

Retroactive Enhancement Resentencing under Senate Bill 483 (2022)

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Research series examining second look policies in California

The five policy briefs and [overview report](#) in this series describe the characteristics and recidivism rates of individuals affected by second look policies in California.

Criminal justice system reforms — especially those revising sentencing laws — often have applied only to new cases. This means that individuals who were already sentenced under outdated laws will not benefit from the reforms. Prior to 2018, California law allowed a three-year sentence enhancement for anyone with a prior conviction for possession of a controlled substance who was later convicted of another drug offense. Senate Bill 180 (2018) repealed this enhancement except in cases involving minors. Similarly, Penal Code § 667.5(b) allowed a one-year enhancement for any prior prison or felony jail term. But, in 2020, Senate Bill 136 went into effect, restricting this enhancement to only be applied in cases where the individual had prior convictions for sexually violent offenses.

However, neither SB 180 nor SB 136 applied retroactively — meaning thousands of people remained incarcerated under enhancements no longer active in the state. To address this gap, Senate Bill 483 (effective 2022) authorized courts to resentence individuals serving time for enhancements repealed under SB 180 and SB 136. The goal of this bill, which was based on a recommendation from the Committee on Revision of the Penal Code, was to bring past sentences in line with current sentencing standards and reduce unnecessary incarceration. This brief examines who was resented under SB 483, the offenses for which they were originally convicted, and the recidivism rates for people who have been released.

Key findings

- **More than 3,000 people have been resented under SB 483.** Most of those resented (92%) had a one-year prior prison enhancement. As of December 2024, just over one-third had been released from prison.
- **People resented under SB 483 were largely Black or Hispanic and in their early 30s at the time of their offense.** Black and Hispanic individuals made up 75% of those resented under SB 483, at 38% and 37%, respectively, with a median offense age of 31 across all racial and ethnic groups.

- **The median sentence reduction after resentencing under SB 483 was approximately two years.**
- **People resentenced under SB 483 had typically spent a long time in prison.** The median time in prison was slightly less than 13 years, and nearly two-thirds had served at least 10 years.
- **Early recidivism rates were slightly lower than the general release population.** Among the 356 individuals with one year of post-release data, 18% were convicted of a new offense, compared to 21% of people released from prison in fiscal year 2018–19. Eight percent had a new felony conviction and 10% had a new misdemeanor.

Policy context

SB 180 (2017) and SB 136 (2019) significantly narrowed the use of sentence enhancements: SB 180 limited the three-year enhancement for prior drug convictions to cases involving sales to minors, while SB 136 restricted the one-year enhancement for prior prison or felony jail terms to cases where the prior offense was sexually violent, as defined by Welfare & Institutions Code § 6600(b). Both of these policy changes applied only to future cases and did not apply retroactively.

SB 483 (2022) became effective on January 1, 2022, and allowed people in prison to be resentenced if their sentence included these enhancements.¹ The California Department of Corrections and Rehabilitation (CDCR) and county correctional administrator (for those in jail) were required to identify affected individuals in their custody and notify the original sentencing court. CDCR and jail officials had to inform the court by March 1, 2022 about incarcerated people who only had time left to serve due to an enhancement. Resentencing of these individuals was to be completed by October 1, 2022. For all others in custody with one of these enhancements — but who were still

Data and methods: This brief uses data from the California Department of Corrections and Rehabilitation and the California Department of Justice to describe the scope of resentencing policies — including the number of people released, recidivism rates, and factors linked to recidivism. It does not assess causal impact. For details, see our full report: [The Role of Second Look Policies in Reforming California’s Approach to Incarceration.](#)

serving time for other offenses — the deadline for court notification was July 1, 2022, with a resentencing deadline of December 31, 2023.

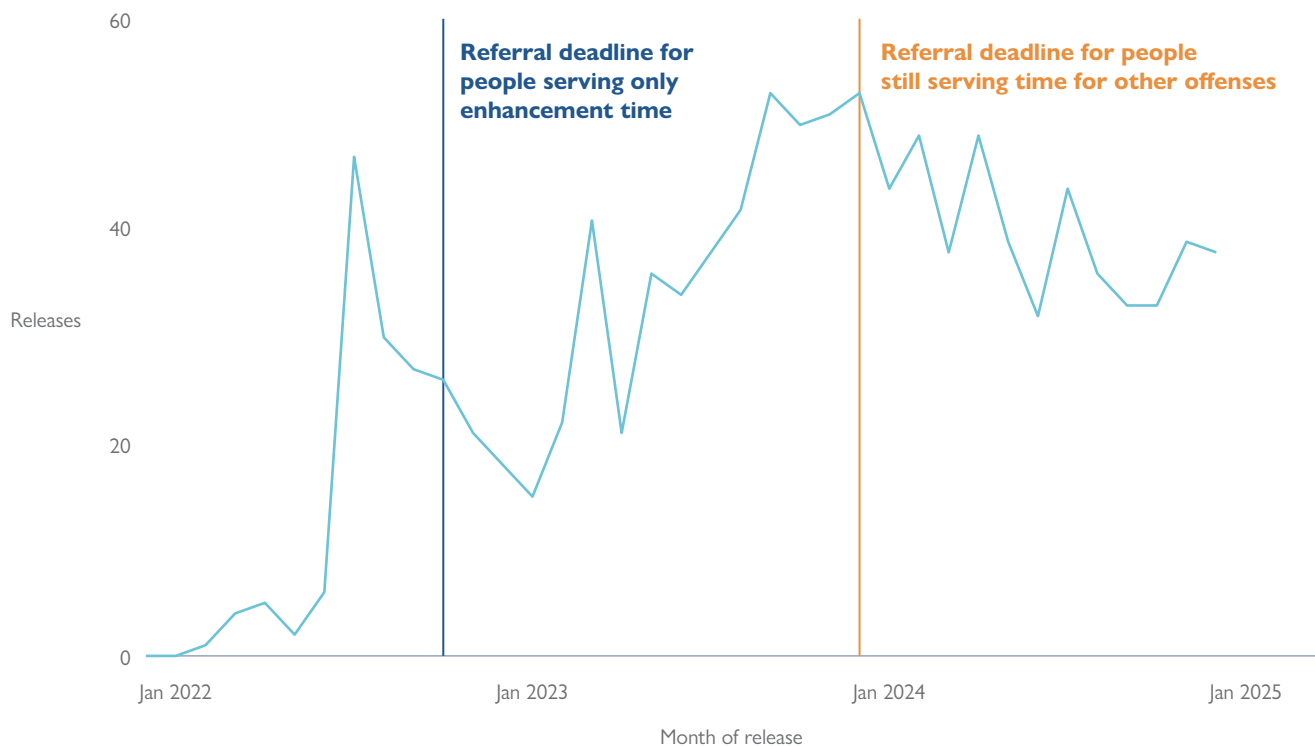
Courts were required to resentence people unless there was “clear and convincing evidence” that a reduced sentence would endanger public safety, and to appoint attorneys for all eligible individuals. Under the “full resentencing” rule,² courts were not limited to just the enhancements that triggered the resentencing process, they also had the ability to reconsider other aspects of someone’s sentence. We estimate that the median sentence reduction for people resentenced under SB 483 was approximately two years.

Descriptive characteristics

Releases began shortly after the enactment of SB 483 and peaked slightly before each deadline for court decisions ([Figure 1](#)). Approximately one-third of people resentenced under SB 483 have been released from CDCR as of December 2024 ([Table 1](#)).

Note on language: Information on race and ethnicity may not be self-reported and can reflect classifications made by prison staff, court officials, or arresting agencies. All reported sex fields refer to sex assigned at birth and may not reflect someone’s gender identity.

FIGURE 1: Monthly releases of individuals resentenced under SB 483



Source: California Department of Corrections and Rehabilitation (2013–24).

For a point of comparison, we provide descriptive statistics of those released from prison in fiscal year 2018–19 (“total releases”) (CDCR, 2024). Summary statistics are available in Table 1 and key takeaways are:

- The population resentenced under SB 483 is **more likely to be Black** than the total releases (38% compared to 24%) and **less likely to be Hispanic** (37% compared to 45%).
- The median age at offense for those resentenced under SB 483 is just **over 31 years**. Of those released, nearly **half were 50 years or older** at the point of release, compared to just 15% of the total releases.
- **Robbery** was the most common offense for people resentenced under SB 483 (27% compared to 11% of total releases). A higher share of people released were serving sentences for robbery (33%) compared to the share still in custody (23%).
- Almost two-thirds of people resentenced had spent **10 or more years in prison** at release (or as of December 2024 for those still in custody).
- Nearly 70% of people resentenced under SB 483 had **two or more prior prison commitments** — twice the share of the total release population.

TABLE 1: Summary statistics of people resentenced under SB 483, disaggregated by release status

	TOTAL RELEASES (FY 2018–19) (%)	SB 483		
		TOTAL (%)	IN-CUSTODY ^a (%)	RELEASED (%)
TOTAL	36,086	3,019	1,901	1,118
Demographics				
Male	92.7	98.4	98.6	98.1
Black	23.9	38.0	37.6	38.7
Hispanic	44.8	37.2	37.5	36.6
White	25.4	20.0	20.3	19.6
Offense age (median) ^b	—	31.2	30.6	32.4
Age 50+ at release	15.1	N/A	N/A	45.5
Offense type				
Assault	12.6	27.4	25.4	29.3
Burglary	6.9	8.2	5.9	12.1
Manslaughter	1.2	4.1	4.3	3.9
Murder 1st	0.9	9.3	14.1	1.2
Murder 2nd	1.2	4.4	6.5	0.9
Robbery	10.7	26.7	22.9	33.1
All other offenses	51.4	20.8	20.7	20.1
SB 483 enhancement				
Prior prison / felony jail term (one year) ^c	—	92.3	93.7	89.9
Prior drug convictions (three year)	—	8.9	7.4	11.5
Prison sentence and prior commitments				
Determinate	71.3	62.0	44.4	92.0
Indeterminate	28.7	38.0	55.6	8.0
Length of stay (median) ^b	—	12.9	13.9	11.1
10+ years in CDCR	7.6	63.6	68.3	55.5
2+ prior commitments	35.3	66.7	66.0	67.8

Sources: California Department of Corrections and Rehabilitation (2013–24) and [Recidivism Report for Individuals released from CDCR in Fiscal Year 2018–19](#).

Notes: a) In-custody and released numbers are as of Dec 2024. b) CDCR does not report median age or median length of stay. c) We are unable to report enhancement numbers for the full release population due to not having this data.

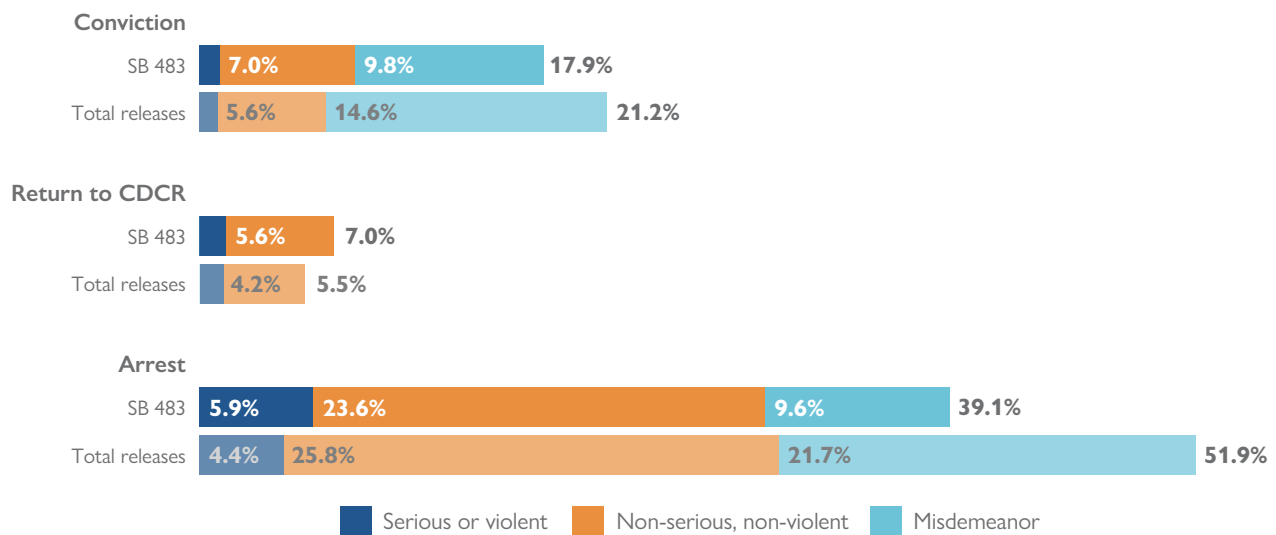
Recidivism

One-year recidivism measures

We report one-year recidivism rates for people resentenced under SB 483 and released by June 2023 (which is 12% of those resentenced, and 32% of those released). New conviction rates for the 356 individuals with one year of post-

release data were slightly lower than total releases, at 18% compared to 21% (Figure 2). However, a slightly higher share of people released under SB 483 were convicted of a new felony (8%) compared to total releases (7%).

FIGURE 2: One-year recidivism rates for people resentenced under SB 483 and total releases, disaggregated by severity



Sources: California Department of Corrections and Rehabilitation (2013–24), California Department of Justice Automated Criminal History System, and [Recidivism Report for Individuals released from CDCR in Fiscal Year 2018–19](#).

Note: Because not enough time has passed, we can measure one-year recidivism outcomes for only 32% of those released (12% of all people resentenced under SB 483)

Supplemental recidivism measures: new arrests and returns to CDCR

We also present two alternative recidivism measures: new arrests and returns to CDCR. Seven percent of the SB 483 release cohort returned to CDCR within one year, compared to 6% of total releases. Only five people resentenced and released under SB 483 returned to prison because of a new serious or violent felony within one year.

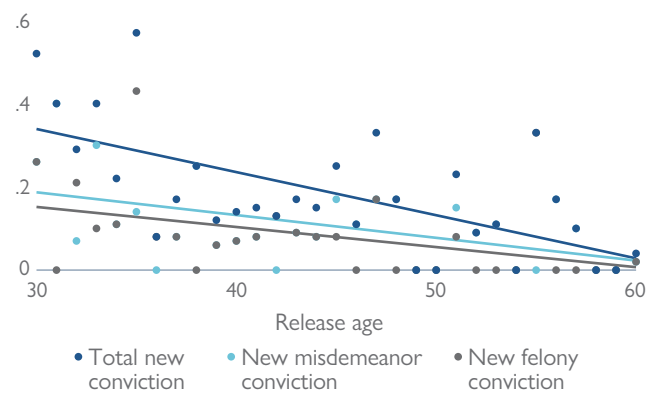
By definition, new arrest rates were higher than conviction or return-to-CDCR rates, since not all arrests led to a conviction or prison sentence. Within one year, 39% of

individuals resentenced under SB 483 were arrested for a new offense, compared to 52% of total releases. Felony arrests were the most common (30%), while 10% were arrested for a misdemeanor. Among those arrested for a felony, 80% were for non-serious, non-violent offenses. Depending on how these cases are resolved, two- and three-year convictions may ultimately exceed those of the general released population.³

Factors associated with new convictions

Using multivariate regression, we examine how individual and case characteristics relate to recidivism among those released under SB 483 (Table A-1). Each additional year of age at release was associated with a one percentage point decrease in the likelihood of a new conviction, controlling for factors such as offense type, prior CDCR commitments, and length of stay. Prior convictions were associated with a higher recidivism risk.

FIGURE 3: Correlation between release age and new conviction rate (one year) after SB 483 resentencing

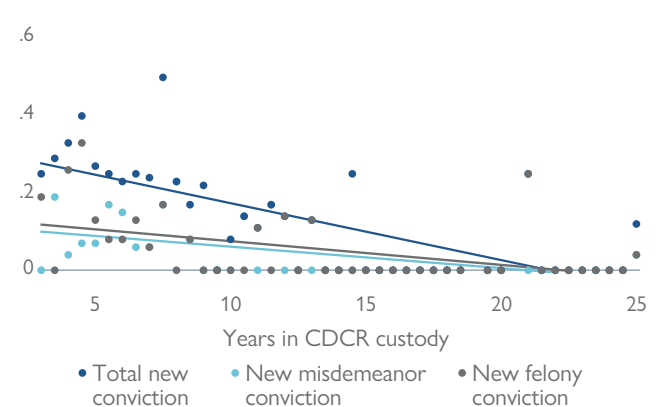


Source: California Department of Corrections and Rehabilitation (2013–24) and California Department of Justice Automated Criminal History System.

Recidivism rates vary with age and time served. Consistent with the regression results, the rate of new convictions within one year declines as age at release increases (Figure 3).

A similar trend is observed with years in prison, and new conviction rates decrease as the length of incarceration increases, though this relationship is not statistically significant (Figure 4).

FIGURE 4: Correlation between years in prison and new conviction rate (one year) after SB 483 resentencing



Source: California Department of Corrections and Rehabilitation (2013–24) and California Department of Justice Automated Criminal History System.

Conclusion

In summary, SB 483 led to the resentencing of more than 3,000 people, aligning their sentence with current laws on sentence enhancements. As of December 2024, one-third of those granted relief had been released after spending a median of almost 14 years in prison. The majority of those resentenced were Black or Hispanic (75%) and the median age was 31 at the time of arrest. One-year recidivism rates were slightly lower than the general released population, though new convictions for felonies made up a slightly higher proportion of new convictions compared to misdemeanors.

Second Look Series: This brief is part of a series of six publications focused on second look policies in California. To see the overall report and the four other policy-specific briefs, please visit: [Reforming California's Approach to Incarceration: The Role of Second Look Policies](#).

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Endnotes

- 1 The California Supreme Court recently decided *People v. Rhodius*, S283169 (June 26, 2025), which clarified that merely having one of these enhancements as part of a sentence — even if the enhancement was “stayed,” meaning it did not actually increase a sentence at the time of imposition — made someone eligible for resentencing. The Court is also considering whether enhancements that were entirely struck from a sentence also make someone eligible for resentencing. See *People v. Espino*, 104 Cal.App.5th 188 (2024), review granted, 557 P.3d 313 (2024).
- 2 See, e.g., *People v. Carter*, 97 Cal.App.5th 960 (2023).
- 3 We cannot observe whether charges were filed in our data, so we cannot determine what percent of these arrests did not result in filed charges and what percent are pending resolution.

References

California Department of Corrections and Rehabilitation, Office of Research. (2024). Recidivism report for individuals released from the California Department of Corrections and Rehabilitation in Fiscal Year 2018–19. <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2024/02/Statewide-Recidivism-Report-for-Individuals-Released-in-Fiscal-Year-2018-19.pdf>

Appendix

TABLE A-1: Correlates of new conviction within one year among people resentenced and released under SB 483

	PROBABILITY OF NEW CONVICTION WITHIN 1 YEAR
Age at release	-0.00901*** (0.00263)
Female	-0.128 (0.146)
Black	-0.04519 (0.054)
Hispanic	-0.0350 (0.0544)
Other	-0.0350 (0.0118)
Time in CDCR (Years)	-0.00329 (0.0393)
Any prior prison (binary)	0.0541 (0.0909)
Prior convictions (count)	0.0157** (0.00561)
Assault	0.120 (0.0614)
Burglary	0.000148 (0.0767)
Robbery	0.0453 (0.0612)
Receiving stolen property	0.768* (0.371)
Vehicle Theft	0.272* (0.111)
Weapon	0.0885 (0.0974)
Constant	0.276 (0.208)
R ²	0.189
N	356

Notes: *p<0.05 **p<0.01 ***p<0.001

All models also include controls for race, controlling offense, days for policy implementation to release, and month of release fixed effects.

Sources: California Department of Corrections and Rehabilitation (2013–24) and California Department of Justice Automated Criminal History System.