



April 11, 2012

The Honorable Senator Mark Leno
State Capitol, Room 5100
Sacramento, CA 95814
FAX: (916) 445-4722

Re: SB 1506 (Leno) – Drug Possession Misdemeanor – Support

Dear Senator Leno:

On behalf of the California Hepatitis Alliance (CalHEP), a coalition of 100 viral hepatitis organizations in the state, I am writing in strong support of SB 1506 (Leno), which will revise the penalty for simple drug possession under state law from a felony to a misdemeanor. The legislation will not change the penalties for sale, transportation, manufacture, or possession for sale.

SB 1506 will provide for up to one year of incarceration in county jail, and a period of probation not to exceed 5 years (in practice, three years of probation is common). 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 1506 will provide counties greater flexibility to fund these programs, after years of devastating cuts.

SB 1506 will significantly reduce prison and jail spending. It will allow state and local government to dedicate resources to probation, drug treatment and mental health services, which have proven most effective in reducing crime. It will also free up law enforcement resources to focus on those convicted of more serious offenses.

The Legislative Analyst's Office estimates that SB 1506 will save over \$1 billion in five years with most of the savings accruing to local governments to invest in drug treatment, mental health, and/or law enforcement costs, as prioritized by local governments. The state savings should provide an opportunity to reinvest in health, education and the social safety net after years of painful cuts, including investing in programs and services that would fight the state's viral hepatitis epidemic.

In thirteen states, the District of Columbia and the federal government, the penalty for this offense is already a misdemeanor. Those states have slightly lower crime rates than felony states and slightly higher rates of people entering drug treatment.

SB 1506 will help reduce recidivism by removing collateral consequences that accompany a felony conviction, including barriers to employment and housing, which make it more difficult to reintegrate into the community.

CalHEP supports SB 1506 because it protects public safety, public resources and public health. Thank you for your leadership on this issue. If you have any questions, please contact me at (415) 558-8669 x224 or rclary@projectinform.org

Sincerely,

A handwritten signature in blue ink that reads "Ryan Clary".

Ryan Clary
Project Manager
California Hepatitis Alliance