

Opinion: Feds need to extend prison overcrowding deadline

By Darrell Steinberg

For most of her adult life, a 31-year-old San Francisco violinist had been ravaged by debilitating mental illness. Newspaper accounts chronicled the compelling journey of Kim Knoble, who was caught in a cycle of shelters and homelessness, lack of self-control and aberrant behavior. It culminated in Knoble's arrest for assaulting an older passenger on a city bus.

Yet that arrest led to Knoble regaining stability and dignity with the intervention of San Francisco's innovative Behavioral Health Court. The judge's conditions? Avoid jail time by agreeing to mandatory, intensive mental health treatment. After many ups and downs, Kim is safe, stable and playing music again.



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One life saved. So many more at risk.

In the complex and contentious process in which the U.S. District Court three-judge panel deals with California's overcrowded prisons, thousands of lives like Kim's are at stake. Here is why.

The governor and the Legislature faced a key choice in response to the court's order in June to reduce the prison population by 10,000 inmates. We could either spend \$730 million to transfer those inmates to jails in and out of state, or we could gain an extension of what was then the Dec. 31 deadline to invest in mental health and substance-abuse treatment to reduce recidivism. The current 65 percent recidivism rate is the unacceptable reality that perpetuates prison overcrowding.

Our compromise in September, reflected in my bill, SB105, put that choice before the three-judge panel, which has since granted two short extensions to allow further negotiations on a durable solution. If the court ultimately agrees to push back the deadline for two to three more years, a significant portion of the \$730 million (and more in succeeding years) must be spent on mental health care, substance-abuse treatment and other strategies to help keep people who leave prison from ever returning.

The stakes could not be higher.

In California's overcrowded prisons, thousands of lives like that of the young violinist are hanging in the balance, waiting for a lasting solution. Prison and jail cells have become de facto holding pens for Californians in need of mental health and substance-abuse treatment. Correctional officers and physicians agree that a criminal sentence is woefully ineffective in getting drug addicts and mentally ill individuals back on a path to wellness.

The court's decision will come on the heels of the turnaround in California's budget. For the first time in modern state history, the single largest increase in the budget other than for education was for mental health: \$142 million for 2,000 crisis-stabilization beds to ease the pressure on jails and emergency rooms; \$60 million for new crisis caseworkers; \$100 million to add mental health care and substance-abuse

treatment for an additional 1.4 million Californians under the Affordable Care Act.

These investments are on top of existing funding that helps people like Kim Knoble. California's one-of-a-kind Mental Health Services Act, formed under Proposition 63, generates \$1 billion a year for "whatever it takes" to help the most severely mentally ill. For example, Prop. 63 money partially funds Citywide Forensics, a full-service partnership that provides client services for San Francisco's Behavioral Health Court.

Long-term sentencing reform is key to reducing prison overcrowding. But reform alone, like simply building more jail and prison beds, is insufficient. Changing sentencing laws doesn't directly reduce crime and its effect on communities, nor does it break the cycle for addicts and the mentally ill who complete their sentences only to be released with no hope and no future.

Now is the time to make fundamental change in California's correctional system. Under SB105, the less money we spend on prison beds, the more money is earmarked to reduce recidivism. The longer the court extends the deadline to reduce the prison population, the more mental health and substance-abuse courts we can fund. The longer the extension, the more evidence-based services these courts can connect with offenders who leave the gates.

Kim Knoble could be anyone's daughter, sister, mother, wife or co-worker. Her story is not uncommon. In this moment, the federal court, working together with state and local government, can help save many more like her.

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