

**Doing Time
On The
Installment Plan:
Three-Strike
Defendants
Profiled**

In the late 70's, 80's and early 80's, they were called "Career Criminals" and virtually every prosecutor's office had a specialized unit devoted to handling their significant impact on society's crime problems. These were the 20% of the criminals, who the Rand Study said were responsible for 80% of the crime. Then in the late 80's and early 90's the use of violence and weapons to commit crime escalated to unacceptable dimensions.

Enter the "Three Strikes" law as the Legislature and the public's response to dealing with their safety concerns.

So who are the three-strike offenders? What are their profiles? What resources, human, societal and criminal justice, are they already consuming and what is their impact? Early profile analysis is eye opening!

The average three-strike defendant in Santa Barbara County is just over 31 years of age. Almost half have extensive juvenile records with formal criminal justice contacts beginning, at the earliest, at the age of 11, and the latest age, 14. Several are illegal aliens. None of the juvenile arrests, probations, adjudications, or custodial commitments have been

factored into the following early profile statistics.

An analysis of the 13 adult years available from the age 18 to the average profile age of 31 reveals the group has spent 59% of their adult life in custody. **In reality, they are already doing time on the installment plan.** They average a new arrest once every **6** months. They suffer a new conviction once every **9** months; a new probation every **20.4** months. They are convicted of a new felony every **18** months. The criminal histories detailing their frequent and repeated contacts with the criminal justice system are startling enough, but more significantly they demonstrate the magnitude of the current criminal justice resources being consumed by their unlawful behavior.

Three Strike Offender Profile	
• Average age:	31+
• Average new arrest:	1 every 5.9 months
• Average new conviction:	1 every 9 months
• Average per offender:	3.4 adult felony convictions
• Average per offender:	3.5 adult probations
• Average per offender:	2.2 probation failures
• Average per offender	2.7 paroles
• Average per offender	2.4 parole revocations
• Average per offender:	2.6 state prison commitments
• Average adult custody time:	(7.3 years) 87.3 months

**RAND Study Estimates Substantial
Crime Reduction From Three Strikes Law**

The newest Rand study devoted to analyzing the impacts of the three strikes law generally concedes its impact on crime reduction and victims. It seems ironic that we are so willing to invest millions into prevention and rehabilitation programs which have historically proven only marginally successful, and yet we hesitate and call too costly a similar investment when told by Rand that **for every \$1 million spent implementing the three strike law, we would prevent 4 rapes, 11 robberies, 24 aggravated assaults, 22 burglaries of a serious nature and 1 arson**. Put in these human terms to taxpayers and voters, there is little question where their priority would be. The vast majority would see it as one of the few good government returns on their investment and explains much about why the public at large supported and continues to support the three strikes law.

Parole and probation attempts are equally notable for their failures and inordinate consumption of criminal justice resources. The group averages 3.5 adult probations with a failure rate of 63%. The parole average was 2.7; the failure rate was 81%. The offender's probation reports chronicle repeated attempts towards rehabilitation, replete with participation in drug and alcohol programs. The repeated nature of those failures speak volumes about the inevitability of this group of offenders' chances of ever

successfully living a crime-free life, much less a productive one.

Their rate of commitment to state prison is also high. Their average total time sentenced to state prison is over **10 years, 8 months**. That is somewhat significant, because in the past, they received a 50% credit; thus, they served only **5 years, 4 months** of that time. Under the three strikes law, credits are reduced to only 20%. Had the three strikes' reduced credit provisions been law earlier, each three-strike defendant would have had **8 less arrests, 2.4 less**

felony convictions and **1.8 less state prison commitments per three strike defendant**.

The three-strike concept is a sound one, whether one favors the present law, or the version which limits the third strike to a new serious or violent crime. Moreover, the almost myopic-like focus on prison costs and gross prisoner populations affords no recognition in the cost estimate equation to the potential deterrent effects of three strikes and the assured reduction in victimization.