



BUTTE COUNTY DISTRICT ATTORNEY



MICHAEL L. RAMSEY
District Attorney

FRANCISCO R. ZARATE
Chief Deputy District Attorney

KORY L. HONEA
Chief Investigator

PRESS RELEASE

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DISTRICT ATTORNEY RAMSEY DECRIES PRISON RELEASE PLAN

Everyone agrees California's prisons are currently overcrowded, District Attorney Mike Ramsey said today, but the pending plan by the Governor and the Legislature to deal with it has the potential to damage public safety for decades to come. The details of the largely secret plan are being slowly revealed for the first time this week and the Legislature plans on voting on it tomorrow in an apparent rush to judgement which can only endanger citizens.

Ramsey said the plan calls for a number of permanent changes to the criminal justice system which would only encourage more criminal activity and the victimization of more citizens, even beyond the early release of current prisoners. If implemented, thousands of serious felons will go virtually unpunished.

Ramsey noted that under the pending plan, writing bad checks would be changed from either a felony/misdemeanor charge to a straight misdemeanor only, thus precluding a state prison commitment and mandating a sentence of no more than a year in county jail. Even a repeat felon who is caught writing tens of thousands of dollars of bad checks would receive virtually no punishment.

Receiving stolen property would also go from the current felony/misdemeanor charge to a misdemeanor only, thus precluding a state prison sentence and mandating a sentence of no more than a year in the county jail. Even a chop shop operator with hundreds of thousands of dollars worth of stolen cars, or a fence with millions of dollars of retail goods or a warehouse crammed with stolen farm chemicals or irrigation pipe would receive virtually no punishment.

This plan also changes auto theft by imposing a value of \$2500 or more in order for the theft to be a felony. This means that if a defendant steals one of a wealthy victim's three BMWs, he can be charged with a felony and sent to prison, but if he steals a '89 Ford pickup which is the sole transportation of a working family, he can't.

Ramsey said when the criminal community sees that these crimes carry few consequences, they will commit an ever-increasing number of them.

Ramsey also noted the dangers of the pending “early release” plan in which offenders with less than 12 months of actual time would be released from custody, possibly with GPS monitoring. This proposal amounts to the virtual decriminalization of most property and narcotics crimes. The proposal is even more sweeping than the changes mentioned previously.

The sentencing range for most property crimes is 16, 2 years, or 3 years in state prison. An inmate is currently entitled to a virtually automatic one-half off his sentence for good/work time. Thus, a defendant sentenced to the maximum term has 18 months to serve, a defendant sentenced to the mid term has a year to serve, and the defendant sentenced to the low term has 8 months to serve. If this early release proposal becomes a permanent feature in the law, the maximum term a defendant would serve is only 6 months. Mid and low term defendants would serve no time at all.

Again, Ramsey said, one does not have to be a fortune teller to realize that when property criminals learn that virtually nothing will happen to them, even after they have committed so many crimes that they are finally sentenced to state prison, the number of such crimes will mushroom.

As part of the pending “release plan,” Ramsey said, the Governor also proposes to commute the sentences of criminal aliens currently in state prison to be deported by Immigration authorities. Releasing non-citizen criminals in the country illegally sooner than citizen criminals certainly has interesting equal protection and fairness issues, Ramsey said. But public safety is also at risk with the knowledge that one out of every seven illegal alien prisoners who were paroled and deported were *caught* back in California within a year of their release and deportation. There is no way of knowing how many more returned, reoffended, but were not caught. More importantly, there is also no way of knowing how many more will come back if they are simply deported without even having to serve their sentences, but it will certainly be a lot.

The proposals are bad policy, Ramsey said, and he joins District Attorneys and law enforcement up and down the state to oppose them.