

the end of February, only 148 offenders statewide had been convicted of a third-strike felony, largely because defendants were demanding jury trials and creating a huge backlog, according to the State Department of Corrections. That is what will happen. The article mentions furthermore that county boards have had to augment the spending to accommodate the people being held in county jail, waiting for trial on these charges. They have had to put more money into their public defender office because now there are no plea bargains, they've got to defend these individuals, and the cost is becoming astronomical, I know California is bigger. But to accommodate the numbers of people that they think may be convicted under this law, California will have to build thirty-something more prisons at a cost of over \$9 billion. And with all of these people having to go to prison and serve these mandatory sentences, others are going to have to be let out. The population in the prisons is expected to increase by 144 percent. No, that's the number of jury trials that will increase, and the prison population, obviously, will be more than that if they have to more than double the prison capacity that they have. Here is an interesting part of the article. "Before the three-strikes law took effect, prisoners in Los Angeles County jails usually served about two-thirds of their sentences. Recently, however, nonviolent offenders have been serving only about 45 percent of their sentences to make room for more three-strikers awaiting trial, according to a legislative study." This is not saying that you are releasing people from the penitentiary because of convictions, you have to release people...

SENATOR HALL: One minute.

SENATOR CHAMBERS: ...from county jail to make room for those who have just been accused and haven't gone to trial. So the costs of some of these provisions are going to be prohibitive. I know the Governor's people are not going to give an honest fiscal note because they want these provisions, but if you look at the states where these laws have been in place for any period of time, there has been a large influx of people. They don't all even have to ultimately be convicted, but while awaiting trial they have to be someplace, and counties are going to bear the cost. Has anybody thought about saying that any increased cost as a result of this bill, for those who are held awaiting trial, will be borne by the state and not by the counties? Why don't we put that in, then you would see a lot of people