

Media Advocacy Plan: Ensuring Prop 47 Funds go to Treatment that Works!

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Purpose of the plan

The purpose of this plan is to support a statewide coalition working to ensure that savings generated from Proposition 47 are directed to community-based mental health, substance abuse and diversion programs, not law enforcement led programs. This plan aims to do this by:

1. Influencing who is appointed to the decision-making group, the Executive Steering Committee (ESC).
2. Influencing the grant guidelines created by the ESC to prioritize community-based care and/or exclude law enforcement.

Introduction and Background

In the past thirty years, the number of people incarcerated in California state prisons grew over 500%.¹ In the same period, the number of students in higher education grew by less than 150%.² California is experiencing an epidemic of incarceration.

The majority of the increase in incarceration comes through the expanded criminalization of drug-related crimes,³ the use of incarceration to house the mentally ill⁴ and longer sentences.⁵ These criminal justice policies were aggravated by policy decisions to defund and underfund mental health treatment programs (Appendix A). In the last decade alone, the number of mentally ill prisoners more than doubled in the state. Today, it is estimated that nearly three quarters of the people in California jails have a co-occurring substance abuse and mental health issue.⁶ These individuals are literally treated in cages (Appendix B).

What experts know is that community treatment programs, when compared to jail treatment programs, cost less,⁷ have better program adherence,⁸ are more effective at helping people⁹ and have a greater reduction in the rates of people returning to prison or jail.¹⁰ This means a safer and healthier society for everyone: more funding for preventive services, more treatment and less fractured communities for people coming in and out of jail, and less strain on our state budget from the increased costs of treatment in custody. Over 90% of California voters agree that investing in community-based care should be where funding goes.¹¹ This is why we demand a prioritizing investment in community care, not cages.

In 2014, California voters heeded this call by overwhelming passing Proposition 47, which reclassified low-level felony charges, including many drug offenses, as misdemeanors with the goal of further reducing the incarcerated population. Sixty-five percent of the savings from this reduction are required to fund mental health, substance abuse and diversion programs administered by public agencies, who can then re-grant these funds to partner organizations.¹² Analysts project that this number will be between \$65 million to \$130 million per year, with official numbers released in July of 2016.¹³

Problem Overview

The funding generated by Proposition 47 could fail to benefit those who need it most and California as a whole. The body that administers the funds is the Board of State and Community Corrections (BSCC), a governor appointed board made up of primarily law-enforcement professionals, many of whom did not support Proposition 47 and would like to see the funds returned to the control of Sheriffs and jails (Appendix C). Even before the process

began, BSCC board chair Linda Penner stated that the money will go to “systems-community partnerships,” which means jail-based programs. While we are not against improving the care for incarcerated individuals, investing the limited funds in community settings is more fiscally responsible, and more effective in improving health outcomes and preventing rearrest for mental health and substance use issues.

Policy Analysis

Currently, the BSCC is holding a series of seven public meetings at locations across the state to gather public input on where the funds should be directed. At the end of this process (summer 2016) the BSCC will appoint an Executive Steering Committee (ESC) chosen from an open application process. The ESC develops the granting guidelines, reviews applications for the funds and makes recommendations to the BSCC about which public agencies should receive the funds.

Our media advocacy strategy, or how we will use media to achieve the policy objectives outlined by the coalition,¹⁴ is to use these meetings as media events to put pressure on the members of the BSCC in the locations of each meeting. We will use highly visual mobilizations to the meetings, authentic voices (e.g. those directly impacted by incarceration and treatment professionals), celebrity and expert support, op-eds, letters to editors, and news coverage. We intend to make it untenable for the BSCC to ignore community demands in the composition of the ESC and the creating of the grant guidelines.

To do this, we will highlight the contradiction of mental health and substance abuse treatment in cages, the fiscal irresponsibility of jail-based programs, and the evidence driven

conclusion that community-based programs are safer for society and more effective for those in the programs. For newsworthiness, we will highlight the “fox guarding the henhouse” and the undemocratic nature of the process that could go against the will of the voters.

We are demanding two outcomes from the BSCC and ESC:

1. To ensure that the funds go to places that can have maximum benefit for those impacted by incarceration and for taxpayers, the BSCC should appoint the Community ESC (Appendix D). The Community ESC consists of nominees from member organizations of Californians United for a Responsible Budget, a broad statewide coalition of grassroots organizations. All of the nominees are formerly incarcerated and currently work with people directly impacted by imprisonment. Among them are substance abuse counselors, restorative justice practitioners, housing and reentry advocates, heads of nonprofits and religious leaders.
2. In line with abundant evidence that speaks to the effectiveness and fiscal benefit of community-based treatment programs, the ESC should develop guidelines that prioritize community-based, integrated care. Grants use rubrics to score and rank applications.

This rubric should:

- a. Prioritize integrated services (including housing and job training) in the community.
- b. Exclude law-enforcement from eligibility.
- c. Require letters of support from formerly incarcerated people who have gone through the program.
- d. Prioritize organizations that employ or are led-by formerly incarcerated people.

- e. Score highly programs that can demonstrate effectiveness through metrics and/or community testimony.

Framing Analysis

To assess how the problem is represented in the media and to support our message “Invest in community care, not cages,” we identified media topics relevant to the overall problem. In order to achieve our overall strategy goals, we determined recurring extant frames and the gaps in local newspaper coverage about mental health and substance use community needs and the perception of the Board of State and Community Corrections. Frames are understood as the elements included or excluded from news stories, or the angle they are told from that contribute to a broader understanding about Proposition 47.¹⁵

Before the coalition's media campaign began, the BSCC was framed simply as an administrative board that decides where state funding for corrections will be distributed by approving projects that show promise of effecting recidivism rates. The description of the funding process in the media for Proposition 47 is esoteric, with no clear guidelines stipulating exactly which “public” programs qualify for funding, leading us to conclude that law enforcement, as a public institution, will receive some or most of the funding. News articles show that funding in the past two years has largely gone to building or expanding jails, with funding requests coming from county sheriffs.

Following the coalition actions at recent BSCC meetings, various media outlets included our message to frame portions of their reporting. In one article reporting on a Sacramento BSCC meeting that the coalition attended, a reporter for the Bay Area News group wrote,

“While the funds are geared toward improving conditions at facilities throughout the state, protesters at the meeting urged the board to take no action, saying the money should go toward community-based mental health programs, and other social services.”¹⁶ This quote was followed by a statement from Emily Harris, a coalition member and state field director at the Ella Baker Center for Human Rights, saying, “...while jail facilities may be in need of improvements, ‘the same could be said for shelters, emergency rooms, social services and counselors...Are they getting every person out of the jail that could be out of the jail?...They should do that first, then we’ll see what kind of better jail they need’.”¹⁷ Another statement included from Richmond Mayor Tom Butt, captured the essence of our message: “While he is “extremely supportive” of mental health services for inmates, he’d rather see the money spent on preventive measures. ‘I believe that if the county has money for these types of programs, it could be spent supporting residents in our community who desperately need help right now, not when they’re in jail,’ Butt said.”¹⁸

Current news coverage does not identify any one person or body of people or organizations that are specifically named as responsible for the problem of prioritizing funding for jails over mental health care and substance use treatment. By following our media advocacy strategy, the coalition can continue to reveal the role of the BSCC and the ESC as responsible for the proposed solution. Prior to the recent actions and presence of the coalition and community members at BSCC meetings in Alameda and Sacramento, arguments about the issue (or elements of the issue) were overwhelmingly supported by quotes from state officials including county sheriffs, board members, county district attorneys, as well as some experts from the ACLU and The California Endowment. Our plan encourages promoting more media presence

from voices of previously incarcerated individuals and their families, and mental health and substance use treatment providers.

Our recommendations for reframing future media coverage highlights incarceration as a contraindication of co-occurring conditions, the effectiveness (including cost-effectiveness) of community-based care, and the controversy of the BSCC's responsibility over grant funding. We piloted this final point in a recent op-ed coverage published in the Sacramento Bee. Initial input from the coalition encouraged this frame and subsequent feedback from colleagues and local journalists reinforced this message as strong and likely to garner media attention. This reframing revealed the conflicting nature of the BSCC's duties and responsibilities regarding grant funding. Prior to this media campaign, there was little public awareness of the fact that the BSCC is responsible for assigning savings from Prop 47 outcomes to community based organizations. Recently, news articles and op-eds reveal that while the BSCC is supposed to be directing funds towards alternatives to incarceration, they are also funding the building of more jails.

Current Frame	Reframe
<p>People with mental health and substance use issues are dangerous and need to be isolated for treatment and the “hammer” of jail is required to get people to stay in treatment.¹⁹</p> <ul style="list-style-type: none">• Law enforcement officials and district attorneys in the state that did not support the outcomes of Proposition 47 were quoted to support this frame.	<p>Jail-based treatment not only doesn't work, it aggravates mental health conditions and substance abuse.</p> <ul style="list-style-type: none">• LA and SF DA's have made clear statements that jails are not conducive to mental health treatment.• Formerly incarcerated people state that “treatment in jail is just a way to pass time.”• Living in a neighborhood with a high

	<p>incarceration rates puts you at nearly three the risk of having major depressive disorder. Incarceration separates people from loved and supportive community, which are essential to treatment.</p>
<p>Drug use is bad behavior and should cost people their freedom.</p> <ul style="list-style-type: none"> This frame is usually coupled with the supporting frame that jail is proper punishment for drug users and makes society safer because there are no alternatives for dangerous people with mental health and substance abuse issues. 	<p>Community based treatment works, for individuals and society.</p> <ul style="list-style-type: none"> Reduces return trips to jail, which means a safer society. Evidence shows that incentives—not jail as punishment—is more effective in ensuring treatment attendance and reduction of drug use. Use examples of community-based programs that work, highlighting improved health outcomes.²⁰
<p>Sheriffs need more money to expand jails for classrooms and rehabilitation spaces and to give proper care inside jails.²¹</p>	<p>Treatment inside of jails is necessary but tens of millions of dollars spent on constructing new space is not, especially when community-based treatment is not being supported in the same way. Community based treatment costs taxpayers less</p> <ul style="list-style-type: none"> Nationwide, if just 10% of eligible imprisoned people were sent to community-based treatment programs rather than prison, taxpayers would save \$4.8 billion.²² Individuals with mental health issues stay in jail longer, and the cost of imprisoning them is an estimated \$70 more per day than people without mental health needs. In the community, that could be a therapy

	appointment every day. ²³
The BSCC is just an administrative body that oversees and awards funds around issues related to jail, imprisonment and “public safety.”	<p>The BSCC is made up of law enforcement individuals who have a vested interest.</p> <ul style="list-style-type: none"> • Highlight BSCC members who are law enforcement (Appendix C) • The BSCC can be influenced and pressured. • Include Media bites from BSCC members responding to community presence at meetings.^{24 25} • ESC should be reflective of and accountable to the community. • Refer to Community ESC recommendations (Appendix C)

Media Advocacy Plan

We will achieve our policy objective by strategically utilizing the media to mobilize public support, spread our key messages, and put pressure on BSCC members. In early 2016, the BSCC is hosting six regional meetings throughout the state to solicit public comment on how they should allocate Prop 47. This presents an excellent opportunity to build our media strategy around. While Prop 47 has been heavily documented in the media, there is not an emphasis on the BSCC or its authority to allocate Prop 47 funds. Our media advocacy work is already starting to change this. The first BSCC meeting was held October 28, 2015, which allowed us to put our plan into action, evaluate our methods, and further refine the plan.

In order to create news about this issue, we will target news sources in the areas where the regional meetings will be held in the weeks leading up to each meeting. The coalition will

pitch stories to journalists who have covered Prop 47, submit opinion pieces and letters to the editors, as well release news advisories to bring public attention to the meetings. The coalition will also use traditional organizing tactics working with local partners to conduct outreach about the meetings.

The following objectives and steps of the plan are to be followed for each regional meeting.

Policy Objective: Direct Prop 47 funds to community based treatment programs
1: Ensure members of the Community ESC are appointed to the ESC (Appendix D)
2: Influence the grant guidelines created by the ESC to prioritize community-based care and/or exclude law enforcement.
Process Objectives
1: Build a broad coalition of statewide and local advocates including the formerly incarcerated, restorative justice practitioners, supporters of Prop. 47, mental health/drug rehabilitation service providers, subject experts, foundations and celebrities. (Nov-Dec 2015)
2: Coalition conducts outreach about the regional meeting through their networks, newsletters, social, media, door-to-door, etc. (Begin two-weeks prior to meeting)
3: Coalition members identify key spokespeople to give public comment including the formerly incarcerated, public health practitioners and local community leaders. (Dec-meeting date)
4: Identify key spokespeople (community practitioners and those impacted directly by incarceration) to give media interviews. Train them on key messages.
5: Identify BSCC members who are based in the region of the BSCC meeting. Target them directly. (one-month prior)
6: Plan public event prior to BSCC meeting start time in a nearby location with food, music, inspirational speakers, and free legal services to advertise the meeting and mobilize more people to come. (one-month prior)
7: Identify key journalists (Appendix E) to contact in local region who have previously reported on Prop 47, mental health, drug rehabilitation, or incarceration (two-weeks prior)

8: Pitch stories to local reporters about the meetings using one of the element of newsworthiness. (one-week prior)
9: Send out a media advisory (Appendix F) or news release (Appendix G). (7 days prior)
10: Publicize event on social media. Create a Facebook event page and post/share on twitter and Instagram using the predetermined hashtags (Appendix H). (7 days prior)
11: Submit targeted op-eds (Appendix I) and letters to the editor in local newsletters (Appendix J). (7 days prior)
12: Follow up with local reporters by phone. (3 days prior to meeting)
13: Print 100 booklets of talking points (Appendix K), fact sheet (Appendix L) and FAQ (Appendix M) to hand out to crowd before and during the meeting. (3 days prior)
14: After the event call journalists who attended and offer to answer any additional questions. (day after meeting)
15: Coalition conference call and evaluation. (3 days after)
16: After the event track coverage and evaluate the progress on the policy goals. (ongoing)
17: Share media articles and photos on social media using predetermined hashtags (Appendix H). (ongoing)
18: Conduct outreach with coalition partners to submit written comments to the BSCC. (3 days after)
Outcome Objectives
1: Place one op-ed and one letter in the city where the meeting is being held
2: Gain at least 2 pieces of local media coverage about the BSCC prior to and after each regional meeting
3: At least 50 people give public comment at each regional BSCC meeting, including five or more ESC nominees
4: Coalition partners send 50 emails to the BSCC
5: Meetings with BSCC members

Framing for Access

In order to push forward our policy objectives, it's important that the public is informed on the issue and can mobilize to put pressure on the BSCC targets. Since this is complex, obscure issue, we must shine some light on it by ensuring that journalists translate the issue to a broad audience. Framing for Access is a method used in media advocacy to position the issue in a way that will make journalists interested.²⁶ The following table gives examples of different elements of newsworthiness that can be used to get attention from journalists and to develop editorial pieces.

Elements of Newsworthiness	Example
Controversy/conflict	Voters overwhelming supported Prop 47 with the belief that funds would be diverted from prisons to treatment, but this may not be the case. The majority of BSCC members are made up of law enforcement and overwhelmingly opposed Prop 47. This little known powerful board may continue to prioritize mental health and drug rehabilitation services run by law enforcement rather than following the voters will and investing in community-based treatment.
Broad interest	Prop 47 was passed with the intention of decreasing state spending on prisons. Providing mental health or drug rehabilitation services in community-based programs, compared to prisons is shown to have far better outcomes and be more cost effective. In CA, the number of imprisoned people with mental health issues doubled from 2000 to 2014. ²⁷ Relative to people without mental health needs, these individuals stay in jail longer and cost an estimated \$70 more per day to imprison. ²⁸
Injustice	Poor people of color shouldn't have to go to jail to receive treatment, where they are stripped away from their families and communities. The majority of people in jail are too poor to make bail, and spend time locked up awaiting sentencing, which is shown to exacerbate underlying mental health and substance abuse issues. In California, people who are African American are nearly seven times as likely to be incarcerated

	than people who are white.
Personal Angle	Find coalitions members and advocates willing to share their personal story on how they have been impacted. Example from Sholanda Jackson-Jasper, who was formerly incarcerated, Alameda BSCC meeting, "There are good programs (in prison) to pass the time, but none of them are helpful to people if you don't have someone at the gate ready to help that person." ²⁹
Celebrity	A coalition of celebrities, Artists for 47, including Jay Z, John Legend and Brad Pitt supported the passage of Prop 47 and advocated for fiscal responsibility and money spent on prevention not prisons. We will contact them to get support with the following a) posting on social media about the issue 2) submitting an op-ed on the issue 3) attending a BSCC meeting and giving public comment.
Local Peg	Identify BSCC members and/or local organizations to call attention to in local media where meetings will take place. Example for Bakersfield meeting, "We are hopeful that Leticia Perez will provide much needed leadership on the ESC to ensure that funding goes to programs run in partnership with community-based organizations rather than law enforcement. Her husband, who was previously incarcerated, founded Rockhill Farms, an organization that rehabilitates former prisoners through sober living and organic farming."
Visuals	The meetings will be visually spectacular. Community ESC members will wear sashes and a life-size replica of a therapy cage will be brought to the meetings alongside banners (Appendix L)

Case Study and Evaluation

The first BSCC regional meeting took place October 28th, 2015 at the Alameda Courthouse. A large coalition led by the Ella Baker Center for Human Rights and Californians United for a Responsible Budget (CURB) mobilized local community members and experts to give public comment during the meeting. In the weeks leading up to the meeting, we worked

with the coalition to develop booklet handouts to help people give public comments. The booklet included information on the BSCC, talking points with the key messages, a fact sheet, and frequently asked questions.

The Coalition organized an outdoor event at Lake Merritt with high visibility and in walking distance to the BSCC meeting for the day of the meeting. The event was funded by The California Endowment, which was one of the main financiers of Prop 47. The event included music, speakers, and free food. Tables were also set up with lawyers who offered free legal advice for those going through the process of having felonies reclassified as misdemeanors. The booklets were handed out at the event. The event lasted two-hours and then the crowd walked together to the BSCC meeting.

At the BSCC meeting over 40 people gave public comment, filling up the entire two-hour meeting. The key messages were clear throughout the public comments that jail-based treatment programs don't work and that funding needs to be spent on community-based treatment. The Bay Area News Group covered the meeting with articles published in the San Jose Mercury and the Contra Costa Times (Appendix M). The key message came through in the news articles and two coalition members were quoted in the articles. Additionally we published two opinion pieces in the Sacramento Bee and the LA Daily News (Appendix I) that reinforced the key messages and shined light on the BSCC. After the event co-chair of the ESC Leticia Perez contacted the coalition to discuss further and is likely to be a strong potential ally, moving us closer to our policy objectives.

Lessons Learned and Next Steps

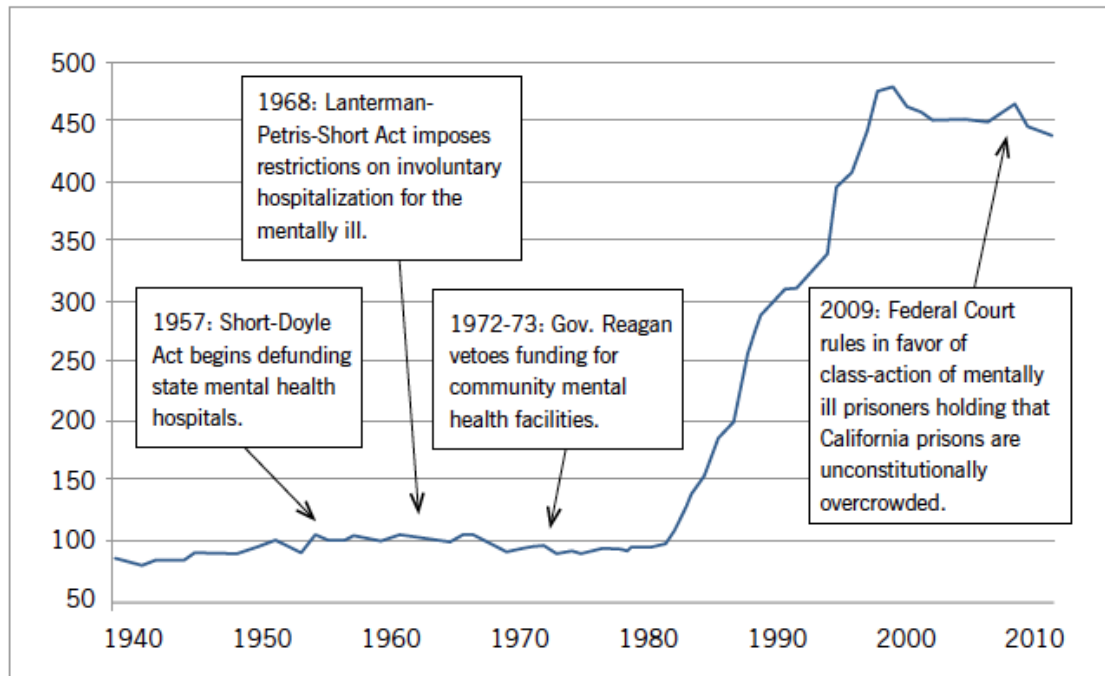
The Alameda County event was coordinated with less than two weeks notice. With more time for outreach, the coalition will be better prepared for the regional meetings happening in early 2016, and we expect a bigger turnout for public comment. While the message to exclude funding for law enforcement was clear, the message to include community voices on the ESC was underdeveloped. We revised the talking points to include a clear message on incorporating the Community ESC on the ESC. For future meetings there will also be a more targeted effort to contact local journalists to cover the event and outreach to media sources in languages other than English. Additionally we will connect with prominent supporters of Prop 47 including Dr. Robert Ross, President of The California Endowment and celebrities like John Legend to write targeted opinion pieces, give public comment at upcoming meetings, and spread awareness on social media.

Our media advocacy strategy and policy objectives are only the first step in a longer battle to provide more investment in communities to address the root causes of incarceration. Once we have achieved our policy objectives, we will highlight successful stories of community-based treatment and incarceration diversion programs that work. We will also push to change the composition of the BSCC to include more diverse perspectives.

Appendices

Appendix A - Graph

The incarceration rate in California skyrocketed when funding was pulled from its state mental hospitals.



Source: Darrell Steinberg, David Mills, and Michael Romano, "When Did Prisons Become Acceptable Mental Healthcare Facilities?" (Stanford Law School, Three Strikes Project, 2014), http://law.stanford.edu/wp-content/uploads/sites/default/files/child-page/632655/doc/slspublic/Report_v12.pdf.

Appendix B - Therapy Cages in San Quentin Prison, 2012



Source: Reuters/Lucy Nicholson

Appendix C - Board of State and Community Corrections Members, 2015



Appendix D - Nominees for the Community Executive Steering Committee, 2015



Appendix E - Targeted Local Media Contacts

Regional Meeting	BSCC Member to target	Media Contacts		
		Source	Name	Contact info
Los Angeles	Scott Budnick Geoff Dean	Los Angeles Times	Abby Sewell	abby.sewell@latimes.com
		The Orange County Register	David Whiting	(714) 796-7000 dwhiting@ocregister.com
Riverside	Michelle Brown	The Press-Enterprise	Elaine Regus	(951) 684-1200 eregus@pe.com
San Diego	David Bejarano	The San Diego Union-Tribune	Editorial Board	(619) 293-1211
Fresno	Linda Penner Leticia Perez	The Fresno Bee	Bill McEwen	(559) 441-6632 bmcewen@fresnobee.com
Sacramento	Jeffrey Beard Ramona Garrett	San Francisco Chronicle	Kevin Fagan	kfagan@sfchronicle.com
		Sacramento Bee	Alexei Koseff	akoseff@sacbee.com
Northern CA	Dean Growdon Michael Ertola	Times Standard	Kimberly Wear	(707) 441-0520

Appendix F - Sample Media Advisory

FOR IMMEDIATE RELEASE

CONTACT:

DATE:

PHONE/EMAIL:

Community Leaders Join Forces to Demand Funding Community Based Care Not Cages

Mobilization to Board of State and Community Corrections Public Meetings

With potentially hundreds of millions of dollars in funding made available from Proposition 47 savings to be dispersed next summer, a coalition of community members, mental health and substance use practitioners, formerly incarcerated people and their families, and community-based organization leaders are mobilizing to attend the upcoming Board of State and Community Corrections (BSCC) meetings. The BSCC's executive steering committee is charged with deciding the criteria for funding and where money will be dispersed. The coalition is demanding that money go to community-based care and treatment before jail-based treatment. The community is concerned that because the BSCC is comprised mostly of law enforcement officials, community-based care will come second to jail-based or law enforcement run programs. Local experts and community members will make public comment at the BSCC meeting.

Local artists, musicians, and other performers will gather with community members before the meeting and offer live performances, food, and community resource information for formerly incarcerated people and their families.

WHAT: Press conference and performances to mobilize public to BSCC meeting

WHO: [Insert local experts, notable organizations, celebrities]

WHEN: [Insert date and time]

WHERE: [Insert location]

WHY: To ensure that the will of California voters on Proposition 47 is respected, invest in community care not cages.

For more information, contact: [insert media contact name] at [phone and email]

Appendix G - Sample Press Release

For Immediate Release

Contact: Zaineb Mohammed, Communications Manager, Ella Baker Center for Human Rights:
Zaineb@ellabakercenter.org; 510-285-8236 (w), 630-921-1741 (c)

ADVOCATES DEMAND PROP 47 FUNDS GO TO TREATMENT, NOT PRISONS

(city), CA— On (date) social justice advocates and community members will come together to demand that the Board of State and Community Corrections (BSCC) invest Prop 47 funds in community-based treatment not jails.

The BSCC is charged with allocating hundreds of millions of dollars from Prop 47 funds and is seeking public comment on how to allocate the funds. Voters overwhelmingly supported Prop 47 with the belief that funds would be diverted from prisons to treatment, but this may not be the case.

The majority of BSCC members are made up of law enforcement and overwhelmingly opposed Prop 47. This little known powerful board may continue to prioritize mental health and drug rehabilitation services run by law enforcement rather than following the voters' will and investing in community-based treatment.

The BSCC is holding its third out of seven regional meetings throughout the state to solicit input from the public. A broad coalition including the Ella Baker Center for Human Rights, Citizens United for a Responsible Budget, and the ACLU has organized to ensure a strong turnout. They are demanding that law enforcement be excluded from Prop 47 funds and that the Prop 47 Executive Steering Committee be made up of community members, subject matter experts and exclude law enforcement.

"A year after Prop 47, the state is at a critical juncture," said Lizzie Buchen, Statewide Advocacy and Communications Co-Coordinator for Californians United for a Responsible Budget. "We have an opportunity to begin repairing the devastating impact of incarceration by investing in communities, and paving the way for deeper reforms that can bring more people home. Or, we could reinforce our reliance on imprisonment by continuing to pour money into jails, while neglecting the needs of our communities."

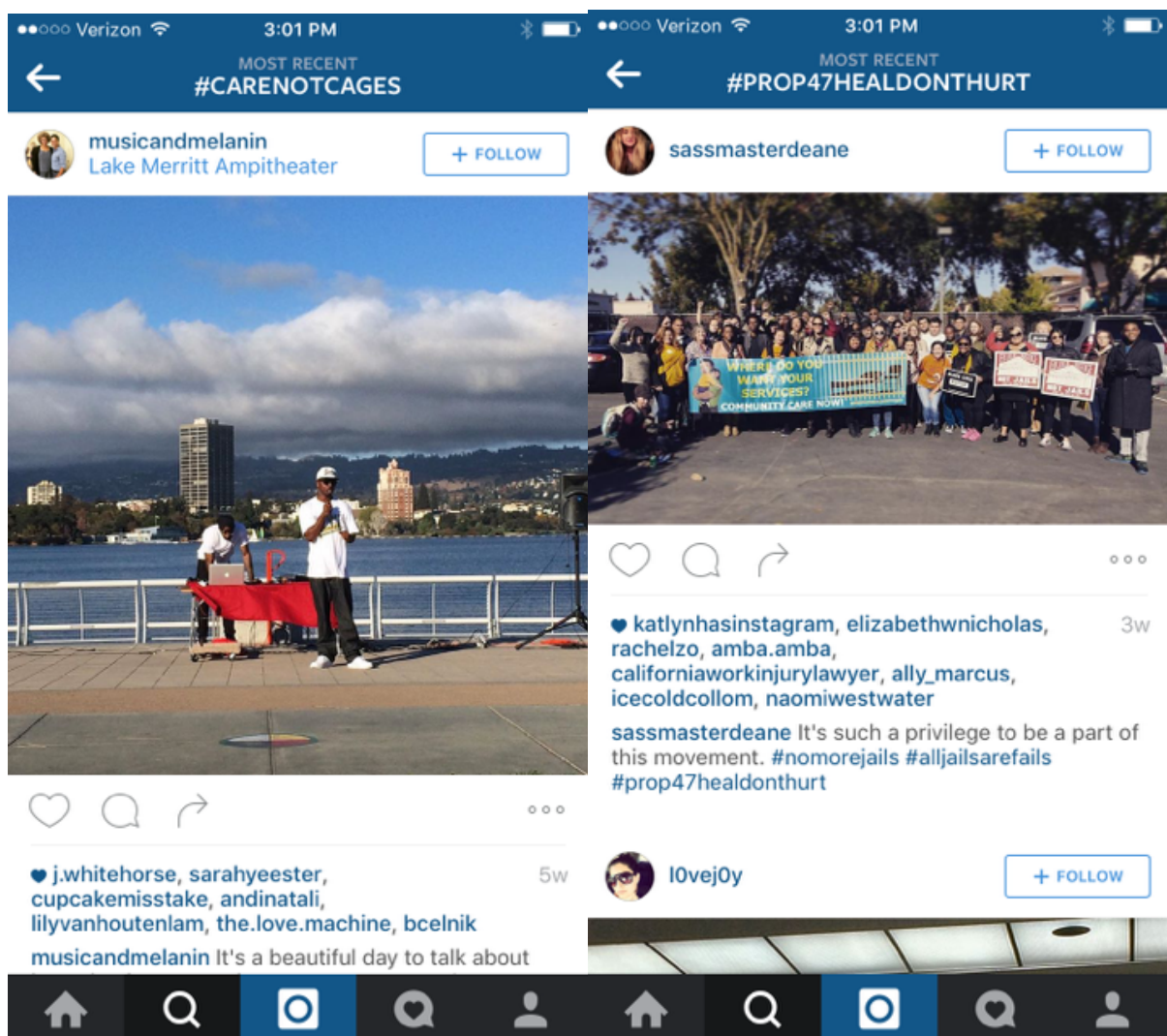
Prior to the meeting at 4 PM, advocates will gather at (location) with food, music, and speakers and walk to the meeting at (location) at 6 PM.

Appendix H - Sample Social Media Posts

Consistent hashtags should be used across social media platforms including Facebook, Twitter and Instagram. Social media posts should be used to advertise events, spread information about the issue, and document the events.

[#Prop47HealDontHurt](#)

[#CareNotCages](#)



Appendix I - Published Op-Ed's

SOAPBOX

NOVEMBER 11, 2015

Prop. 47 savings shouldn't go to more funding for jails

HIGHLIGHTS

State board in charge of dividing money meets Thursday

Dominated by law enforcement, it plans to fund more jail space

It should be funding drug treatment, mental health and community programs



By Evan Bissell, November 11, 2015

Special to The Bee

What could the public stand to lose Thursday when a powerful and little-known administrative body begins directing tens of millions of taxpayer dollars to jail diversion, mental health and substance use treatment programs?

The answer depends where the money goes and who gets to decide. It could end up being nothing more than an elaborate sleight of hand, with California celebrating fewer people in prison due to Proposition 47, only to funnel the savings back into jails and law enforcement.

Passed overwhelmingly a year ago, the proposition reclassified certain low-level felonies to misdemeanors and is expected to lower prison costs by more than \$150 million this fiscal year. Most savings are earmarked for mental health, drug treatment and diversion programs; additional legislation further prioritized these funds for community programs offering housing assistance, job training and other reentry services.

The pairing of release and treatment is a common-sense formula, and this is in large part why a majority of voters continue to support Proposition 47. In a recent poll, more than 90 percent agreed that there should be increased funding to community mental health and substance abuse treatment programs.

However, the Board of State and Community Corrections, which decides how the money is spent, is dominated by law enforcement officials, many of whom publicly opposed Proposition 47 and may push for these savings to go to jail programs.

On Thursday, the board will appoint the chairpersons of a committee that will draft the guidelines for awarding the money *and* award \$500 million to counties seeking to build new jails, many of which have been marketed as “mental health jails.” To staff and run these new jails, sheriffs are going to jump at the Prop. 47 money.

Not everyone is buying this sleight of hand, including San Francisco’s recently re-elected District Attorney George Gascón, who says that incarceration doesn’t help people who are mentally ill or are substance abusers.

Abundant evidence confirms he is right. Community treatment programs cost less, are more effective at healing people and reduce the rates of people returning to prison, compared to jail treatment programs. This means a safer society: more funding for preventive services, more treatment and less fractured communities for people coming in and out of jail.

A broad coalition of Californians will be at Thursday’s meeting to advocate that the funding committee consist entirely of people with expertise in community treatment, homelessness, and reentry programs, including formerly incarcerated people who understand how jails worsen substance use and mental health issues.

We will also demand that law enforcement agencies be ineligible for the funds. Californians voted for change and a safer society, not more funding for jails.

Evan Bissell is a student in public health and city planning at UC Berkeley and a member of the Ella Baker Center for Human Rights.

Here's how jail-based health treatment failed my family: Guest commentary



An empty cell at Men's Central Jail in Los Angeles, Calif. (File photo)

By Angela Aguilar

November 24, 2015

As the child of a formerly incarcerated person, I've lived with the consequences of a failed law enforcement system that believes jails can be places for rehabilitative treatment and care. This illusion eventually cost my dad his life.

My dad was a poor man of color raised in the smallest city in LA County. He served long-sentences for drug-related crimes and parole violations. Being locked up exacerbated his existing physical and mental health issues. There were no services to greet him at the gate when he was released, and so imprisonment became law enforcement's version of treatment. When he tried to find a job and a home, he was rejected at every turn because of his felony record.

Last week at a meeting in Sacramento, the Board of State and Community Corrections (BSCC), a small board dominated by law enforcement officials, appointed the chairs of the committee who will recommend where to spend the millions of dollars of savings generated through Proposition 47, the law passed one year ago that reclassifies certain low-level crimes from felonies to misdemeanors. Sixty five percent of this money must be allocated to diversion,

mental health, and substance use treatment programs giving California an opportunity to improve health outcomes for thousands of families.

But at that same meeting, despite testimonials from dozens of community members like myself whose lives have been harmed by incarceration, the BSCC voted to allocate \$500 million in jail construction funds to counties across the state. Given that many of these new jail projects are being promoted as mental health treatment centers, sheriffs may soon be lining up to make the case for needing Prop. 47 funds to run these facilities. Awarding funds to expand jails makes no sense when national conversations have turned towards *reducing* jail populations and helping people stay out.

The committee appointed by the BSCC to direct spending of Prop 47 funds has the power to ensure that those savings go to treatment and care *in the community*, changing the culture surrounding substance use and mental health. This is the approach that finally worked for my dad.

When my dad was released for the last time in 2007, it was support from other formerly incarcerated people also grappling with substance-use and mental health conditions that helped him stay out of jail. He found his way to Homes for Life, a community-based organization in Southern California providing affordable housing and counseling for homeless and mentally-ill people. Living in a caring community empowered him to enroll in Long Beach City College's Substance Abuse and Addiction Counseling degree program. It is bittersweet knowing that my dad didn't find the resources he needed until he was 50 because society prioritizes punishment over healing.

Driving home to southern California from Oakland this past spring, I prepared myself to see my dad for the first time in 20 years. It would also be the last time. I wept reflecting on 20 years of lost opportunities for our family because a poor Brown man's health conditions made him a criminal.

The real crime is the failure of law enforcement to know the difference between health care and incarceration. There is no happy ending to our story. My dad died without realizing his

capacity to be a father and contribute to his community. I only find solace knowing he left this world trying to be the best person he could be.

My dad's story is not exceptional. Families and neighborhoods continue to be torn apart by the same system that claims keeping communities safe means building more cages for people, when what they really need is comprehensive health care not administered by law enforcement.

Last Thursday, the BSCC heard from the community. Now, we will bring our voices to every county being offered funding for jail expansion to demand that supervisors make humane and fiscally responsible decisions. Instead of accepting money for new jails, counties should reject the funding and give people with mental health and substance use conditions what my dad didn't get: a fair chance at health, and a fair chance at life.

Please submit your comments about where Prop. 47 funds should go to Proposition47@bscc.ca.gov.

Angela Aguilar is a masters in public health candidate and a doctoral student in ethnic studies at the University of California, Berkeley.

Appendix J - Sample letter to the editor

[USE THIS AS A GUIDE. EDIT THESE TALKING POINTS SO THE LETTER IS IN YOUR OWN WORDS.]

Dear Editor,

The Board of State and Community Corrections (BSCC) has a responsibility to direct funding made available through savings from Proposition 47 to community based-mental health treatment, substance use treatment, and diversion programs, not to programs run by law enforcement. This was the will of the voters.

We want to believe that the BSCC will do their duty, but their recent awarding of \$500 million dollars to build more jails, is sending mixed messages to community members. Does this mean that money for care and treatment will go to jail-based programs first, continuing the trend of defunding community based programs that have been proven to work? Research shows that when people are given treatment in their community, some places saw up to a 97% reduction in jail time of people with serious mental illness. On the other hand, further research shows that being incarcerated makes mental health and substance use or abuse worse. This is highlighted by the poignant fact that suicide in California prisons has a higher death rate than diabetes in California overall.

We want to receive services where we can be with our families and communities, and where we can have support in gaining housing, employment, and education. As LA District Attorney Lacey commented, "You don't imprison someone and say, 'Don't be sick anymore.' People get well when you give them incentives to get help... You give them a life and a place of their own, where they have the freedom to thrive."

[NAME, CITY]

Appendix K - Talking Points

Community Demands

1. Direct all funding made available through savings from Prop 47 exclusively to community-based mental health treatment, substance use treatment, and diversion programs—not to programs run by law enforcement.
2. We want comprehensive, culturally responsive community-based care and services, which address the needs of specialized populations, including persons who are monolingual, youth, disabled, or homeless, people with co-occurring conditions, and people returning from incarceration. We want integrated care that connects substance use programs, mental health treatment, primary care, and housing.
3. We call on the BSCC to appoint the community nominees to the Executive Steering Committee (ESC). These are formerly incarcerated people who work in mental health and substance use treatment, reentry, housing, and restorative justice.

Where do you want your services? Invest in community care, not cops and cages

- There is no amount of money that can make a jail a good place to receive mental health and substance use treatment. Jail worsens both substance use and mental health issues. Community-based programs have been proven to work.
- We want to receive services where we can be with our families and communities, and where we can have support in gaining housing, employment, and education. As LA DA Lacey commented, “You don’t imprison someone and say, ‘Don’t be sick anymore.’ People get well when you give them incentives to get help and to be employable.... You give them a life and a place of their own, where they have the freedom to thrive.”¹⁷
- It is critical to prioritize services and treatment programs that don’t require incarceration. Yes, it is important to strengthen mental health services in both jails and the community, but by prioritizing community care, there will be fewer people in jail who need mental health and substance use services.
- Law enforcement claims that Prop 47 removes the threat of jail, which is their only “stick” to keep people in substance use treatment programs. However, evidence shows that incentives—not jail as punishment—is more effective in ensuring treatment attendance and reduction of drug use.

Sheriffs positioned themselves as treatment providers to build new jails. Now they're lining up for Prop 47 funds to run them.

- Across the state, counties are seeking to increase capacity by creating “social service jails,” which focus on mental health, education and programming, substance use, gender-responsiveness, and other treatment needs. Using this social service rhetoric, their departments have been able to garner funding intended to support community-based services through AB 109 and Prop. 47-related funding.
- It is concerning that the same agency that is funding the construction of new jails — which exacerbate health conditions — is also determining the fate of Prop 47 funds, which were intended for mental health and substance use treatment. *The fox is building the hen house, and staffing it too.*
- Building new mental health jails is only stage one of the funding grab. Of the \$500 million the BSCC is granting to 15 counties to build new mental health and service jails, none of this money can be used for staffing or programs. Where will this money come from? We need to make sure Prop 47 doesn't add fuel to the jail-building frenzy.

Appendix L: Fact Sheet

With the landslide approval of Prop 47 one year ago, CA voters embraced a new vision for community health that prioritizes prevention and treatment over punishment

- Prop 47 reclassifies certain low-level, non-violent crimes like simple drug possession and petty theft from felonies to misdemeanors. So far, a judge has resentenced 15,000 people. Up to one million people are eligible to change their records, and 160,000 have filed petitions to do so.³⁰
- Beginning in 2016-17, savings from Prop 47 are estimated to result in tens of millions of dollars annually for mental health and substance use treatment, and diversion programs. These funds will be administered by the Board of State and Community Corrections (BSCC) and must go to public agencies, which can then re-grant these funds to community-based organizations.³¹

Jails are not ideal for treatment because they worsen mental illness and they are costly

- Evidence shows that jail makes people struggling with mental illness and substance use worse off.³² In fact, LA DA Lacey recently said, “A jail environment simply is not conducive to the treatment of a mental illness.”³
- In CA, the number of imprisoned people with mental health issues doubled from 2000 to 2014. Relative to people without mental health needs, these individuals stay in jail longer and cost an estimated \$70 more per day to imprison. Additionally, the state receives no federal support because these individuals are not eligible for federally funded health care while imprisoned. But they would be eligible if they received care in the community.³³
- Sheriff Dart of Cook County, Illinois called the use of jails as mental health treatment centers not only abhorrent and senseless but also, “Fiscally...the stupidest thing I’ve seen government do.”³⁴

Community-based treatment programs are more effective and they cost less

- Nationwide, if just 10% of eligible imprisoned people were sent to community-based treatment programs rather than prison, taxpayers would save \$4.8 billion.³⁵
- Effective examples include contingency management (rewarding program adherence), access to substance-free activities, Assertive Community Treatment (ACT), Assisted Outpatient Treatment (AOT) programs, and supportive housing. Miami-Dade County’s diversion program, which has access to ACT and supportive housing, reduced recidivism from 75% to 20% for program participants with misdemeanor charges.³⁶ An AOT program in Nevada County, CA, where people are given treatment in their community, saw a 97% reduction in jail time of those with a serious mental illness.³⁷

Incarceration is a mental health and substance use risk

- Living in a neighborhood with a high incarceration rate puts you at greater risk of major depressive disorder than personally being unemployed, widowed, or divorced.³⁸
- Suicide in CA prisons has a higher death rate than diabetes in CA overall.³⁹
- Imprisoned people who need mental health treatment are more likely to be disciplined, violently victimized, locked in segregation while imprisoned, and stay incarcerated longer than people who don't need mental health treatment.⁴⁰
- 72% of people with mental illness who are incarcerated also have a co-occurring substance use condition.⁴¹ Without effective coordinated care, people with these conditions are at a higher risk of being returned to prison or jail.⁴²

Poor people and people of color shouldn't have to go to jail to get treatment

- As of March 2015, more than 45,000—or 62%—of CA jail beds were filled with people awaiting trial or sentencing. Most are locked up simply because they are too poor to make bail. These people have not been convicted of anything, yet are separated from their families and often lose their jobs and housing and even their kids.⁴³
- Poor people and people of color shouldn't have to go to jail to get mental health and substance use treatment. Public funding for mental health programs has been cut continuously since the 1960s, with \$4.35 billion being cut by states between 2009 and 2012 alone.⁴⁴ There are 10 times more people with severe mental health illness incarcerated than there are people in state psychiatric hospitals.⁴⁵
- Incarceration has an overwhelmingly disproportionate impact on people of color. In California, people who are African American are nearly seven times as likely to be incarcerated than people who are white.⁴⁶

Appendix M - Frequently Asked Questions - BSCC

What is the BSCC?

The Board of State and Community Corrections administers construction funding for jails, juvenile halls, other local correctional facilities, and grant programs like the funds created by Prop 47. This means they administer hundreds of millions of dollars every year. A 13-member board makes BSCC decisions. The majority of board members are in the field of law enforcement.

Why are we targeting the BSCC about Prop 47 savings?

The BSCC has the final decision on which agencies receive funds generated by reduced incarceration due to Prop 47. The law requires 65% of these funds to be distributed through the BSCC towards mental health and substance use treatment and diversion from incarceration, but it does not say which public agencies will get the funds. AB 1056 prioritizes Prop 47 funding for programs that also provide housing assistance and other community-based supportive services. We know that services are most effective when provided in the community and we must demand that the BSCC prioritizes investing in community care.

What is the ESC?

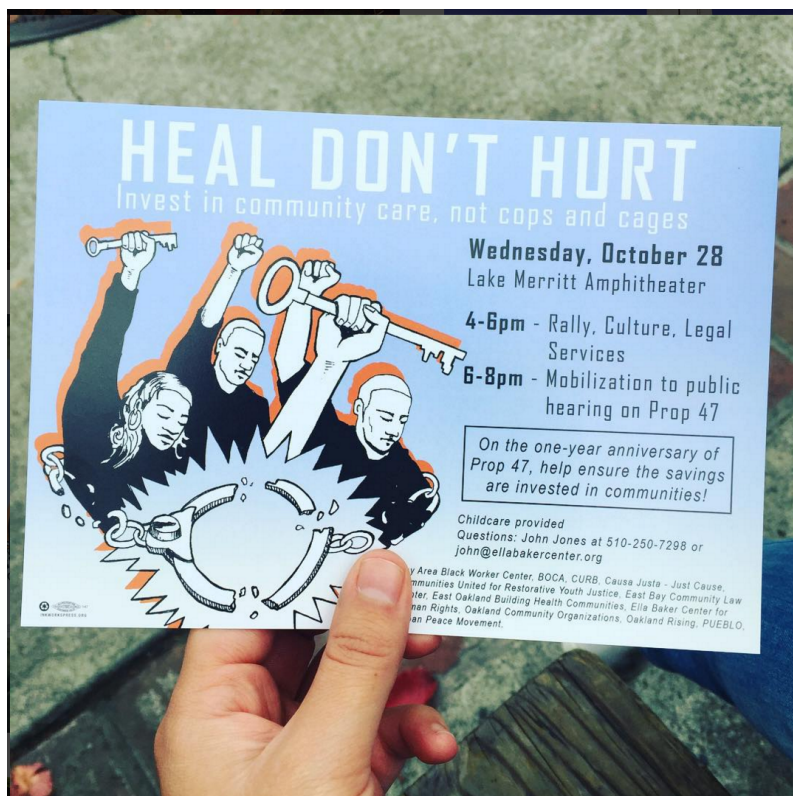
The Executive Steering Committee (ESC) is formed by the BSCC to develop guidelines for the application process for Prop 47 funds, also known as the Request for Proposals (RFP). The ESC will also review applications and recommend who should receive grant awards. The BSCC then approves, rejects, or revises those recommendations. The ESC for the Prop 47 funds will be formed early next year; the BSCC will soon put out a request for nominations.

Who can be on the ESC?

The BSCC chooses the members through an application and nomination process. Due to the passage of AB 1056, the ESC is supposed to include a balanced and diverse membership from relevant state and local government entities, community-based treatment and service providers, and the formerly incarcerated community, and include experts in homelessness and housing, behavioral health and substance use treatment, and effective rehabilitative treatment. Subject matter experts can learn about applying at:
http://www.bscc.ca.gov/s_bsccexecutivesteeringcommittees.php.

Appendix N - Visuals





Appendix M - Sample News Article published after Event

http://www.contracostatimes.com/breaking-news/ci_29041278/jail-population-down-debate-begins-over-how-spend

Home

News

Breaking News

Story

With jail population down, debate begins over how to spend savings

By Matthew Artz martz@bayareanewsgroup.com

POSTED: 10/29/2015 07:34:24 AM PDT | UPDATED: ABOUT A MONTH AGO

1 COMMENT

OAKLAND -- One year after state voters passed a landmark law reclassifying several low-

OAKLAND -- One year after state voters passed a landmark law reclassifying several low-level offenses to misdemeanors, a debate is underway on how to spend the millions of dollars being saved by imprisoning fewer people.

Tasked with divvying up more than half the funds to help current and former inmates successfully return to their communities, the Board of State and Community Corrections began a statewide listening tour Wednesday in Oakland where dozens of residents pushed it to spend the money outside the correctional system. "There are good programs (in prison) to pass the time, but none of them are helpful to people if you don't have someone at the gate ready to help that person," said Sholanda Jackson-Jasper, a formerly incarcerated Hayward resident.

The Safe Schools and Neighborhood Act, also known as Proposition 47, reduced criminal penalties for low-level drug crimes and petty theft under \$950. Inmates incarcerated for those crimes were given the opportunity to petition for resentencing. A report released Thursday by Stanford University's Justice Advocacy Project found that the law had reduced the ranks of the incarcerated by 13,000 and is estimated to save the state about \$150 million this year.

The law sets aside one-quarter of the savings for schools and 10 percent for victims of violent crime. The 13-member state corrections board, which includes both law enforcement officials and nonprofit leaders, has purview over the remaining 65 percent, which must go toward

programs that reduce recidivism including mental health and substance abuse treatment, job training and housing assistance.

With the board also overseeing a separate grant program that provides funding for increased programming space in jails, many of the 40 speakers urged board members to devote Proposition 47 funds for community-based programs. "There is no amount of money that you can put into jails to make them capable of giving effective and humane mental health treatment," said Amanda Irwin, an Oakland resident, whose brother is imprisoned and suffers from schizophrenia.

Oakland resident Lauren Valdez cited her father's struggle with drug abuse to urge funds to help offenders get mental health treatment in their communities. "I recognize that men like him need spaces to heal," she said. "They need to explore their trauma." Sheriff Greg Ahern was out of town and did not attend Wednesday's hearing. Reached by phone, he said he expected to support the board's recommendation for spending the funds and defended his application for the separate grant program to build an administrative center and refurbish living quarters for mentally ill inmates.

"Our request is to have better care while in our custody so they have better care upon their release. The corrections board is scheduled to appoint a committee early next year to draft a Proposition 47 grant program as it continues holding hearings across the state. At the end of Wednesday's two-hour session, the board's chairwoman, former Fresno County Chief Probation Officer Linda Penner, assured residents that board members had an open mind and were serious about carrying out the will of the voters in reforming the state's criminal justice system. "It's an enormous challenge, an enormous charge and an enormous obligation," she said.

Contact Matthew Artz at 510-435-8035.

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