

## FACT SHEET: THREE STRIKES

M Y T H	F A C T
<p><b>Myth #1:</b> 3 Strikes <i>only</i> affects serious violent offenders.</p>	<p><b>Fact #1:</b> Approximately 65% of the 42,703 inmates (27,576 by December 2002 estimates) serving second-and-third-strikes sentences were convicted of non-violent, non-serious crimes.</p> <ul style="list-style-type: none"> <li>• The Department of Justice concluded that a “majority of California inmates have been sentenced [under the Three Strikes law] for non-violent crimes.”<sup>1</sup></li> </ul>
<p><b>Myth #2:</b> 3 Strikes <i>decreases</i> the crime rate.</p>	<p><b>Fact #2:</b> National crime trends show that crime after 3-strikes was implemented was dropping in every region regardless of incarceration practices.<sup>2</sup></p> <ul style="list-style-type: none"> <li>• Crime has dropped as much in counties that don't use the ‘three-strikes’ law as it has in counties that overuse the three-strikes law.</li> </ul>
<p><b>Myth #3:</b> 3 Strikes is <i>cost-effective</i> in this state budget crisis.</p>	<p><b>Fact #3:</b> The additional cost to the taxpayer is more than \$500 million per year.</p> <ul style="list-style-type: none"> <li>• The budget of the Department of Corrections has MORE THAN DOUBLED (up 67%, 2003) since the inception of Three Strikes.</li> <li>• “While inmates 60 and over now represent only about 1 percent of the state prison population, their numbers are forecast to grow significantly... Because older inmates tend to have more significant medical problems, the ‘graying’ of the CDC population could be costly to the state... [T]he state could achieve significant correctional savings in the long run... by identifying and providing the fast-growing population of aging inmates with alternative forms of punishment and parole outside of a traditional prison setting. This approach would free up prison cells for violent, serious, and career criminals still in their prime crime-committing years.”<sup>3</sup></li> </ul>
<p><b>Myth #4:</b> 3 Strikes is <i>fairly</i> implemented.</p>	<p><b>Fact #4:</b> Most strike-enhanced sentences are given to ethnic minorities and to the poor. 31,573 of those serving second and third strike sentences are minorities (74%, December 2002 estimates).</p> <ul style="list-style-type: none"> <li>• “Some 319 California prisoners are now serving 25 years to life for what would otherwise be misdemeanor theft under the California scheme.”<sup>4</sup> That number is now 344.</li> </ul>

<sup>1</sup> U.S. Department of Justice (1997). “Three Strikes and You’re Out”: A Review of State Legislation. 5, (September).

<sup>2</sup> Stoltzenberg, L. & D’Alessio, S.J. (1997). “Three Strikes and You’re Out’: The Impact of California’s New Mandatory Sentencing Law on Serious Crime Rates.” *Crime&Delinquency*, 43, (4), 457-469.

<sup>3</sup> Analysis of the 1996-97 Budget Bill, Judiciary and Criminal Justice Chapter “The ‘Graying of the CDC.” Legislative Analyst’s Office, D-44-D52. [http://www.lao.ca.gov/analysis\\_1995%5Ccriminal\\_justice\\_anl95.pdf](http://www.lao.ca.gov/analysis_1995%5Ccriminal_justice_anl95.pdf)

<sup>4</sup> *Durden v. California*, 531 U.S. 1184, 1184 (2001) (Souter and Breyer, JJ., dissenting from denial of certiorari).