

Presentation title:

How California's corrections and judicial officials undermine the legislatively Initiated "Second Look" resentencing proceedings intended to remedy racism, reduce the prison population, and save lives; as made more salient during the COVID-19 pandemic

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California legislators passed second look resentencing legislation "to eliminate disparity of sentences and to promote uniformity of sentencing" "in the interest of justice" and allowed judges to revisit sentences while considering postconviction factors including a person's record of rehabilitation while incarcerated, evidence that reflects whether age, time served, and diminished physical condition, if any, have reduced the risk for future violence, and evidence that reflects that circumstances have changed since the original sentencing so that the inmate's continued incarceration is no longer in the interest of justice. However, in implementing the legislation California's prison and court systems failed to use resentencing: 1. in a racially neutral manner; 2. minimize loss of life during COVID; 3. meet state commitments to prison population reduction and prison closure; and 4. maximize the potential cost savings. This panel will examine the presence, patterns, and experiences of biased and unfair sentencing law and practices and the legislative efforts to make reparations for the consequences of these policies and associated correctional practices. The panel will share qualitative and quantitative sentencing data that measure performance and costs of correctional agency and judicial branch policy implementation.