FACT SHEET: California Commutations

KEY FACTS

- The Governor is exercising his constitutional clemency authority to change all California death sentences to **life imprisonment without the possibility of parole**.
- The action applies to all people currently under sentence of death. It does not release anyone from prison, make anyone eligible for parole, pardon anyone, or change the underlying conviction or restitution order. Every sentence will simply be converted from death to life in prison without the possibility of parole.
- These individuals are **specifically excluded** from eligibility for the new Board of Parole Hearings Commutation and Resentencing regulations.
- Throughout his 8 years in office, the Governor has spoken with victims and survivors in cases where the offender was sentenced to death. Victim advocates are working to notify all victims, survivors, and next-of-kin directly impacted by this action and provide them with services and support.
- The Governor's open letter to California explains his reasoning. The letter to the California Supreme Court includes a statement articulating the legal basis for invoking the constitutional process.

DEATH PENALTY STATS

- **548 people** are currently sentenced to death in California.
    - 529 are men and 19 are women.
- **29 people** are awaiting appointment of appellate counsel.
- **376 people (with 378 cases)** are awaiting appointment and/or funding of state habeas counsel.
- Since Prop 66 passed 10 years ago, only 5 people have been appointed counsel, with an average wait time of **29 years.**
- **220 people** have waited 15 years or more for habeas counsel.
- **139 people** have waited 20 years or more for habeas counsel.
- California's last execution took place on **January 17, 2006**.
- **45 people** would be immediately subject to execution absent the moratorium.

VICTIMS

- The Office of Victim and Survivor Rights and Services helps victims and survivors understand and exercise their rights, receive notifications, access services, and participate in processes that promote accountability, healing, and justice.
- For more information, or to receive support and services, please email victimservices@cdcr.ca.gov or call 1-877-256-6877. Victims are encouraged to register with the California Department of Corrections and Rehabilitation (CDCR). Registration is quick and confidential. Registered victims can choose to receive updates about this action and other notices and get assistance with restitution collection and other issues.

THE GOVERNOR'S ACTIONS

- **2019**: Signed an executive order imposing a moratorium on all executions, withdrew the lethal injection protocol, and closed San Quentin's execution chamber.
- **2022–2023**: Shifted away from traditional death-row incarceration, announcing a vision to transform San Quentin into a rehabilitation-focused institution.
- **2023–2026**: Established San Quentin as the flagship for an evidence-based approach emphasizing rehabilitation, education, workforce training, dynamic security, dignity, and staff wellness—including a Learning Center.
- **Current**: Transformed San Quentin's East Block, formerly death row, into rehabilitative Honor Dorms, alongside expanded programming, recreation, and community space. Opened a staff-led Honor Dorm at Corcoran State Prison, extending the California Model, an innovative approach to driving rehabilitation in prison.

THE CONSTITUTIONAL PROCESS

- **Constitutional authority:** The California Constitution expressly grants the Governor clemency authority, including the authority to commute sentences.
- **Interbranch review:** The California Constitution establishes an interbranch process for certain clemency actions. In applicable cases (individuals

twice convicted of felonies), the Constitution requires review by the California Supreme Court.

- **Submission to the Court:** The Governor submitted the matter to the California Supreme Court as required by the constitutional process. His letter to the Court explains the basis for the action.
- **Legal questions:** For information about the legal process, the Governor's Constitutional authority, and the list of clemency recipients, you can review the Governor's full request to the California Supreme Court here.
- **No change to the underlying convictions:** The action changes the sentences imposed. It does not reverse the findings of guilt or make a determination about any other aspect of the case.

COMMUTATIONS

A commutation changes a person's sentence to a lesser sentence. In this case:

- Death sentences are changed to **life without the possibility of parole**.
- The individuals remain incarcerated.
- The individuals are not being released.
- The commutations do not make anyone eligible for parole.
- Individuals commuted under this action are **NOT** eligible under the recently-issued Board of Parole Hearings regulations on commutation and resentencing.
- The commutations do not change the underlying convictions.
- The commutations do not erase restitution orders.
- The commutations are not pardons, exonerations, or findings of innocence.

PRISON HOUSING

- No major operational change at CDCR is expected as a result of the commutations.
- Under Governor Newsom, California previously dismantled the physical death row at San Quentin and integrated condemned individuals into the broader prison system.
- CDCR housing decisions are based on classification and security considerations. The commutations do not require changes to those housing assignments.