

September 27, 2012

**To:** Interested Parties

**From:** Ben Tulchin, Corey O’Neil and Isaac Hale; Tulchin Research

**Re: New California Statewide Poll Finds Strong Support for Alternatives to Jail for Non-Violent Offenders, Strong Opposition to Building More Jails**

Tulchin Research recently conducted a statewide survey among likely California voters to assess public opinion toward budget priorities and criminal justice issues one year into the state’s “realignment” plan to shift certain public safety responsibilities and resources to the counties. In general, **voters believe our elected officials should invest much more into alternatives to incarceration than they are doing now** and **they do not want taxpayer dollars used to build more prisons and jails**. Specifically, voters in California strongly support reforming pre-trial release policies to require supervised monitoring in the community instead of jail while awaiting trial and they are willing to hold elected officials accountable for not supporting this reform. We provide below a summary of key findings from the survey.

**Summary of Survey Results**

As state and local elected and law enforcement officials continue to implement “realignment” and make critical decisions about resources for public safety programs, the signal from voters could not be any clearer – **invest in prevention and alternatives to incarceration and NOT more prisons and jails**.

- Voters fundamentally believe that “our prisons and jails are overcrowded and we should find other ways to hold people accountable for non-violent offenses” as nearly four out of five voters (78 percent) agree with this statement to only 15 percent who disagree. The remaining seven percent are undecided.
- In deciding how to spend law enforcement budgets, California voters demand that the state and counties should “invest in more prevention and alternatives to jail for non-violent offenders” as three quarters (75 percent) share this view to only one out of six (12 percent) who feel the state and counties should “build more prisons and jails”.

**Invest in Alternatives for Non-Violent Offenders vs. Build More Prisons and Jails**

<i>When it comes to priorities for law enforcement budgets, should the state and counties:</i>	
<b>Invest in more prevention and alternatives to jail for non-violent offenders</b>	<b>75%</b>
Build more prisons and jails	12%
Both	1%
Neither	2%
Don’t Know/NA	9%

The survey found that voters of all parties – Democrats, Republicans and independents – agree that our jails are overcrowded and overwhelmingly want the state and counties to invest in prevention and alternatives to prison and jail instead of building more prisons and jails. Notably, four out of five Democrats (82 percent) and independents (80 percent) as well as nearly two-thirds (62 percent) of Republicans prefer investing in alternatives to incarceration for non-violent offenders over building more prisons and jails.

In looking at specific policy options for alternatives to incarceration, **a solid majority of voters (70 percent) favors allowing courts to require supervised monitoring in the community for people charged with non-violent offenses instead of jail while awaiting trial.** In fact, twice as many voters **strongly support** this reform than oppose it in total (39 percent strongly support this proposal compared to 19 percent who either strongly or somewhat oppose it), with the remaining 11 percent undecided. The table below shows the specific percentages in support as well as the exact question language that we used.

**Pre-Trial Release (Monitoring in the Community Instead of Jail): Favor vs. Oppose**

<i>Currently, many people remain in jail awaiting trial because they cannot afford to pay for bail. Would you favor or oppose allowing courts to require monitoring in the community for people charged with non-violent offenses instead of jail while awaiting trial, which could save the state and counties tens of millions of dollars per year?</i>	
<b>Total Favor</b>	<b>70%</b>
Strong Favor	39%
Somewhat Favor	31%
<b>Total Oppose</b>	<b>19%</b>
Strong Oppose	12%
Somewhat Oppose	7%
Undecided	11%
<b>Favor – Oppose</b>	<b>+51</b>

Similar to the support we saw for alternatives to incarcerating non-violent offenders, the backing for pre-trial release is strong among a wide range of demographic groups throughout the state.

- Large majorities of Democrats (79 percent), independents (71 percent) and Republicans (55 percent) favor this proposed change in criminal justice policy.
- Voters in every region of the state would like to see this reform implemented.
  - Voters in the Bay Area, LA County and the counties surrounding LA County including Orange County and the Inland Empire support this proposal at equally high levels (73 percent);
  - Other regions also support it as two-thirds of voters in the Central Valley (66 percent), nearly two-thirds of San Diego County voters (63 percent), and almost three out of five voters in the Sacramento area and the far northern part of the state (58 percent) want to see this reform become law.
- Voters 50 and over (70 percent) back this proposed new law at slightly higher levels than voters under 50 (68 percent).
- There is no discernible gender gap as both women (71 percent) and men (68 percent) want to see more pre-trial release with monitoring in the community.

- There is solid support across ethnic lines as 86 percent of African Americans, 75 percent of Asians, 70 percent of Caucasians, and 68 percent of Latinos would like the courts to begin requiring community monitoring for people charged with non-violent offenses awaiting trial.

The table below shows support for this proposed reform by key demographic groups.

**Support for Pre-Trial Release by Demographic Groups**

	<u>Favor</u>	<u>Oppose</u>	<u>Favor - Oppose</u>
<b><i>Total</i></b>	<b>70%</b>	<b>19%</b>	<b>+51</b>
<b><i>Party</i></b>			
Democrat	79%	10%	<b>+69</b>
Republican	55%	34%	<b>+21</b>
DTS/Other	71%	20%	<b>+51</b>
<b><i>Region</i></b>			
LA County	73%	16%	<b>+57</b>
LA Area	73%	20%	<b>+53</b>
Bay Area	73%	16%	<b>+57</b>
San Diego	63%	28%	<b>+35</b>
Sacramento/North	58%	26%	<b>+32</b>
Central Valley	66%	23%	<b>+43</b>
<b><i>Race</i></b>			
White	70%	20%	<b>+50</b>
Latino	68%	19%	<b>+49</b>
Black*	86%	11%	<b>+75</b>
Asian*	75%	21%	<b>+54</b>
<b><i>Gender</i></b>			
Male	68%	23%	<b>+45</b>
Female	71%	17%	<b>+54</b>
<b><i>Age</i></b>			
18-49	68%	23%	<b>+45</b>
50+	70%	18%	<b>+52</b>

\*small sample size

The survey presented to voters a hypothetical match-up between two potential candidates for the State Legislature – one candidate who voted **in favor of** allowing more monitoring in the community instead of jail for people awaiting trial for non-violent offenses running against a candidate who voted **against** this proposal. The reform candidate won by a nearly 3-to-1 margin with 63 percent to only 23 percent for the candidate opposing the reform. The reform candidate drew bipartisan support and led among Democrats (74 percent to 14 percent), independents (64 percent to 22 percent) and even Republicans (46 percent to 36 percent).

**How a State Legislative Candidate Fares by Supporting or Opposing Reforming Pre-Trial Release for Non-Violent Offenders**

*Here are two descriptions of candidates for State Legislature and their positions on the proposal to allow for more monitoring in the community instead of jail for people charged with non-violent offenses. Please tell me which candidate you would vote for.*

<i>A candidate who voted in favor of this reform because it will save money, create room in our crowded prisons for dangerous criminals and is a smarter way to fight crime.</i>	<b>63%</b>
<i>A candidate who voted against this proposal because it is opposed by law enforcement and would make our communities less safe.</i>	<b>23%</b>
Both	0%
Neither	1%
Don't Know/NA	13%

In sum, voters want elected officials to invest in more alternatives to incarceration for non-violent offenders, strongly oppose efforts to build more prisons and jails, firmly support reforming pre-trial release policies to allow for monitoring in the community instead of holding people charged with non-violent offenses, and indicate they will hold state legislators accountable if they do not support these popular reforms.

**Survey Methodology:** From September 19-23, 2012, Tulchin Research conducted a telephone survey among 500 Likely November 2012 voters in California using live, professional interviewers calling both landlines and cell phones. The margin of error for this survey is +/- 4.4 percentage points.