



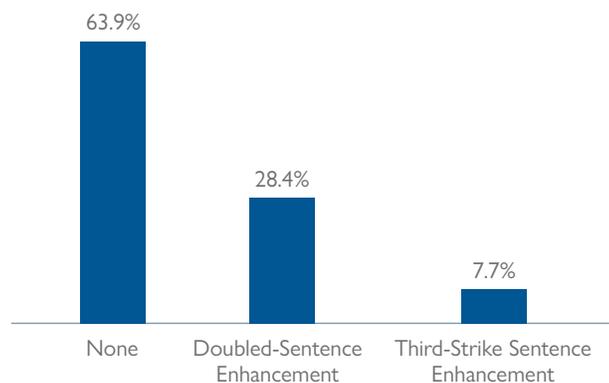
Summary of Report: Three Strikes in California

MIA BIRD, OMAIR GILL, JOHANNA LACOE, MOLLY PICKARD, STEVEN RAPHAEL AND ALISSA SKOG

California’s Three-Strikes sentencing law is a unique form of sentence enhancement that lengthens sentences based on an individual’s criminal history. Specifically, for individuals with a serious or violent felony on their record, a second felony conviction results in the doubling of their sentence, and a third serious or violent felony conviction results in a sentence of 25 years to life. An individual with two prior serious or violent convictions will receive a doubling of their sentence for a non-violent, non-serious conviction. Compared to other states that have enacted Three-Strikes sentencing, California’s law contains the most severe sentence enhancements, applies to a particularly broad group of felonies, and has been used more extensively in sentencing criminal cases (Chen 2008).

In the [Three Strikes in California Report](#), the California Policy Lab uses individual-level data from the California Department of Corrections and Rehabilitation (CDCR) to document the relative frequency of enhancements under the state’s Three-Strikes law among two samples: (1) admissions to state prison since 2015, and (2) people who are incarcerated in state prison as of January 2022.

FIGURE 1: Percent of People Incarcerated in California in Jan. 2022 Without Strike Enhancements, a Doubled-Sentence Enhancement Only, and a Third -Strike Enhancement



KEY FINDINGS

Prevalence

- In January of 2022, more than one in three incarcerated people had their sentences lengthened due to California's Three-Strikes law.
- In contrast, 26% of prison admissions since 2015 are lengthened by strike enhancements.

Offense severity

- Doubled-sentence enhancements are more often applied to non-violent/non-serious sentences to prison. Nearly 65% of admissions to prison since 2015 with a doubled-sentence enhancement are for a non-violent, non-serious offense(s).
- Given the longer sentences imposed for serious or violent offenses, the reverse is true for people currently incarcerated. As of January 2022, approximately 71% of individuals with doubled-sentence enhancements received their enhancements for serious or violent offenses.

Racial disparities

- Black individuals are disproportionately impacted by Three Strikes, relative to both the resident population of California as well as the prison population. Black individuals are heavily over-represented among people serving a sentence with a third-strike enhancement, and to a lesser degree, with a doubled-sentence enhancement.

Judicial and prosecutorial discretion

- Judges and prosecutors can lessen the effect of Three-Strikes enhancements by choosing (or accepting) lower sentences, but the impact on sentence length is modest.

Overall effects of Three Strikes

- Use of Three Strikes differs widely across California's counties, and those differences persist over time.
- The implementation of Three-Strikes sentencing does not explain statewide declines in crime over time. Crime fell during the late 1990s and 2000s throughout the nation, and comparisons of crime trends in California to states that did not pass Three-Strikes laws during the 1990s reveal very similar trends over the subsequent two decades.

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