



# Proposition 47 Frequently Asked Questions

Updated March 15, 2016 (all updates are in red)

## 1. What is Proposition 47?

Proposition 47 was a voter-approved initiative on the November 2014 ballot. As stated in the proposition, its purpose is as follows: The people enact the Safe Neighborhoods and Schools Act to ensure that prison spending is focused on violent and serious offenses, to maximize alternatives for nonserious, nonviolent crime, and to invest the savings generated from this act into prevention and support programs in K–12 schools, victim services, and mental health and drug treatment. This act ensures that sentences for people convicted of dangerous crimes like rape, murder, and child molestation are not changed.

## 2. Where can I learn more about Proposition 47?

A link to the proposition can be found [here \(http://vig.cdn.sos.ca.gov/2014/general/pdf/text-of-proposed-laws1.pdf#prop47\)](http://vig.cdn.sos.ca.gov/2014/general/pdf/text-of-proposed-laws1.pdf#prop47), beginning on page 70 and ending on page 74. Additional information can also be found through the Californians for Safety and Justice Website at <http://myprop47.org> (<http://myprop47.org>). For information about changes to sentencing, and for legal questions pertaining to your case, please visit your county's District Attorney's or Public Defender's website.

## 3. What are the BSCC's responsibilities under Proposition 47?

As stated in the proposition, the BSCC's responsibilities are as follows:

Administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems. {Government Code Section 7599.2 (a)(3)}

## 4. What is Assembly Bill (AB) 1056 and how does it impact Proposition 47?

AB 1056 is a bill authored by Assembly Member Toni Atkins that adds additional administrative duties for the BSCC and makes legislative priorities to the grant programs and services funded by the proposition. AB 1056 was signed by Governor Brown on October 2, 2015 and will be incorporated into the implementation of the Proposition 47 Grant Program. The legislative priorities include housing-related assistance and other community-based supportive services including job skills training, case management and civil legal services. The grants can fund programs that serve adults and juveniles. Click here to read the new law: [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB1056](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1056). ([http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB1056](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1056))

## 5. What agencies besides the BSCC are administering Proposition 47?

The California Department of Education and the California Victim Compensation and Government Claims Board also have responsibilities. Please contact these agencies directly for more information about their responsibilities.

**6. How much money is available from Proposition 47 savings to fund grant programs and services?**

The amount of available money has not yet been calculated. The proposition states:

On or before July 31, 2016, and on or before July 31 of each fiscal year thereafter, the Director of Finance shall calculate the savings that accrued to the state from the implementation of the act adding this chapter ("this act") during the fiscal year ending June 30, as compared to the fiscal year preceding the enactment of this act. {Government Code Section 7599.1 (a)}

On January 7, 2016 the Governor's Budget included an estimate of state's first-year savings resulting from the implementation of Proposition 47 at \$29.3 million. Sixty-five percent of that (just over \$19 million) will be allocated to the BSCC to be distributed as recidivism-reduction grants. After the first year, implementation costs, such as the court hearings associated with Prop. 47 sentence reductions, will decrease, and the amount that will go in to the recidivism-reduction grants administered by BSCC will increase. The Governor's Budget includes additional estimates:

- Second year savings to BSCC: \$26.3 million
- Ongoing savings to BSCC: \$37.4 million annually

**7. What percentage of the state savings does each of the state agencies receive?**

The proposition states that by August 15 of each fiscal year beginning in 2016, the Controller shall disburse moneys deposited in the Safe Neighborhoods and Schools Fund as follows:

- Twenty-five percent to the State Department of Education, to administer a grant program to public agencies aimed at improving outcomes for public school pupils in kindergarten and grades 1 to 12, inclusive, by reducing truancy and supporting students who are at risk of dropping out of school or are victims of crime. {Government Code Section 7599.2 (a)(1)}
- Ten percent to the California Victim Compensation and Government Claims Board, to make grants to trauma recovery centers to provide services to victims of crime pursuant to Section 13963.1 of the Government Code. {Government Code Section 7599.2 (a)(2)}
- Sixty-five percent to the Board of State and Community Corrections, to administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems. {Government Code Section 7599.2 (a)(3)}

**8. How does the BSCC administer grant programs?**

The BSCC administers grants using an Executive Steering Committee process.

**9. What is an Executive Steering Committee and how does the BSCC use ESCs?**

BSCC's Executive Steering Committees (ESCs) typically are composed of subject matter experts and stakeholders representing both the public and private sectors. The BSCC makes every attempt to include diverse representation on its ESCs, in both breadth of experience, geography and demographics. ESCs are convened and approved by the BSCC Board, as the need arises, to carry out specified tasks, including the development of Requests for Proposals to seek

applications for grant funds. ESCs submit findings and grant award recommendations to the BSCC Board for final disposition. The Board then approves, rejects or revises those recommendations. Members of the ESCs are not paid for their time but are reimbursed for travel expenses incurred to attend meetings. When the specific task is completed the ESC is automatically disbanded.

#### 10. Who will Chair the ESC?

On November 12, 2015, the BSCC Board appointed two of its members to co-chair the BSCC's Proposition 47 Executive Steering Committee. Scott Budnick is founder of the Anti-Recidivism Coalition, which provides support and advocacy for previously incarcerated men and women; Leticia Perez, a Kern County Supervisor, is a former public defender and is active in developing employment opportunities in the region, especially for the formerly incarcerated.

#### 11. How may I serve on an ESC?

The Board typically has the discretion to determine the composition and size of ESCs depending upon the specific requirements and complexity of the project. Grant-enabling legislation may sometimes include specific requirements. ESCs are balanced by demographics, geography, stakeholder interest and subject matter expertise as appropriate to the assigned task. (Penal Code Section 6024 (c))

The Proposition 47 ESC will include a balanced and diverse representation of relevant local and state government representatives, and persons with subject matter expertise in mental health and substance abuse treatment. If AB 1056 is signed by the Governor, the following additional direction is given to the BSCC in the formation of the ESC:

The board shall form an executive steering committee that includes, but is not limited to, a balanced and diverse membership from relevant state and local government entities, community-based treatment and service providers, and the formerly incarcerated community. The committee shall have expertise in homelessness and housing, behavioral health and substance abuse treatment, and effective rehabilitative treatment for adults and juveniles.

The BSCC has the discretion to select any other relevant subject matter experts regardless of whether AB 1056 is signed.

To express interest in serving on an ESC, please visit the BSCC Executive Steering Committee webpage ([http://www.bscc.ca.gov/s\\_bsccexecutivesteeringcommittees.php](http://www.bscc.ca.gov/s_bsccexecutivesteeringcommittees.php) ([http://www.bscc.ca.gov/s\\_bsccexecutivesteeringcommittees.php](http://www.bscc.ca.gov/s_bsccexecutivesteeringcommittees.php))) and submit your name and other requested information for consideration.

#### 12. May a member of the Prop 47 ESC work for an organization that intends to apply for funding?

Prop 47 represents new and welcome territory at the BSCC as we incorporate more Community-Based Organizations into the ESC process. As we looked more carefully at the laws on conflict of interest, in particular to those that apply to non-governmental members, we determined that Government Code 1090 prohibits participation of financially interested individuals in the ESC process. A person is "financially interested" if he or she is an employee of any nongovernmental entity or service provider that might receive Prop 47 funding. Because Prop 47 language also allows philanthropic organizations to contribute to the funding pool, a person could be "financially interested" if he or she serves with an organization that might make a contribution. In cases of a

real or perceived conflict of interest with an ESC member, the grant award would be void and legal consequences could exist. We encourage you to consider these points carefully, and consult with an attorney if necessary.

**13. What is a Request for Proposal?**

A Request for Proposal (RFP) is a document that the BSCC uses to announce the availability of funds. The RFP outlines pertinent criteria, defines eligibility, and solicits applications.

**14. Who may apply for funds (grants)?**

Proposition 47 requires that public agencies must be the recipients of grant awards made by the BSCC. AB 1056 mandates that public agencies must be the lead applicant. Community-based organizations, faith-based organizations and other agencies are encouraged to partner with a public agency if they are interested in participating in the funded programs and services.

**15. When will the BSCC award grants?**

BSCC anticipates awarding grants in in the spring of 2017. The amount available for grants will be not known until August 31, 2016. The BSCC will be conducting regional meetings around the state in early 2016. The RFP development process will be expedited as much as possible but the BSCC must balance the urgency with ensuring a fair and transparent process.

**16. How can I provide input to the BSCC on Proposition 47?**

The BSCC will host six to seven regional meetings across the state to consider input from the public. Five meetings have already occurred as follows:

The BSCC anticipate also hosting a Regional Meetings in Sacramento in May or June 2016. Anyone from the public is welcome to attend the meeting. If anyone wants to provide input, they are asked to complete an interest card at the beginning of the meeting and then they are called up to speak. For additional information and updates on meeting locations and times please visit the BSCC web at <http://www.bscc.ca.gov/index.php> (<http://www.bscc.ca.gov/index.php>). Please also see Question 18 for information about how to provide public comment besides attending a regional meeting.

Additionally, once the ESC is convened, all of the meetings of the ESC will be open and the public will have an opportunity at each meeting to provide public comment relevant to the agenda.

- October 28, 2015 from 6:00PM to 8:00 PM - County of Alameda Administration Building, Board of Supervisors Chambers, 1221 Oak Street, Oakland, CA 94612.
- January 25, 2016 from 6:00PM to 8:00 PM - County of Fresno Board of Supervisors Chambers, Hall of Records, Room 301, 2281 Tulare Street, Fresno, CA 93721-2198
- January 26, 2016 from 6:00PM to 8:00 PM - East Valley Water District Board Room, 31111 Greenspot Road, Highland, CA 92346
- January 27, 2016 from 6:00PM to 8:00 PM - County of Los Angeles Board of Supervisors Chambers, Hall of Administration, 500 Temple Street, Los Angeles, CA 90012
- January 28, 2016 from 6:00PM to 8:00 PM - San Diego Hall of Justice, 330 West Broadway, San Diego, CA 92101

**17. How will the BSCC use the public comments gathered at the regional meetings?**

Public comment from regional meetings will be summarized and provided to the Board and the ESC for consideration in the development of an RFP.

**18. What public comment has the BSCC received so far?**

Over 180 people have provided public comment at the five Regional Meetings held so far. The BSCC has received nearly 25 public comments through its dedicated email box noted above in Question #16. There are 5 priorities that dominate the public comment: 1) Community based treatment/not in custody treatment, 2) Mental health/substance use treatment and counseling, 3) Stable, affordable housing, 4) Diversion; and 5) Job training.

**19. Who can I contact at the BSCC with questions, concerns or comments?**

The BSCC has developed a Proposition 47 inbox to respond to any questions and to accept public comments. The email address for the inbox is [Prop47@bscc.ca.gov](mailto:Prop47@bscc.ca.gov) (<mailto:Prop47@bscc.ca.gov>). BSCC staff requests that all communication be submitted in writing at this time. If you are unable to attend one of the regional meetings but would like to provide public comment, please use the Prop 47 inbox to provide your input and include the words “public comment” in the subject line.

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