**Write Your Letter of Support for SB 649 (Leno)!**

***Local Control in Sentencing Act***

SB 649 (Leno) will give local prosecutors a new option to charge drug possession for personal use as misdemeanor. The bill will give counties a chance to avoid the state’s failed over-reliance on incarceration in response to drug possession and instead more wisely invest taxpayer dollars in the kinds of community-based treatment, rehabilitation, and education programs proven to reduce recidivism, prevent crime, and make our communities safer and healthier.

**Please send in your letter of support on your organization’s letterhead BY APRIL 12th to:**

1. Senate Public Safety Committee via fax at **916-445-4688**

**AND**

1. Senator Leno via fax (916) 445-4722 (Attn: London Biggs).

**AND**

1. Margaret at mds@aclusandiego.org (for tracking purposes)

Current bill language is available at here. For more information contact Margaret Dooley-Sammuli at mds@aclusandiego.org.

March 25, 2013

Chair Loni Hancock and Committee Members
Senator Mark Leno

**RE: SB 649 (Leno)**

**Position: SUPPORT**

Senate Public Safety Committee

State Capitol, Room 2031
Sacramento, CA 95814

*Via fax: 916-445-4688*

*Via fax: 916-445-4722 (Attn: London Biggs)*

Re: SB 649 (Leno) – Support

Dear Honorable State Senator Loni Hancock:

On behalf of [YOUR ORGANIZATION], I write in strong support of SB 649 (Leno), which will revise the state penalty for drug possession for personal use from a felony to an alternate misdemeanor/felony (called a “wobbler”), thereby giving local prosecutors a new option to charge simple possession as misdemeanor. The legislation will not change the penalties for sale, transportation, manufacture, or possession for sale.

SB 649 will give counties more flexibility to manage their criminal justice obligations and resources. The Legislative Analyst’s Office estimates that if all drug possession for personal use were charged as a misdemeanor, counties would save about $160 million annually statewide. Savings will accrue to counties to be spent according to local priorities, including drug treatment, mental health, and/or law enforcement costs.

SB 649 will hold law-breakers accountable. A misdemeanor conviction carries a penalty of up to one year in county jail and a period of probation (typically three years). Participation in drug treatment and/or other programs may be ordered as a condition of probation. Statutory eligibility for drug courts, Prop 36, and other drug treatment diversion programs will not be affected, and SB 649 will provide counties greater flexibility to fund these programs, after years of devastating cuts.

SB 649 will help reduce recidivism by removing barriers to reentry. Those convicted of misdemeanor drug possession would avoid a felony drug conviction, which comes with significant barriers to employment, housing and public services that work against successful reentry. Additionally, changing the penalty to a wobbler allows those convicted of even felony drug possession for personal use to ask a court to reduce the conviction on their record to a misdemeanor after they have successfully completed probation.

SB 649 will bring California penalties closer to those of other states and the federal government.Thirteen states, the District of Columbia and the federal government all punish drug possession for personal use as a misdemeanor. Those states have slightly lower crime rates than felony states and slightly higher rates of people entering drug treatment.

SB 649 will implement the will of the voters. The vast majority of California voters support reduced penalties for personal drug possession. A statewide Tulchin Research poll in late 2012 found that 62% of Californians agree that the penalty for drug possession for personal use should be reduced to a misdemeanor.

In conclusion, [YOUR ORGANIZATION] supports SB 649 because it will give counties a chance to avoid the state’s failed over-reliance on incarceration in response to drug possession and instead more wisely invest taxpayer dollars in the kinds of community-based treatment, rehabilitation, and education programs proven to reduce recidivism, prevent crime, and make our communities safer and healthier.

Respectfully,

YOUR NAME, TITLE, ORGANIZATION