals at further risk.

Of prime concern to me is the pending broad interpretation of "nonviolent" crimes as referenced in the language of Proposition 57. Under this umbrella term, there are dangerous felons in prison who could be eligible for early parole if CDCR adopts these regulations in their current form.

As you determine what constitutes a "nonviolent" offense in granting early parole eligibility to certain felons, I urge you to also exclude other crimes that, although they may not legally be defined as "violent" according to state law, are clearly violent in nature.

In this spirit of public safety, it is unconscionable that crimes such as the ones listed below, are not exempted from the provisions of Proposition 57, for purposes of granting early parole:

- Felony vehicular manslaughter
- Felony battery with infliction of serious bodily injury
- Assault with caustic chemicals or flammable substances
- Felony assault with a deadly weapon other than a firearm
- Assault with a deadly weapon other than a firearm on a peace officer or firefighter
- Felony discharge of a firearm at an inhabited or occupied building or vehicle
- Human trafficking of a minor for labor
- Felony corporal punishment or injury of a child
- Felony corporal injury to a spouse or cohabitant
- Arson of a structure, forest land, or property
- Solicitation of murder

In the ballot summary for Proposition 57, the first sentence presented to voters read that the initiative would simply allow "parole consideration for nonviolent felons." Through a straightforward understanding of this statement, it is evident that voters did not intend to empower the state to grant release to dangerous individuals who engage in egregious acts.

The current trend in California seems to be furthering the rights of criminals rather than the rights of victims and their families. As you finalize these regulations, I ask you to think about those individuals who have been hurt and wronged at the hands of these felons who have done them harm. Our state can and must ensure that public safety is maximized and justice is delivered while at the same time guarantee fair treatment under the law.

Thank you for your consideration of these concerns. Please contact me with any questions.

Sincerely,

A handwritten signature in black ink that reads "Mike Morrell". The signature is written in a cursive, slightly slanted style.

Mike Morrell
Senator, 23rd District