



BUTTE COUNTY DISTRICT ATTORNEY



MICHAEL L. RAMSEY
District Attorney

MARK MURPHY
Chief Deputy District Attorney

JASON WINES
Chief Investigator

PRESS RELEASE

For Immediate Release
December 29, 2021

DAs Granted Temporary Restraining Order Preventing State Prisons from Granting Increased Credits for Second-Strikers w/Serious, Violent Convictions

Butte County District Attorney Mike Ramsey announced today that he and 27 other elected District Attorneys across California have been granted a Temporary Restraining Order (TRO) preventing the California state prison authority (Department of Corrections & Rehabilitation - CDCR) from enacting an increase of 50% to 66% credits for second-strikers with serious and violent criminal histories.

Ramsey said this newest proposed “emergency regulation” comes after CDCR recently enacted another set of so-called “emergency” regulations that allowed for additional credits to be awarded to serious and violent felons, including credits that are not based upon completing any rehabilitation programs.

While CDCR’s newest regulations grant additional good conduct credits to inmates working in fire camp related activities, CDCR also added additional credits to so-called “nonviolent” second strikers. Unrelated to fire camp credits, CDCR sought to increase credits to 66% conduct credits, in other words, two-thirds time off their sentences, to second strike inmates housed at a minimum-security facilities. Ramsey said that CDCR did so amid litigation challenging additional credits for serious and violent offenders. This new class of credits would include convictions for domestic violence, human trafficking, animal cruelty and possession of weapons by individuals who have previous convictions for serious and violent felonies, such as felony assaults, rapes and kidnappings.

In order to stop the enforcement of this newest early release “emergency regulation,” the 28 DAs lead by Sacramento County District Attorney Anne Marie Schubert filed a TRO on December 22, 2021 in Sacramento County Superior Court. Today the Court granted the petition and will issue the TRO against CDCR tomorrow.

Under California law, “nonviolent” felonies include domestic violence, rape of an unconscious person, human trafficking, and assault with a deadly weapon. “Second strike” refers to an inmate who was previously convicted of a serious or violent felony.

“Many of these so-called “nonviolent” second-strikers have long and violent criminal histories – including repeat felony domestic violence convictions, sexual assaults and gun violence,” said DA Schubert in the filing against the new regulation. “Releasing these dangerous inmates after serving a small fraction of their sentences not only lacks accountability, it shortens effective rehabilitation, violates victims’ rights and is a significant threat to public safety. No one is contesting good conduct credits for fire camp work, but sneaking in another class of individuals with serious and violent criminal histories goes too far.”