



Legislation Text

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On behalf of Sheriff John D'Agostini and District Attorney Vern Pierson, Supervisor Briggs recommending the Board adopt Resolution **188-2014**, opposing Proposition 47 on the California General Election Ballot on November 4, 2014.

On November 4, 2014, California voters will be asked to consider Proposition 47 (Criminal Sentences. Misdemeanor Penalties. Initiative Statute), a ballot measure that proposes to re-classify numerous felony offenses to misdemeanor offenses, and would reduce sentences accordingly.

Proposition 47 will reduce the penalties for numerous criminal offenses from felonies to misdemeanors for specified crimes that include commercial burglary, grand theft, receipt of stolen property, forgery, fraud and drug possession.

Proposition 47 will allow offenders currently serving felony sentences for the specified crimes to apply to have their felony sentences reduced to misdemeanor sentences.

Titled the "Safe Communities and Schools Act" the measure purports to make neighborhoods safer, reduce prison and jail populations, make schools safer, reduce government waste, help find jobs and housing for offenders, and protect public safety.

Proposition 47 establishes the "Safe Neighborhoods and Schools Fund" that would receive appropriations based on savings accrued by the state during the fiscal year, as compared to the previous fiscal year and then distribute these funds to the Department of Education, the Victim Compensation and Government Claims Board, and the Board of State and Community Corrections.

Proposition 47 will potentially increase the burden on the local criminal justice system as misdemeanants are sentenced at the county level and serve time in already overcrowded county jails.

Proposition 47 does not provide reimbursement to counties for the additional costs of housing misdemeanor inmates at the county jail.

On September 4, 2014, the California State Association of Counties (CSAC) Board of Directors voted to oppose Proposition 47. In a memo to the CSAC Board of Directors containing the CSAC Executive Committee's recommendation to adopt an oppose position on Proposition 47, CSAC legislative staff cited concerns over the uncertainties related to efforts to implement AB 109; the estimated level of savings the initiative would yield; and the lack of identified funding to offset the workload impact to the criminal justice system.

Law enforcement officials from across the state firmly believe that the measure will have unintended consequences that will place local communities at significant and unnecessary risk.

Due to the potential impact to the local criminal justice system, the county's efforts to implement AB

109 and the resulting impact to public safety, Supervisor Briggs recommends the Board, in support of the Sheriff and District Attorney, approve a resolution to formally oppose Proposition 47.