

# Proposition 47

Update on State and Local Impacts – Year 1

April 19, 2016

# Background

- The Safe Neighborhoods and Schools Act
- Passed November 4, 2014
- Reduces and modifies non-violent and non-serious felonies to misdemeanors
- Creates the Safe Neighborhoods and Schools Fund
- Disbursement of funds to granting agencies in August of 2016

# State Impacts

- Prisoner population to be 137.5% design capacity per SCOTUS, est. 113,720 inmates
- Realignment and Prop 47 have reduced population to 113,100
- ADP decline of 4,767 (9%), Prop 47 decline of 6,334 (50% of Prop 47 specific)
- Now the law but not yet the New Normal

# State Fiscal Impacts

- FY 2015-16 is first year of estimated savings, deposit in SNSF by July 31, 2016
- Governor's budget proposal est. \$29.3M
- LAO estimates \$100M more in savings
- Prop 47 did not clearly define estimate formula or deposit mechanism
- Exact savings amount will not be known until State Budget is adopted

# LAO Original Projections

- Freed up Jail beds and probation resources
  - Initial declines in ADP, 2016 levels rising
  - Probation decline in adult supervision
- Resentencing and reclassification workload increases, then taper off
  - March 2015 was peak of petitions
- Long term reduced criminal justice workload
  - Increased Misdemeanors, Felony decreases

# Local Impacts

## Proposition 47 Statistical Changes During First Year (2014 to 2015)

Department/Source	Activity	Change	Data
Courts Public Defender District Attorney	Petitions filed for resentencing/reclassification	Declining from peak of March 2015	<u>Totals</u>
			1,750
			1,600
			1,750
Behavioral Wellness	Alcohol and other Drug treatment programs (ADP) services	↑	13,497 to 15,622
Probation	Adult offenders on Probation	↓	4,654 to 4,268
Public Defender	Caseload	↑	21,675 to 23,996
	Misdemeanors	↑	11,441 to 12,869
	Felonies	↓	5,704 to 4,150
District Attorney	Caseload	↑	20,572 to 22,468
	Misdemeanors	↑	12,301 to 13,145
	Felonies	↓	3,335 to 2,314
Sheriff	Jail average daily population	↓	967 to 891 (rising in 2016)

# Local Impacts

## Behavioral Wellness

- ADP upward trend in services provided
- Inpatient utilization remains exceedingly high

## Courts

- Petitions continue to decline
- Treatment courts initial decline, beginning to increase

# Local Impacts

## District Attorney

- Petitions declining, 1,750 in first year
- Failure to Appear (Misdemeanor Warrants) 42% increase
- Drug violations, Domestic Violence, and theft have been on the rise before and after Prop 47 implementation

## Public Defender

- 1,600 Petitions in first year
- Felony filings have decreased, misdemeanor cases appointed have increased
- Community outreach could increase petitions



# Local Impacts

## Probation

- Adult offenders under supervision has decreased
- Minimal impacts on Collaborative Courts

## Sheriff

- Jail system is overcrowded
- Initial declines in ADP, recent increases returning to pre-Prop 47 levels.

# Conclusion and Next Steps

- Conclusive statement on merits of Prop 47 is not available
- Local trends are not clearly causal
- Original expectations appear to be occurring, continue to monitor
- Next step is to apply for available grants

# Recommendation

- a) Receive and file an update on impacts to departments of Proposition 47 – The Safe Neighborhoods and Schools Act; and
- b) Determine action is not a project subject to CEQA review