

PROPOSITION 47: KNOW THE FACTS

In November 2014, California voters overwhelmingly passed Proposition 47 to prioritize criminal justice resources for serious and violent crime, and to invest the savings from reduced incarceration for low-level, nonviolent offenses into prevention and treatment.

This reform came after decades of heavy spending on prisons and significantly low investments in prevention strategies, including education, and mental health and drug treatment. During this period, the recidivism rate grew to historic highs, reaching more than 70%.

Proposition 47 is working as voters intended – having saved taxpayers millions of dollars and allowing counties to prioritize jail space for serious and violent crimes – but its opponents are spreading misinformation about the law.

HERE'S WHAT'S TRUE:

- ✓ Voters passed Prop. 47 because the old system was failing, with six in 10 people released from state prison returning within three years.
- ✓ Prop. 47 changed six offenses within California's entire penal code to misdemeanors, specifically simple drug possession and five petty-theft offenses under \$950.
- ✓ Burglary of a car, house or business (after hours) — for property of any value — is still a felony.
- ✓ Any attempted or actual sexual assault is still a felony.
- ✓ Possession of a stolen gun is still a felony.
- ✓ Law enforcement can still arrest and detain people for misdemeanors (including Prop. 47 offenses). If they choose not it, that is a matter of local policy, not the law.
- ✓ Someone convicted of a misdemeanor can be sentenced to up to a year in jail.
- ✓ Someone convicted of a misdemeanor can be sentenced to up to three years of supervised probation, including mandatory drug treatment.
- ✓ Nothing prohibits drug courts from accepting participants arrested for misdemeanor drug possession (or people arrested for other drug-related felonies).
- ✓ Judges decide if someone is safe enough to resentence and release under Prop. 47.
- ✓ Prop. 47 has reduced prison and jail crowding, allowing sheriffs to end the practice of early release and dedicate more staff and space to programming.