



OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF TULARE

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Decades after the murder of her brother, Kim Goldman said in a 2104 interview, “Not forgiving someone for an unspeakable act doesn’t debilitate you. It doesn’t make your heart dark. And I’m not living a less-than life because I choose to have appropriate anger for a killer.”

While some victims and their families will forgive a criminal, clearly others will not. The choice to forgive belongs in the hearts and minds of victims, not with the Governor. Governor Brown has allowed parole for nearly 2,300 inmates who were once facing life sentences. That is more than the four governors released in the 27 years before he was elected. The Governor defends these decisions by stating he is abiding by the law and by his own belief in redemption. This action was described by Washington Post as “an act of mass forgiveness unprecedented in U.S. history.”

We have seen a drive to reduce prison populations with the passage of AB 109 and Proposition 47, and the drive to “forgive” continues with another possible ballot initiative created by this Governor labeled dare I say suspiciously as the Public Safety and Rehabilitation Act.

This is another initiative designed to reduce prison populations by giving wide discretion to the state’s parole board. Convicted inmates would be eligible for release after they serve their initial sentence, but before they have served time for sentencing enhancements which increase punishment. Such enhancements include committing crimes benefiting criminal street gangs and using a deadly weapon just to name a few. In addition to completely ignoring conduct enhancements, the prison system would have the ability to award a prisoner credits that could shorten his or her prison terms for good behavior and for participating in rehabilitations programs. Incentives, motivations, encouragements, second chances, forgiveness, these are all attached to the actions of the criminal and this initiative completely ignores the voice of victims. In fact our current President would have us refer to these convicted criminals as “Justice Involved Individuals.” (I will leave that discussion for another time.)

When we are told not to be concerned, the Governor’s initiative only seeks to release non-violent criminals, please remember the Governor’s first maneuver to reduce prison populations called AB109. Labeled Public Safety Realignment, it altered where convicted individuals would serve their sentence, and instead of our state prisons the “non-serious, non-violent and non-sex offenses” were housed in local jails. Obviously, the remaining

prison populations are serious and violent or they wouldn't be in our prisons to begin with. Thus don't believe for one second that inmates released under this proposed "public safety" initiative are not violent criminals.

To prioritize prison populations and "offender rehabilitation" over victim's rights is one thing, but to completely ignore a victim is truly tragic and that is exactly what this initiative would do. Here is an example: Imagine two criminals each convicted of felony residential burglary and sentenced to state prison. Pick one, and imagine he or she is also convicted of breaking into the homes of five additional families and convicted of all six residential burglaries. Under this proposed plan each of those inmates would be eligible for early release at the same time. It's irrelevant that one inmate victimized five more families when evaluating when that person is eligible for early release. That's a tragedy.

I do not doubt that at some point we will hear how this will benefit California financially. That argument was made for the passage of Prop 47, Safe Neighborhoods and Schools Fund, (SNSF). The Legislative Analyst's Office (LAO) finds that the administration estimates that \$29.3 million will be deposited into SNSF for expenditure in 2016-17, however the LAO estimated the amount to be \$100 million higher than the administration estimates. Where is that money and where is it going? And what about the crime reduction we were promised with the passage of Prop 47? According to the Associated Press, larger retailers including Safeway, Target, Rite Aid, and CVS reported shoplifting has increased 15% since the passage of Prop 47. Who's paying for those increased costs?

The FBI Uniform Crime Report for 2015 states that in California violent crime is up 12.9 percent, while nationally violent crime is up 1.7 percent. Property crimes in California are up 9.2 percent compared to nationally they are down 4.2 percent.

Governor Brown spoke at a crime victim's rally in April and told them that he wanted to provide prison inmates with a transformative experience so they would "learn to respect the law and not just respect gangs." Why are we waiting for people to demonstrate that they have no respect for the law before we teach them civics, respect, and how to live in civilized society? Why are we waiting for innocent people to have their houses broken into, their lives destroyed by violence, their property stolen, just so we can focus on the handing out second chances to perpetrators?

The transformative experience I want this administration to understand is one where victim's voices matter, one where victims and their families are treated with respect and compassion. The victims, not just the criminal who held a knife to their throat, is afforded value, justice, and safety.

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