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**California's Proposition 47:  
The Safe Neighborhoods and Schools Act**

By

Edith Garcia Fong

A Thesis Quality Research Paper  
Submitted in Partial Fulfillment of the  
Requirements for the Master's Degree in

PUBLIC ADMINISTRATION

Professor Frances Edwards, Ph.D.

Adviser

The Graduate School  
San Jose State University

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## BACKGROUND

California's criminal justice system has been the subject of multiple reforms in the last decade. Prison populations in California continually grew until several key reforms were implemented. State and local expenditures on the corrections system increased significantly, as well. These issues have long been the topic of debate for politicians, criminologists, and residents alike. Scholars attribute the explosive increase in prison populations to the highly criticized tough on crime era of criminal justice policy (Bird, Lofstrom, Martin, Raphael, & Nguyen, 2018).

There are more people incarcerated in the United States than any other country in the world (McLeod, 2017; Trout, 2011; Natapoff, 2015; Walmsley, 2018). According to the World Prison Population List, in 2018, there were approximately 2.1 million people incarcerated in the United States of America (Walmsley, 2018). China was the runner-up, with about 1.65 million people incarcerated (Walmsley, 2018). The fact that the United States is incarcerating people at a much higher rate than China, a country with over four times the total population, is concerning (Walmsley, 2018). While it is difficult to get consistent quantitative data when researching prison populations (due in part to differences in reporting standards at the city, state, and country levels and differences in who is designated as "incarcerated"), the overall incarceration rate estimates are similar across the board. The Prison Policy Initiative estimates the incarceration rate in the United States in 2018 was 698 for every 100,000 people (Wagner & Sawyer, 2018). The World Prison Brief estimated it to be 655 for every 100,000 people (Walmsley, 2018).

Table 1 shows the incarceration rate for the United States compared to several other countries.

**Table 1: Incarceration Rates in the USA and Other Countries (2018)**

<b>Country</b>	<b>Incarceration Rate per 100,000 people</b>	<b>Estimated National Population</b>
United States of America	655	323.90 million
El Salvador	604	6.41 million
Cuba	510	11.25 million
Russian Federation	402	144.9 million
Mexico	164	124.43 million
Spain	126	46.76 million
China	118	1,397 million
Canada	114	35.94 million
India	33	1,289.7 million

Source: (Walmsley, 2018).

From these data, it is evident that the United States incarcerates people at a much higher rate than other countries in the world. Given such a high incarceration rate, it follows that correctional facilities are being filled to capacity and, in some cases, are overcrowded. Bleich (1989) describes the word “overcrowding” as being redundant. He explains that the word “crowding” describes a state in which there are more than a desirable amount of people in a given location, so the word “overcrowding” is simply an overstatement used as a means to a political end. Bleich contends that “overcrowding” is mostly a matter of perception, consisting of what society deems acceptable at a certain time, instead of a simple comparison of building capacity and current occupancy.

As a result, the levels of crowding which are considered acceptable may differ from place to place. Bleich (1989) contends that criminal justice stakeholders take advantage of this perception to achieve their own goals. He explains that in a situation where a facility is operating above capacity, administrators use the level of crowding as justification for more funding, inmates use it to obtain reduced sentences, and lawmakers use it as justification to pass new laws and generate more profit (Bleich, 1989).



Overcrowding in correctional facilities can lead to a multitude of problems. These include an increase in acts of violence between inmates and against staff, health issues, psychological issues among both inmates and staff, administrative concerns like funding and staffing, and difficulty providing adequate services to inmates for the purpose of rehabilitation (Bleich, 1998; Pitts et al. 2014; Petersilia, 2014; Landsberg, 2014). As a result, state and local governments ultimately pay more to address these issues while continuing to operate overcrowded correctional facilities in a safe manner. Additional expenditures arise from the need to increase staffing levels for safety reasons, the need to increase the overall capacity of a facility, and increased medical costs.

#### **AB 109**

California has been subject to federal oversight in regards to its prison population for the past decade. In 2011, the Supreme Court of the United States (SCOTUS) upheld a California court ruling that mandated a drastic reduction of the prison population in California (Schlanger, 2013; Petersilia, 2014; Pitts et al., 2014; Kelso, 2014). Assembly Bill 109 (A.B. 109), passed in 2011, was a concerted effort to reduce prison overcrowding in response to this court mandate (Schlanger, 2013). AB 109 was designed and implemented rather quickly for criminal justice reform. It was proposed in January of 2011, approved in March and enacted in October of the same year (Lofstrom & Martin, 2015).

AB 109 identified offenders whose felony convictions were deemed to be for non-serious, non-sexual, and non-violent offenses (Legislative Analyst Office [LAO], 2015a). Offenders in this category who were serving sentences in state prison could be released early and supervised by local probation departments or transferred to county jail facilities to finish serving their sentences. Newly convicted offenders whose felony convictions fell under this category

could serve their sentence at a county jail facility instead of state prison. These changes affected a significant number of offenders and reduced the prison population in California. Although AB 109 significantly altered the way the criminal justice system in California operates, it did not have enough of an impact to meet the court-imposed population caps. It did, however, lay the foundation for several other criminal justice policy reform measures that ultimately allowed the state to meet the prison population goals. One such measure was Proposition 47. AB 109 and other criminal justice reforms will be explored in more detail in a subsequent section.

### **Proposition 47**

Three years after the implementation of AB 109, a second criminal justice reform policy was passed for the purpose of gaining compliance with the court mandate. The “Safe Schools and Neighborhoods Act,” otherwise known as Proposition 47, was passed in 2014. Proposition 47 was proposed through the ballot initiative process, and went into effect on November 5<sup>th</sup>, 2014 after being approved by a majority vote (Dooley-Sammuli, 2015). While AB 109 focused on shifting the responsibility for certain felony offenders from the state level to the county level, Proposition 47 reduced penalties for certain offenses and diverted funding from incarceration to K-12 Schools and other social programs (Office of the Attorney General [OAG], 2013).

Proposition 47 reduced penalties for “low-level” misdemeanors, and allowed for individuals who had been convicted of these offenses to apply for reclassification of their convictions (Dooley-Sammuli, 2015; LAO, 2015a; Males, 2016; Naimo, 2016). Individuals who were serving sentences for crimes with newly reduced penalties were allowed to petition for resentencing under the new guidelines (Males, 2016; Naimo, 2016). The reduced penalties and pathways for relief allowed for inmates to be released earlier than expected, reduced the number of new offenders who were incarcerated, and reduced the length of the sentences new offenders

received if they did face the prospect of incarceration. These changes also affected a significant number of offenders, ultimately allowing the state prison population to fall below the court-imposed population caps for the first time. Proposition 47 will be explored in more detail in subsequent sections.

A process evaluation was conducted using publicly available data from numerous sources in order to determine whether Proposition 47 had been implemented in a way that was consistent with its stated purpose over the last six years. This project also reviewed the relevant facets of the criminal justice system at the state, county and city levels in order to illustrate its long-term impacts. In reviewing the local impact of the implementation of Proposition 47, the County of Santa Clara and the City of Campbell were the focus of this research.

### **Problem Statement**

Proposition 47 made drastic changes to California's criminal justice system. Critics and proponents of the measure have made sweeping claims about its impact on crime trends and the criminal justice system, in general. However, many of these claims are based on assumptions and are not based on actual data and research. Given the fact that California's prison population is still subject to court oversight, it is essential that the effectiveness of Proposition 47 as a solution to this issue be evaluated. If the state hopes to maintain compliance with the court-mandated prison population caps, it must ensure to exhaust all possible legislative solutions. This includes evaluating policy reforms that have already been implemented to determine whether they are sufficient to address the issue, whether other kinds of solutions should be considered, or whether any changes to the current solution are necessary. To this end, this project explored the implementation of Proposition 47 over the last five years, as well as its impact on the number of calls for service and overall crime statistics in the City of Campbell.

**Research question**

Has Proposition 47 been effective in reducing prison overcrowding, while not enhancing criminal activity in communities?

**LITERATURE REVIEW****Gap in Literature**

Since Proposition 47 was implemented just over five years ago, there has been very little in-depth empirical research regarding its implementation, effectiveness, and impacts on the criminal justice system and society. The majority of literature specific to Proposition 47 consists of research reports detailing expected outcomes, or outcomes within the first year of implementation. Scholarly research is essential for documenting and analyzing the impact of criminal justice reforms. This project seeks to begin to fill this gap in the literature specific to Proposition 47.

Prior to reviewing existing Proposition 47 literature, a general review of criminal justice reforms and alternatives to incarceration is helpful in understanding the theoretical foundation for measures like Proposition 47. These reforms and alternatives include decriminalization, sentencing reform, reclassification of offenses, provisions for early release, and changes to the bail system. The sociopolitical factors preceding the implementation of Proposition 47 also provide useful background information when exploring this topic.

**History of Reform in the US**

One of the most prominent themes in academic research is that harsh sentencing laws are one of the key factors contributing to prison overcrowding (Ristroph, 2006; Brown, 2007; Yantus, 2014; Reisinger, 2019). Several scholars have described sentencing laws in the United States as a “one-way ratchet” because they have become increasingly strict as time goes on (Ristroph 2006;

Stuntz 2001; Tonry, 2013). They contend that there has been a boom in the number of misdemeanors created and prosecuted, which leads to “overcriminalization” (Ball, 2014; Natapoff, 2015; Baughman, 2018). An increase in criminal codes leads to an increase in arrests, which in turn leads to an increase in cases being prosecuted. This inherently means that more people have criminal records. Over time, legislators have implemented several different kinds of criminal justice reforms to address the issue of overcriminalization and increasing incarceration rates. These include decriminalization, various types of sentencing reform, the reclassification of offenses, the retroactive reduction of penalties, provisions for early release, and bail reform. Each of these reforms will be discussed briefly in the subsequent sections.

Scholars call for sentencing reform in order to reduce correctional facility populations (Yantus, 2014). Most states examined their incarceration rates and implemented some type of sentencing reform in the 1970s and 1980s (Tonry, 2013; Sullivan, 2013; Pitts et al., 2014; Yantus, 2014). A majority of the sentencing reform that occurred in the 1980s and 1990s served to increase mandatory minimum sentences for certain offenses, which resulted in increased incarceration rates (Dansky, 2008; Ristroph, 2006; Sebba, 2013; Tonry, 2013). There was an increase in the number of offenders being incarcerated, as well as an increase in the length of time they were sentenced to. Some reasons for this include moral panics such as the War on Drugs, and politicians who wanted to be perceived as being tough on crime (Pinard, 2010; Tonry, 2013; Sullivan, 2013) One example of this is the three-strikes law in California which led to a significant increase in offenders serving lengthy custodial sentences (Fazzi, 2013; Tonry, 2013).

### ***Decriminalization***

It is undoubtedly easier to add new criminal codes and increase penalties for existing crimes than it is to decriminalize or reclassify offenses. Some examples of offenses that have been decriminalized are the distribution of contraception, interracial marriage, gambling, and the consumption of alcohol. While it may seem obvious now that these are offenses that should have been decriminalized, it is difficult to decriminalize crimes against persons, property, or certain drug-related offenses. Some states have opted for reducing penalties associated with certain crimes or reclassifying them altogether, instead of resorting to full decriminalization (Brown, 2007).

### ***Sentencing Reform***

Incapacitation is often the primary criminological theory used as a basis for an increase in sentence lengths (Tonry, 2013). Gazal-Ayal (2013) claims that one way to prevent harsh, arbitrary sentences is to refrain from using the theory of incapacitation as justification for the length of a sentence. If the person responsible for deciding on the length of a sentence is not driven by the desire to exile an offender from society, the sentence would ultimately be much shorter and would allow for re-entry much sooner. When considering sentencing reform, it is always necessary to determine how the punishment will fit the crime. Tonry (2013) states that the prevailing attitude driving current sentencing policy has changed to prioritize consistency and the concept of “just deserts” instead of incapacitation.

Ristroph (2006) examines the theory of “deserts” as a justification for the amount of punishment associated with any given crime. She contends that offenders should only be given a sentence they deserve based on the crime that was committed. The problem with this construct lies in that the concept of what one deserves is subject to personal interpretation (Gazal-Ayal, 2013; Ristroph, 2006; Sebba, 2013). She explains that while the public could easily come to a

consensus that a certain offender deserves somewhere between ten and fifteen years for the crime he committed, it would be extremely difficult to determine if he deserved precisely ten, eleven or twelve years for the same crime (Ristroph, 2006).

Two of the main sentencing reforms implemented at the federal level are the Sentencing Reform Act of 1984 and the Fair Sentencing Act of 2010. The 1984 Sentencing Reform Act established federal guidelines with regards to sentencing (Krent, 2013; DiVita, 2015). The purpose of this was to maximize uniformity in sentencing and to make sure that defendants were being sentenced fairly, regardless of their gender or background (Howell, 2004). The Fair Sentencing Act of 2010 addressed the disparity between sentences for crack cocaine offenses and those for powder cocaine offenses (Krent, 2013; DiVita, 2015). Krent (2013) explains that in *Dorsey v. United States*, the Supreme Court decided that new sentencing changes would only apply to offenders who were still in the process of being sentenced (whose sentences had not been finalized) and new offenders. This created new disparities between those who were sentenced for the same offense before the law was passed, and those sentenced after it was passed (Reisinger, 2019).

This situation illustrates how Congress has the final say on whether or not a sentence reduction is retroactively applied (Reisinger, 2019). DiVita (2015) argued that offenders previously convicted of the same offense should have their sentences reduced as well, especially since many of them had received reduced sentences as a result of their cooperation with law enforcement. Although their sentences were technically reduced at the time they were imposed, they were often still longer than the new maximum sentences under the Fair Sentencing Act (DiVita, 2015).

### ***Retroactive reduction of penalties***

Retroactively applying a reduction of penalties would not cause an undue hardship on affected individuals, as they would likely welcome a shorter sentence. It would certainly result in financial savings for the corrections department and state, due to an increase in offenders being released earlier than initially expected. The only negative consequence would be that a reduction of previously imposed sentences inevitably means more offenders re-entering society (Reisinger, 2019). While this is favorable through the lens of reducing prison overcrowding, it can be argued that it may be detrimental to the overall public safety. Applying a sentencing reduction retroactively could create more work for the criminal justice system in general. Reisinger (2019) argues that the workload increase would be minimal because it would not require an entire resentencing process. There is a general consensus among scholars that new sentence reductions should retroactively apply to all offenders convicted of the same offense (Krent, 2013; DiVita, 2015; Reisinger, 2019).

### ***Sentencing guidelines***

Another type of sentencing reform involves modifying the current use of sentencing guidelines. According to Chanenson (2005), sentencing guidelines can be voluntary (judges can disregard them if they choose to do so), advisory (judges must take them into consideration), or allow for little discretion (judges have no real flexibility in sentencing). Sentencing guidelines are beneficial because discretion during sentencing has the potential to create large disparities in sentencing; however, the guidelines themselves can also allow for large disparities due to public sentiment, like tough on crime political agendas (Gazal-Ayal, 2013). Individual jurisdictions could decide that their current sentencing guidelines are too lenient, too harsh, or allow for too much discretion and could ultimately decide to change them.



Sentencing guidelines also have the potential to reduce sentencing disparities wrongly based on factors unrelated to the crime. For example, female offenders tend to get shorter sentences than their male counterparts for the same offenses (Gazal-Ayal, 2013). There are so many variations in sentencing and sentencing guidelines that comprehensive research on the topic is very difficult (Sebba, 2013). However, it is essential that the length of sentences, along with crime and offender characteristics, are carefully tracked in order to determine the best way to move forward with sentencing reform (Gazal-Ayal, 2013).

Gazal-Ayal (2013) also studied sentencing laws around the world. He explains that while the United States generally focuses more on reducing disparities in sentencing, other countries like England and Australia believe sentences can (and should) vary from person to person. Australia specifies a range within which the sentence has to fall, and the judge has the discretion to determine what is the appropriate sentence length within that range. This is reminiscent of Ristroph's (2006) point regarding the ease with which the public can agree on an acceptable sentence range for a certain offense, but not on an exact sentence length. While this practice may result in some sentencing disparity, it should not be too pronounced, since all sentences would fall within the previously agreed-upon sentencing range (Gazal-Ayal, 2013).

### ***Reduction of Sentences***

Another type of sentencing reform is simply reducing the penalties associated with certain offenses. Between 1980 and 2005, the number of prisoners incarcerated for drug offenses increased by more than one thousand percent (Pinard, 2010). Several states sought to address this by implementing policies that reduced penalties for drug offenses, thereby reducing the number of non-violent offenders who are occupying prison beds (Piper et al. 2003; Sullivan, 2013, Nguyen, 2015, Natapoff, 2015). This is what was done in the aforementioned Fair Sentencing

Act of 2010. The potential benefits of reducing penalties for certain offenses include reduced incarceration rates and the subsequent cost savings for state and local government (Natapoff, 2015).

Natapoff (2015) argues that reducing the penalties for certain offenses actually makes it easier for the criminal justice system to charge people with crimes and impose sanctions, as well as supervision requirements. She also contends it would reduce the affected individuals' access to counsel, since they are merely being issued a citation. Another consideration is that offenders could be incarcerated for the crime eventually if they are unable to pay fines associated to newly resentenced crimes (Natapoff, 2015).

### ***Reclassification***

There are three crime classifications in California: felonies, misdemeanors, and infractions. The most serious offenses (such as rape or murder) would be classified as felonies. Misdemeanors (such as battery and petty theft) are one level below felonies and are generally not considered as serious. The lowest-level crimes are classified as infractions (such as minor traffic violations). Some crimes are considered wobblers meaning prosecutors and judges have the discretion to charge them as a misdemeanor or as a felony (LAO, 2015a).

The reclassification of criminal offenses means that they are changed from one classification to another. Typically, this consists of a felony being reduced to a lower-level classification. This differs from decriminalization because the offense remains a crime, it is just lowered in severity. Over ten years ago, states like Alabama and Colorado raised the minimum dollar value needed to classify a theft-related offense as a felony, and several states have since followed suit (Brown, 2007; Nguyen, 2015; Sullivan, 2013). This meant that more of these

offenses were ultimately charged as misdemeanors instead of felonies. The changes implemented by Proposition 47 were consistent with reclassification of certain offenses.

### ***Provisions for early release***

Another kind of criminal justice reform involves creating pathways for incarcerated individuals to earn an early release. This kind of reform is only available to certain offenders, and is typically based on the amount of time they have already served. If an offender is eligible for early release, he or she would be allowed to petition for one if he or she accumulated sufficient credits through this newly established pathway. Offenders can earn credits through participation in educational programming or by exhibiting good behavior (Sullivan, 2013). An example of this reform is Senate Bill 678 (SB 678) in California, which is discussed in a subsequent section.

### ***Other alternative viewpoints***

Alternatives to incarceration are often recommended in order to reduce prison populations (Bleich, 1989; Pitts et al., 2014). Some states had alternatives like community work programs in place as early as 1979 (Bleich, 1989). Scholars contend that alternatives are not taken seriously, and are often used as a last resort (Pitts et al., 2014). Pitts et al. (2014) refer to the “construction strategy” as a solution to overcrowding (p. 129). This is what was proposed in 2007 with the Public Safety Offender Rehabilitation Services Act of 2007 (Misenas, 2010). Pitts et al. (2014) determined that the costs associated with this are exponential. This essentially equates to building more prisons, or at least an expansion of current facilities, in order to accommodate the ever-growing prison population. While this is an option to reduce overcrowding short-term, it is not feasible long-term and defeats the purpose of attempting to reduce incarceration rates.

Other scholars contend that changing the bail system would further reduce overcrowding. Baughman (2018) contends that the current bail system and the inability to pay bail is one of the

main explanations for high incarceration rates. California reformed its bail system in 2018 under SB 10, allowing individuals who were in custody (as a result of being unable to afford to pay bail) to be released while waiting for their trial to commence (Egelko, 2018). This was accomplished through the use of risk assessment tools meant to balance the offenders' "right to liberty with the need to maintain victim and public safety" (Harris, Goss, & Gumbs, 2019). While the reform intended that only non-violent offenders be eligible for release, recent cases have demonstrated the potential for violent offenders to slip through the cracks (Trujillo, 2020). SB 10 was scheduled to appear on the November 2020 ballot after being challenged by an interest group (Mcgough, 2019).

A review of the scholarly research tends to show that any real solution to the problem of overcrowding will require a comprehensive approach that would pull from several of the aforementioned strategies. Nguyen (2015) studied the state of Arkansas that, in 2011, implemented a policy that provided alternatives to incarceration for non-violent offenders. This policy also reclassified felonies to misdemeanors, made improvements to community supervision, and incentivized community organizations whose primary purpose is to assist with rehabilitation (Nguyen, 2015). Arkansas saw extremely positive results in regards to recidivism, employment, and cost savings after the implementation of this policy (Nguyen, 2015). Georgia, Kentucky, and Texas implemented similar laws, which reduced penalties and had similar results (Nguyen, 2015). This is essentially what Proposition 47 sought to achieve.

### **Plata v. Brown**

Overcrowded conditions in California prisons are not a new issue. The state has been attempting to solve the problem of overcrowding for at least the last three decades (Misenas, 2010; Pitts et al., 2014; Schlanger, 2013;). In fact, San Quentin State Prison was operating above capacity on

the first day it opened (Dansky, 2008; Fazzi, 2013). Conditions within overcrowded California prisons became so unbearable that inmates and their advocates sought legal action (LAO, 2015a). As a result, there have been several court rulings ordering a reduction in the number of people who are incarcerated (Schlanger, 2013; Petersilia, 2014; Pitts et al., 2014; Kelso, 2014). On January 12<sup>th</sup>, 2009, a specially convened panel of three federal judges ordered California to reduce its prison population to 167% of design capacity within six months, 155% of design capacity within twelve months, and 137.5% of design capacity within eighteen months (*Coleman v. Schwarzenegger*, 2010; Schlanger, 2013; LAO, 2015b). The Supreme Court of the United States (SCOTUS) reviewed this court order in November of 2010 and decided the case in May of 2011 (*Brown v. Plata*, 2011).

In the *Brown v. Plata* (2011) case, the SCOTUS agreed that the level of overcrowding in California prisons had created conditions that were tantamount to cruel and unusual punishment, which is prohibited by the Eighth Amendment of the United States Constitution. Sullivan (2013) states that in this case, SCOTUS had to choose between “two evils,” allowing unconstitutional conditions within prisons or releasing potentially dangerous offenders into society (p. 450). Kelso (2014), states that the concept of basic human dignity was the driving principle behind the *Brown v. Plata* decision. SCOTUS recognized that although the people affected in this case had been convicted of serious criminal offenses, they were still human beings who deserved to be treated with dignity (Kelso, 2014). The court decided to uphold the prison population reduction order issued by the three-judge panel in 2009. California was ordered to reduce the overall prison population by twenty-five percent within two years (Petersilia, 2014). Table 2 contains information regarding the court-ordered population caps and deadlines for California Department of Corrections (CDCR) prison facilities.

**Table 2: Court-Ordered Prison Population Cap**

Deadlines	Design capacity of CDCR prisons	Population cap (Percent of design capacity)	Inmates Allowed in CDCR Prisons
6/30/14 - 2/27/15	82,707	143%	118,271
2/28/15 - 2/27/16	82,707	141.5%	117,030
After 2/27/16	85,082	137.5%	116,988

Source: (LAO, 2016).

### **Assembly Bill 109**

In an attempt to comply with the prison population reduction order from *Brown v. Plata* (2011) without arbitrarily releasing thousands of criminals, California passed and implemented the Public Safety Realignment Act (AB 109), which was implemented in 2011 (Fazzi, 2013; Lofstrom & Martin, 2015). AB 109 created a new category of offenders called the “non-non-non,” meaning they had been convicted of non-violent, non-serious, non-sexual crimes that were also, coincidentally, classified as felonies (Fazzi, 2013, LAO, 2015a; Lofstrom & Martin, 2015). If offenders were convicted of a “non-non-non” crime, and had no previous convictions for such a crime, their incarceration or supervision could be transferred to the county level. One serious problem with this, however, is that just because an offender has no prior conviction for a serious, violent, or sexual crime, does not mean he has not been involved in or charged with one. Many criminal cases are pled down to lesser charges or are not filed at all, leaving the record silent on an offender’s true and complete criminal history.

Regardless, new offenders (or offenders arrested for new offenses) who were convicted of felonies that were deemed to be non-violent and non-serious could be sentenced to serve time in county jail instead of prison (LAO, 2015a). This resulted in an immediate reduction in the overall prison population (Schlanger, 2013). Prior to realignment, county jails only housed inmates who had been convicted of crimes for which the maximum punishment was less than a year (Fazzi, 2013; Lofstrom & Martin, 2015). After realignment, county jails housed more

inmates serving a variety of longer sentences (Fazzi, 2013; Lofstrom & Martin, 2015). AB 109 also allowed individuals who violated the terms of their community supervision to serve their sentence in county jail instead of going back to prison (Lofstrom & Martin, 2015).

One of the reasons for making such a drastic change to California's criminal justice system was the fact that county jails had bed space available, while state prisons were considerably overcrowded (Schlanger, 2013). While it seemed to be a viable option, the transfer of convicted felons from the state to the county level was expected to result in jails becoming overcrowded as well (Fazzi, 2013). The subsequent need to reduce overcrowding in county jails could result in some offenders being released earlier than expected, which is a public safety concern (Pinard, 2010; Fazzi, 2013; Petersilia, 2014). Interestingly enough, Justice Scalia expressed this same concern in his dissenting opinion in the *Brown v. Plata* (2011) case (Schlanger, 2013).

It is also important to note that this type of mass release of prisoners had been attempted before, with less than positive results. A similar situation took place in Philadelphia in 1987 after prisoners sought to remedy overcrowded conditions through legal action (Sullivan, 2013). A prison population cap was imposed, which resulted in prisoners being released early (Sullivan, 2013). Over 9,500 of the prisoners who were released in Philadelphia were rearrested for new criminal offenses between January of 1993 and June of 1994 (Sullivan, 2013; Gibeaut, 2011). According to Gibeaut (2011), the offenses they were arrested for included 79 murders, over 1,000 assaults, over 950 robberies, 90 rapes, 14 kidnappings, and over 2,000 offenses involving drug sales.

### ***Impacts of AB 109***

Petersilia (2014) interviewed criminal justice officials at the local level after the implementation of AB 109. She found that while they were optimistic about its potential to create positive long-term change, probation officials and public defenders struggled to keep up with their newly increased caseload. Public defenders mentioned that judges were not imposing split sentences (the concept of serving only a portion of jail time and serving the remainder of their sentence under probation or some sort of community supervision), and that offenders often chose to serve longer jail sentences instead of being released early with probation. They were concerned that after completing their sentence, offenders re-entered the community with no supervision and no access to resources. Prosecutors also felt a significant amount of work was put into the investigation, arrest, and prosecution of offenders, only to have the offender sentenced to little or no time in jail. This view was echoed by police officers who also believed AB 109 contributed to an increase in crime rates and a corresponding decrease in overall public safety (Petersilia, 2014).

Public safety realignment essentially resulted in a shifting of the overcrowding problem, leading to more offenders being released early from county jails in order to maintain jail populations within acceptable capacity levels (Petersilia, 2014). After the implementation of AB 109, county jails became overcrowded almost immediately, and released over 14,000 inmates in September of 2014 due to these conditions (Lofstrom & Martin, 2015). However, it was ultimately determined that the decrease in prison populations as a result of AB 109 was greater than the resulting increase in county jail populations (Lofstrom & Martin, 2015). The change in the county jail inmate population resulted in an increase in violence against staff members (Lofstrom & Martin, 2015). Corrections officials believed that the influx of new offenders contributed to more assaults inside the jails (Petersilia, 2014).



The concerns which arose from AB 109 included the influx of higher-level offenders into county-level supervision, increased violence in the jails, the early release of offenders into society with little or no supervision and resources, and a decrease in the overall safety of the public due to these factors. These concerns are similar to the concerns that arose as a result of the implementation of Proposition 47. Research has shown that public safety realignment has not contributed to an increase in violent crime, but has increased property crimes, specifically auto thefts by about 17% (Lofstrom & Martin, 2015).

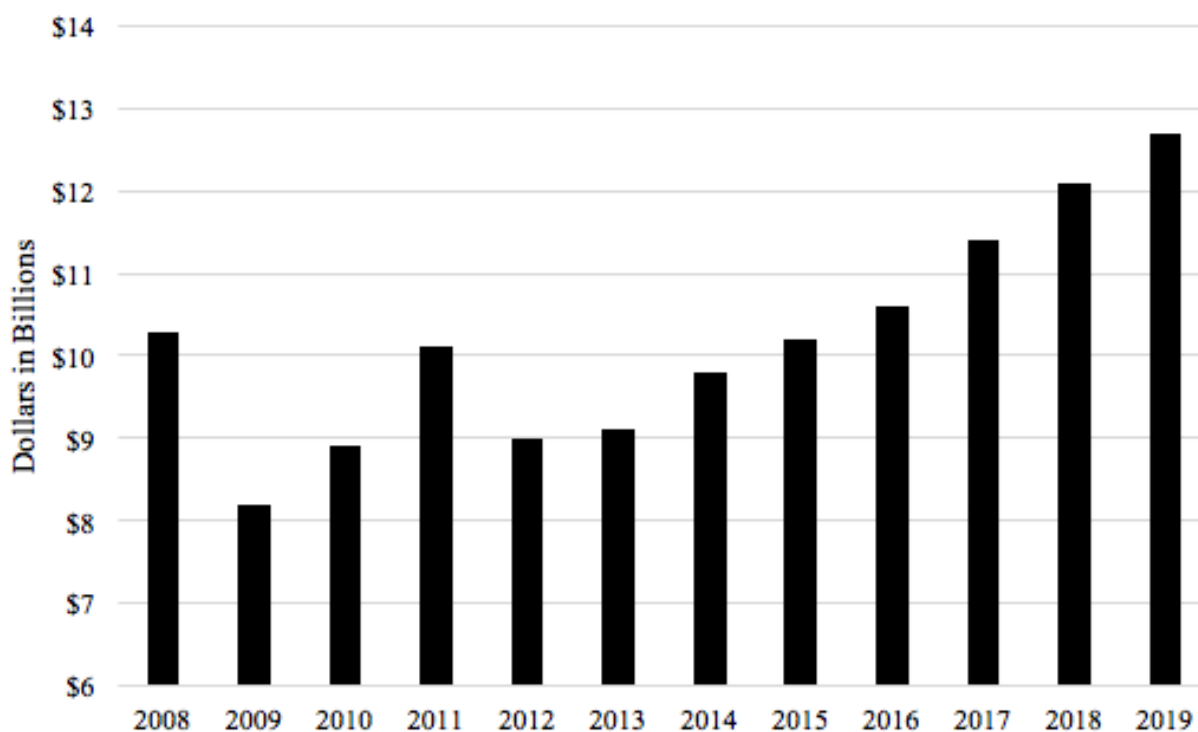
Research has also shown that for every dollar spent on incarceration, there are only twenty-three cents in crime-related savings (Lofstrom & Martin, 2015). Lofstrom and Martin (2015) concluded that there was no evidence that AB 109 had any impact on recidivism rates. The state gave each county about \$1 billion to assist with the implementation of AB 109 (LAO, 2015a). Although it was expected that public safety realignment would result in cost savings when it comes to spending on corrections, California has continually spent more on corrections (Lofstrom & Martin, 2015). The following section provides further information about the cost of the corrections system in California.

### **Corrections Spending**

Owning, operating, and maintaining correctional facilities is costly (Trout, 2011). California allocated about \$8.2 billion to the California Department of Corrections and Rehabilitation in 2009 (State of California [CA], 2010). Correctional facility operating expenses include infrastructure (water and utilities), staffing (security and operations), supplies (food and equipment), medical services, and rehabilitative programming (Trout, 2011). California currently has 35 state prisons (CDCR, 2020a). The following section provides a general overview of

corrections budget trends in California and Santa Clara County. Figure A is a chart showing the funding allocated to the CDCR per year in the State of California from 2008 to 2019.

**Figure A: California State Budget Allocations to the CDCR (2008-2019)**



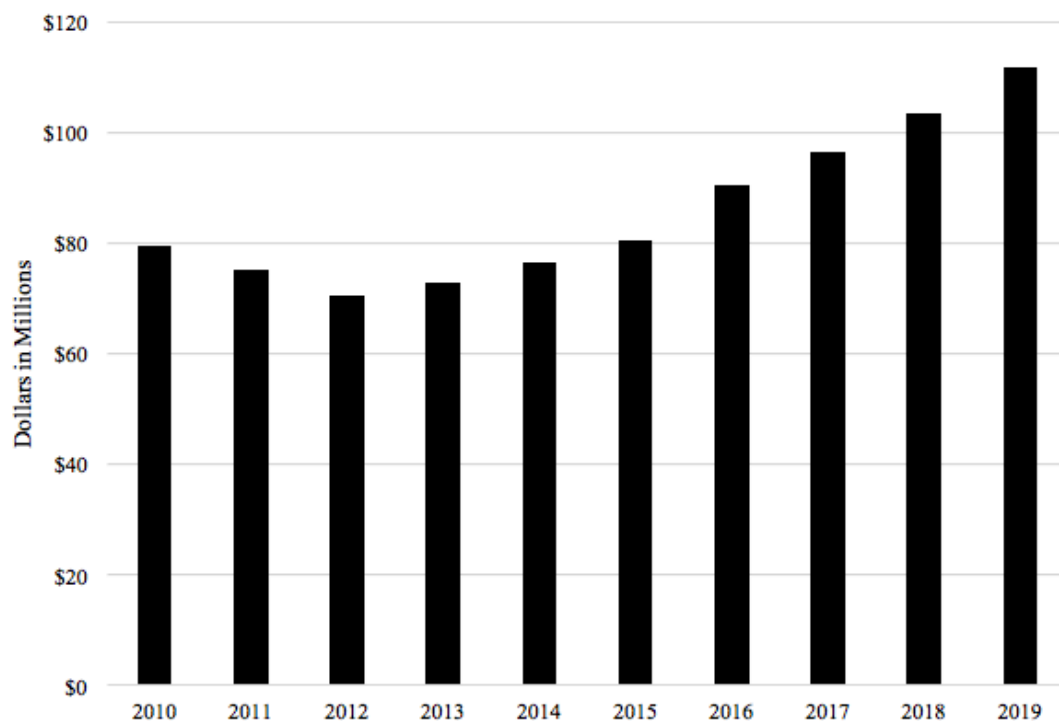
Source: (State of CA, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015a, 2016, 2017, 2018, 2020a).

Figure A shows that there has been a steady increase in the amount of money allocated to CDCR by the state. The budget allocation to CDCR rose significantly in 2011 as compared to 2010, and there was a significant decrease in the budget between 2011 and 2012. Since then, the budget has increased steadily year after year. The increase in state spending on corrections seems to be correlated with the implementation of AB 109 in 2011.

Scholars agree that most criminal justice reforms in the United States have been spurred by a need to solve a budget crisis rather than the need to reduce overcrowding (Fazzi, 2013; Misenas, 2010; Natapoff, 2015; Pitts, Griffin & Johnson, 2014;). Pitts et al. (2014) contend that

trying to solve the issue of overcrowding during a budget crisis may not create an environment in which key stakeholders will be willing or able to come up with long-term solutions. In 2008, a fiscal emergency was declared in California after the passage of the Public Safety Offender Rehabilitation Services Act, which mandated an expansion of correctional facilities to accommodate the increased number of prisoners (Misenas, 2010). Although the legislative intent was to reduce overcrowding through construction, there simply was not enough money in the budget to fund new construction projects. California was spending over \$9 billion each year on the criminal justice system at the time (Misenas, 2010; State of CA, 2008).

Similarly, California was facing a large budget deficit of \$25.4 billion at the beginning of 2011, prior to the implementation of AB 109 (State of CA, 2011; Fazzi, 2013). Fazzi (2013) explains that Governor Brown created AB 109 as part of a larger plan designed to reduce the budget deficit. Along with new inmates, AB 109 allocated additional funds to every county to assist with the transition (Schlanger, 2013). Each county was given the ability to allocate the money as they saw fit. Some counties opted for the construction strategy – choosing to build new facilities or increase capacity in existing facilities – while others used the additional funding to bolster non-custodial alternatives or re-entry support services (Schlanger, 2013). In Santa Clara County, specifically, there was a steady increase in the amount of county funding that the Santa Clara County Department of Corrections received from 2012 through 2019. Figure B is a chart showing the funding allocated to the Department of Corrections per year in Santa Clara County.

**Figure B: Santa Clara County Budget: Department of Corrections (2010-2019)**

Source: (County of Santa Clara, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019).

Santa Clara County spending on corrections decreased significantly immediately after AB 109 was implemented, and there was a steady yearly increase thereafter. The money allocated to corrections is a significant part of state and county budgets and must be considered when it comes to creating, proposing, and implementing realignment strategies.

### **Proposition 47**

California is unique in that its residents can be involved in the policymaking process through direct democracy, which has been called the “political bedrock” of the state (Gerston, 2012, p. 244). One of the ways in which direct democracy functions is through the ballot initiative process. During this process, an initiative is drafted and proposed to voters in the hopes that enough of them will sign a petition to qualify the initiative to appear on the ballot for the next election (Gerston, 2012). This is how the Safe Neighborhoods and Schools Act (Proposition 47)

came to be. Proposition 47 was actually proposed by William Lansdowne - Chief of the San Diego Police Department - and George Gascon - the District Attorney for the City of San Francisco (Dooley-Sammuli, 2015).

Proposition 47 went into effect on November 5<sup>th</sup>, 2014, after receiving approximately 60% of the vote (Bird, Lofstrom, et al., 2018; Dooley-Sammuli, 2015; JCC, 2016; Males, 2016; Naimo, 2016). Proposition 47 was ultimately codified in the California Penal Code as section 1170.18 (California Legislative Information [CLI], n.d.a.). The measure was a type of sentencing reform that implemented a reduction of penalties for certain nonviolent crimes, drug offenses, and “low-level” misdemeanors, and allowed for the reclassification of certain prior convictions (Dooley-Sammuli, 2015; LAO, 2015a; Males, 2016; Naimo, 2016). It also allowed incarcerated individuals serving sentences for Proposition 47 eligible offenses to petition for resentencing (Males, 2016; Naimo, 2016). Further, it required that any cost savings resulting from its implementation be invested in education, treatment and diversion programs (LAO, 2015a). The following sections provide information on the content of Proposition 47, how it functions, its implementation, its impact on criminal justice agencies and on crime trends.

When Proposition 47 was first proposed, those who argued against it believed that the measure would release a significant number of dangerous criminals into society all at once (Males, 2016). Opponents also believed that reducing penalties for certain crimes would reduce the deterrence factor provided by strict sentences and incarceration, and would cause a decrease in public safety by encouraging more crime (Males, 2016; Bird, Lofstrom, et al., 2018). Those in favor of the measure argued that Proposition 47 would reduce state spending on corrections and would require cost savings be invested in programs which aimed to reduce recidivism and prevent crime (Bird, Lofstrom, et al., 2018). A report released by the American Civil Liberties

Union argued that Proposition 47 allowed the government to hold offenders accountable without having to resort to incarceration (Dooley-Sammuli 2015). Dooley-Sammuli (2015) stated that Proposition 47 reduced criminal penalties that were “overly harsh,” thereby ensuring that individuals did not receive long sentences for petty crimes, and were not ultimately affected by the stigma of being a convicted felon.

### ***Purpose***

The overarching purpose of Proposition 47 was to reduce state spending on corrections and distribute the savings among community organizations whose goal it was to prevent crime, reduce recidivism and provide resources to both victims and offenders (Dooley-Sammuli, 2015). Section two of the Proposition 47 measure initiative reads as follows:

The People enact the Safe Neighborhoods and Schools Act to ensure that prison spending is focused on violent and serious offenses, maximize alternatives for non-serious, nonviolent crime, and 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 (OAG, 2013, p. 3).

The full text of the ballot initiative indicated that Proposition 47 would save the state between \$150 and \$200 million annually (OAG, 2013). It required these cost savings to be re-distributed into the community in a specific way in order to “reduce crime and improve public safety” (OAG, 2013, p. 4). It also ensured that individuals who were convicted of serious crimes would not be eligible for relief under the measure (OAG, 2013).

### ***Proposition 47 offenses***

The intent of Proposition 47 was to reduce the amount of time individuals were incarcerated for offenses deemed to be non-violent and non-serious (OAG, 2013). It specifically affected six crimes: drug possession, receiving stolen property, theft, shoplifting, writing bad checks, and forgery (OAG, 2013; Bird et al., 2016). Table 3 summarizes how these statutes were affected.

**Table 3: Proposition 47 Offenses**

<b>Crime</b>	<b>Before Proposition 47</b>	<b>After Proposition 47</b>
Drug possession	“Wobbler” depending on the amount and type of drug.	Drug possession for personal use is a misdemeanor.
Receiving stolen property	If property valued at under \$400 it is a misdemeanor, if over \$400 it is a felony.	If property valued at under \$950 it is a misdemeanor, if over \$950 it is a felony.
Theft	If property valued under \$400 it is a misdemeanor, if over \$400, it is a felony.	If property valued under \$950 it is a misdemeanor, if over \$950, it is a felony.
Shoplifting	“Wobbler” depending on the value of the property. May be charged as a burglary.	Misdemeanor if property is valued at less than \$950. Cannot be charged with both shoplifting and burglary.
Writing bad checks	Misdemeanor if less than \$450, if over \$450 it is a felony. If suspect has prior convictions for a forgery-related crime, can be charged as a felony.	Misdemeanor if less than \$950. If offender has 3 or more forgery-related convictions, may be charged as a felony.
Forgery	“Wobbler” regardless of the amount.	Misdemeanor if less than \$950. If done in conjunction with identity theft, it is a felony.

Source: (Bird et al., 2016; Bird, Lofstrom, et al., 2018; Couzens, 2016; LAO, 2015a).

Prior to Proposition 47, offenses like drug possession, shoplifting and forgery were considered “wobblers,” meaning that they could be charged as a misdemeanor or a felony (Bird et al., 2016). Proposition 47 also increased the minimum monetary thresholds for the financial and property-related crimes listed in Table 3 (Bird et al., 2016; Dooley-Sammuli, 2015). Some of these crimes remained “wobblers” if an offender had certain prior criminal convictions (Bird et al., 2016). Proposition 47 also created a criminal statute specific to shoplifting, Section 459.5 of the California Penal Code, which made shoplifting a misdemeanor in all cases if the value of the

stolen property was under \$950 (Alameda County District Attorney's Office [ALCODA], 2014; CLI, n.d.b.).

Proposition 47 became effective immediately after it was passed. This meant that any individuals arrested for the aforementioned crimes after November 5<sup>th</sup>, 2014 were automatically eligible to be charged according to the new Proposition 47 guidelines. For example, an individual who stole \$900 worth of cosmetics from a specialty store and was immediately apprehended outside the store by local law enforcement could be arrested for misdemeanor shoplifting. Given that these were new offenses that had just occurred, this change was not expected to create any additional workload. Cases that were still being processed could request to have their offense reclassified during routine court proceedings (Naimo, 2016).

### ***Disqualifying Offenses***

Not all offenders qualified for resentencing or reclassification under Proposition 47. The stated purpose of the Safe Neighborhoods and Schools Act was that no offenders who had been convicted of a dangerous crime could have their sentences reduced or criminal records amended as a result of this act (OAG, 2013). Individuals with a least one prior conviction for any of the offenses enumerated under California Penal Code Section 667(e)(2)(C)(iv) or sex offenses requiring sex offender registration per California Penal Code Section 290(c) were deemed ineligible for relief under Proposition 47 (Couzens, 2016). Individuals who were convicted of any of these offenses in another state or of certain crimes as a juvenile would also be deemed ineligible for Proposition 47 relief (Couzens, 2016). Table 4 lists the aforementioned disqualifying offenses with associated codes.



**Table 4: Proposition 47 Disqualifying Offenses**

A “sexually violent offense”	Welfare and Institutions Code Section 6600(b)
Oral copulation with a child under 14	Penal Code Section 288a
Sodomy with a child under 14	Penal Code Section 286
Sexual penetration with a child under 14	Penal Code Section 289
A lewd or lascivious act involving a child under 14 years of age	Penal Code Section 288
Homicide (including attempted homicide)	Penal Code Section 187 through 191.5
Solicitation to commit murder	Penal Code Section 653f
Assault with a machine gun on a peace officer or firefighter	Penal Code Section 245
Possession of a weapon of mass destruction	Penal Code Section 11418(1)(a)
Serious or violent felonies punishable in California by life imprisonment or death	Vary

Source: (CLI, n.d.c.)

A final consideration when determining whether or not an offender is eligible for relief under Proposition 47 is the court’s ability to decide whether he or she poses an “unreasonable risk of danger to public safety” (Couzens, 2016, p. 6). California Penal Code section 1170.18(c) states that this is the case if there is a high likelihood that the offender would commit a new violent felony like those listed in Table 4 (CLI, n.d.a.). In applying this test, the court can consider an individual’s complete criminal history, his or her records while in custody, and any other evidence it finds relevant. However, this test can only be applied for resentencing petitions, not reclassification applications. (Couzens, 2016).

***Resentencing and reclassification under Proposition 47***

Proposition 47 was written in a way that allowed it to be applied retroactively. It created two options for relief: a petition for resentencing or an application for reclassification (OAG, 2013; Naimo, 2016). A person who was in custody for an offense that was affected by Proposition 47 could petition for resentencing (OAG, 2013). This meant that their case would be reviewed, and their felony conviction for a Proposition 47 offense could be changed to a misdemeanor (Couzens, 2016). The judge who originally sentenced the individual could then adjust the sentence accordingly (Couzens, 2016). Proposition 47 did impose a few limitations on how the court decides to resentence an individual. The individual must get credit for the time that they have already served, the new sentence cannot be longer than the previous one, and a resented offender must be placed under community supervision (parole) for at least a year unless the court specifically waives this requirement (Couzens, 2016; LAO, 2015a).

A person who had already served a sentence for a qualifying offense could apply to have the conviction reclassified from a felony to a misdemeanor (Naimo, 2016). Since the person had already completed the sentence, the primary benefit of going through this process was removing a felony conviction from the criminal record. Proposition 47 does not require a court hearing for either the resentencing or reclassification process (Couzens, 2016). Court hearings typically only take place when the offender's eligibility is being contested, or when a victim of a crime has requested to be involved in the process. It is interesting to note that a victim of a crime could be entitled to attend a Proposition 47 resentencing hearing based on the victim's rights that are protected by Marsy's law (Couzens, 2016). However, it is not likely that a victim would be notified about (or be able to give input during) the reclassification process, since it can be completed without a hearing (Couzens, 2016).

Proposition 47 explicitly stated that all petitions and applications must be submitted within three years of its implementation, meaning they would only be accepted through November of 2017 (LAO, 2015a). In September of 2016, Assembly Bill 2765 (AB 2765) amended section 1170.18 of the California Penal Code (the section where Proposition 47 was codified) to allow individuals to continue to submit applications or petitions through November 4<sup>th</sup> of 2022 (CLI, n.d.a; Couzens, 2016). Although both the text of Proposition 47 and AB 2765 mention that petitions and applications will be accepted past the final submission deadline upon a “showing of good cause,” they do not spell out what would constitute good cause under this provision (OAG, 2013, p15).

### ***Associated Cases***

It was initially believed that Proposition 47 did not apply to juvenile offenders. The text of the proposed law and 1170.18 P.C. do not mention juveniles. In July of 2015, the California Fourth District Court of Appeal decided the *Alejandro N. v. Superior Court of San Diego County* case (Couzens, 2016; JCC, 2016). In April of 2013, Alejandro N. admitted to committing a commercial burglary – a felony (*Alejandro N. v. Superior Court of San Diego County, 2015*). He was given a three-year sentence, required to pay a \$50 fine, and was also required to provide a DNA sample to be entered into the Department of Justice database, a standard practice for felony offenders (*Alejandro N. v. Superior Court of San Diego Count, 2015*). After the passage of Proposition 47, Alejandro N. petitioned to have this felony reclassified as a misdemeanor, have his sentence reduced, and have his DNA removed from the DOJ DNA database. The Superior Court of San Diego County agreed to reduce Alejandro N.’s sentence and release him but refused to remove his DNA profile from the database. They also refused to reclassify the felony on his record to a misdemeanor, stating that Proposition 47 and section 1170.18 of the California Penal

Code did not apply to juvenile offenders (even though they had accepted and applied Proposition 47 sentencing standards to his case).

Alejandro N. appealed this decision. In July of 2015, the Fourth District Court of Appeal held that Proposition 47 applied to juveniles because they could not be “physically confined longer than an adult offender for the same offense” per Section 726 of the Welfare and Institutions Code (*Alejandro N. v. Superior Court of San Diego County*). This case paved the way for a wave of juvenile resentencing and reclassification petitions.

Court officials were also initially working under the impression that Proposition 47 did not apply to offenders who had received their sentences as part of a plea bargain (SJAP, 2015). The Superior Court of Contra Costa County agreed with this and refused to allow another juvenile offender, Tre W., who had received his sentence via plea bargain to obtain relief under Proposition 47 (SJAP, 2015). Tre W. robbed a victim of her purse (felony robbery) and was found in possession of her property (felony receiving stolen property) in 2010. In April of 2015, the First Appellate District Court of California decided the *Tre W. v. Superior Court of Contra Costa County* case (SJAP, 2015). The court held that Tre W. was entitled to relief (SJAP, 2015).

### ***Safe Neighborhoods and Schools Fund***

The passage of Proposition 47 created the Safe Neighborhoods and Schools Fund (SNSF), which was codified in the California Government Code under chapter 33 (Division 7 of Title 1) as Sections 7599 through 7599.2 (CLI, n.d.d.). The ability to cite and release on misdemeanor offenses was expected to result in a decrease in jail bookings and an increase in cost savings (ALCODA, 2014). The money saved was slated to be deposited into the newly created SNSF.

Proposition 47 specified that the first deposit into the SNSF would take place on August 15<sup>th</sup> of 2016, and would repeat annually (LAO, 2016; OAG, 2013). Proposition 47 indicated that the money in this fund was to be distributed as depicted in Table 5.

**Table 5: Safe Neighborhoods and Schools Fund Distribution**

Safe Neighborhoods and Schools Fund Distribution
65% - Board of State and Community Corrections (BSCC)
25% - California Department of Education (CDE)
10% - Victim Compensation and Government Claims Board (CalVCB)
*up to 5% of these funds may be allocated to administration expenses.

Source: (Dooley-Sammuli, 2015; OAG, 2013; LAO, 2015a; LAO, 2016).

Assembly Bill 1056 (A.B. 1056) required the BSCC to distribute the funds via a grant process to public agency programs designed to provide people charged or convicted of a crime with treatment and other services (LAO, 2016). It also specified that the BSCC should give priority to programs that provided mental health services, substance abuse treatment, and diversion when awarding grants (Bird et al., 2016; LAO, 2015a; LAO, 2016; OAG, 2013). The CDE was expected to use additional funding towards truancy and dropout prevention, but there was no specific way the funding was to be disbursed (LAO, 2016). The CalVCB was to distribute funds to its trauma recovery centers through the procedure already established (LAO, 2016). It specified that only up to five percent of the grant funds could be used for operating and administrative expenses (OAG, 2013).

### ***Initial estimates of cost savings***

The text of Proposition 47 did not specify how to calculate cost savings produced by the changes it implemented (LAO, 2016). Since it did not specify how to calculate savings, it was difficult to determine what amount should be deposited into the SNSF. This notwithstanding, scholars and public agencies attempted to estimate the potential cost savings associated with Proposition 47. Prior to its implementation, Buchen and Males (2014) calculated estimated cost savings for each

county as a result of Proposition 47. By their estimates, the 58 counties in California would save somewhere between \$400 and \$700 million after Proposition 47 was implemented (Buchen & Males, 2014). They specifically estimated that Santa Clara County would save between \$9.7 and \$16.9 million, and that somewhere between 242 and 726 jail beds would become available (Buchen & Males, 2014). Ultimately, the state was estimated to have saved over \$156 million in the 2015-2016 fiscal year due to Proposition 47 (SJAP, 2015).

In 2015, the LAO estimated that the cost savings that could be attributed to Proposition 47 would be between \$100 million and \$200 million. The Governor's Office worked under the assumption that Proposition 47 would result in a reduction of 1,900 inmates for the 2015-2016 fiscal year (LAO, 2015b). As a result, they proposed a \$12.7 million reduction to the CDCR budget in order to account for their estimated Proposition 47 savings (LAO, 2015b). In order to account for uncertainties in the prison population and availability of new beds, the governors' office increased their CDCR budget proposal slightly to allow for more contract beds and the construction of new "infill bed facilities" (LAO, 2015a, p. 10). "Infill bed facilities" are additional buildings constructed for the purposed of increasing a correctional facilities' design capacity (LAO, 2015a). The LAO believed that this was ultimately providing the CDCR with unnecessary funding, and indicated that they believed that the Governor's Office was underestimating the potential effects of Proposition 47 and overestimating the total inmate population for the following year.

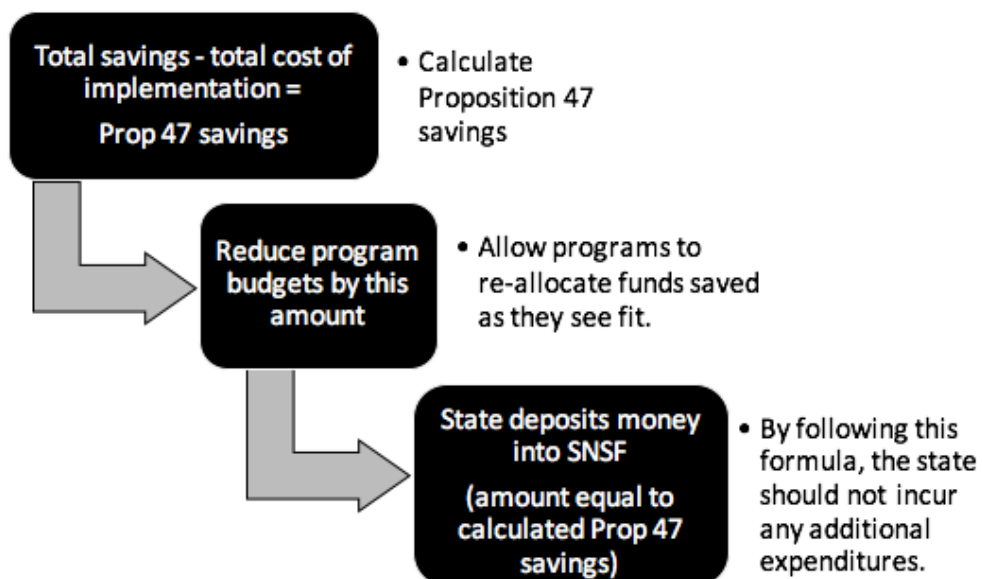
Ultimately, the LAO concluded that it was not possible to make the best decision regarding funding without more information (LAO, 2015a). This, however, was to be expected since the measure had just been implemented. It is difficult to estimate the long-term impacts at the outset

of a new program, and decision-makers tend to be risk-averse when making decisions that impact the budget (M. Record, personal communication, March 23<sup>rd</sup>, 2020).

### ***Calculation of cost savings***

The amount deposited into the SNSF is based on the calculated cost savings from the previous fiscal year, meaning this amount could vary from year to year (LAO, 2015a). Several scholars noted that potential cost savings resulting from Proposition 47 presented themselves as work reductions, while other cost savings were simply re-distributed or re-allocated to other resources (LAO 2015a; Naimo, 2016; SJAP, 2015). This ultimately reduced the final amount of tangible monetary savings (LAO 2015a; Naimo, 2016; SJAP, 2015). The actual amount would vary according to the number of offenders affected by Proposition 47, the actual prison capacity (LAO, 2015a). In their analysis of the fiscal impacts of Proposition 47, the Legislative Analyst's Office (LAO) assumed that the intent of the measure was to avoid any extra cost to the state (LAO, 2016). They proposed a specific method of calculating cost savings in order to determine the appropriate amount to deposit into the SNSF. Figure C represents this calculation method (LAO, 2016).

**Figure C: Suggested Method for Calculating Savings/SNSF deposit**



Source: (LAO, 2016).

The LAO (2016) indicated that this calculation should be done yearly according to Proposition 47 savings in the past year. The total Proposition 47 savings would be determined by finding the difference between the total savings and the total cost of implementing the measure that year. The affected agency budgets for the following year should then be reduced by this amount, and they should be allowed to re-allocate their savings as they deemed most appropriate. Finally, the state would deposit an equal amount into the SNSF fund. This would ensure that the state did not incur any extra costs since it was reducing agency budgets by the amount that it deposited into the SNSF. The LAO (2016) reported that the state administration did not follow this model in all cases as they had recommended.

The state administration estimated that Proposition 47 savings (difference between the total savings and the cost to implement Proposition 47) for the 2016-2017 fiscal year were \$29.3 million and this was the amount that was slated for the first deposit into the SNSF. The



Legislative Analyst's Office concluded that the administration was underestimating cost savings from Proposition 47, and that based on their calculations using this method, the actual amount could be \$100 million more than the administration estimated (LAO, 2016).

### ***Lack of consistency in calculating savings and data collection***

A report written by the Auditor-Controller of the County of Los Angeles indicated that several of their county departments did not have a way to track expenditures and savings related to the implementation of Proposition 47. This included departments such as Police, District Attorney, Mental Health, Public Health, and Health Services. The report estimated that the Sheriff's Department, the Department of Mental Health and the Department of Public Health would see a potential cost savings of \$9.2 million for the 2015-2016 fiscal year. Naimo (2016) indicated that the Sheriff's Department was unable to differentiate between cost savings as a result of Proposition 47 and as a result of reducing the correctional population in other ways. Four other counties in the immediate area were contacted and none of them had a way to keep track of cost savings related specifically to Proposition 47. The American Civil Liberties Union nonprofit organization was also contacted and they also indicated that they did not know of any county in the state that methodically tracked cost savings related to Proposition 47 (Naimo, 2016).

### **Impacts of Proposition 47**

The implementation of Proposition 47 has had significant effects on criminal justice agencies. As soon as researchers began trying to measure the impact of Proposition 47 on individual agencies, they realized that there was a concern about the reliability of data (Naimo, 2016). Some agencies were not tracking Proposition 47 data at all, while others believed that their data was unreliable due to the existence of concurrent factors (Naimo, 2016).

In 2015, the LAO estimated that 40,000 offenders would be affected by the implementation of Proposition 47 (LAO, 2015a). The exact number of people who would be eligible for reclassification under the proposition was unknown, but it was estimated to be a total of over a million people (Dooley-Sammuli, 2015). It was also noted that about 80% of cases eligible for changes according to Proposition 47 were for drug possession (Dooley-Sammuli, 2015).

### ***Courts***

The workload amount and type of work being performed by Courts changed drastically as a result of Proposition 47. In order to implement Proposition 47 changes, the court system had to create petition/application forms, change their data collection process in order to ensure that these new groups were tracked, train employees on new processes, and assign the increased workload to existing or supplemental employees (JCC, 2016). New work practices included placing Proposition 47 matters on court calendars, notifying correctional facilities of changes to inmates' sentences, arranging inmate transfers or releases, accessing original case files for Proposition 47 hearings, as well as processing all new forms and collecting data on the population affected by Proposition 47 (JCC, 2016).

Several unanticipated issues arose after the courts began processing these applications. In certain cases, it was difficult to determine the actual value of property in theft-related Proposition 47 offenses . Courts not only had to handle and hear Proposition 47 matters, they also had to handle appeals when these petitions and applications were denied. Courts became responsible for notifying the Registrar of Voters when offenders had their felony convictions reclassified to misdemeanors, enabling them to vote (JCC, 2016).

It was also difficult to determine how much in-custody time an offender had served when he or she had received concurrent sentences for multiple offenses (JCC, 2016). Often, incarcerated individuals were serving sentences for multiple offenses. In the case that some of the offenses were eligible for resentencing and others were not, the court would take this into account and adjust their sentence only according to the offenses that were affected (Couzens, 2016). It was also noted that Proposition 47 offenders typically had longer criminal histories, which made their cases more complex, so it took court officials longer to arrive at a disposition (JCC, 2016).

Interviews with judges and courthouse officials revealed several significant trends. It appeared that the number of felony-level drug sales and maintaining a drug house (Section 11366 of the California Health and Safety Code) cases that were filed increased after Proposition 47, but this observation has not yet been verified through data. Judges believed that there was an increase in misdemeanor cases taken to trial because offenders were no longer incentivized to accept a plea bargain by the idea of having to spend time in custody. Several courts reported an increase in failure to appear (FTA's) for Proposition 47 misdemeanor arraignments, resulting in the need to issue bench warrants. Collaborative courts (drug treatment/diversion court) indicated that they received fewer referrals because offenders would not choose to participate in a long treatment program when they were essentially guaranteed little to no jail time for the offense (JCC, 2016).

There was also a 15% increase in misdemeanor cases (about 22,000 additional cases) filed in court during the first half of 2015 as compared to first half of 2014 (JCC, 2016). This statistic represents only 40 counties in California that were able to report complete Proposition 47-related data (JCC, 2016). Total convictions declined by about 20% between October 2014 and October 2015, while Proposition 47 convictions declined by about 45% during the same time

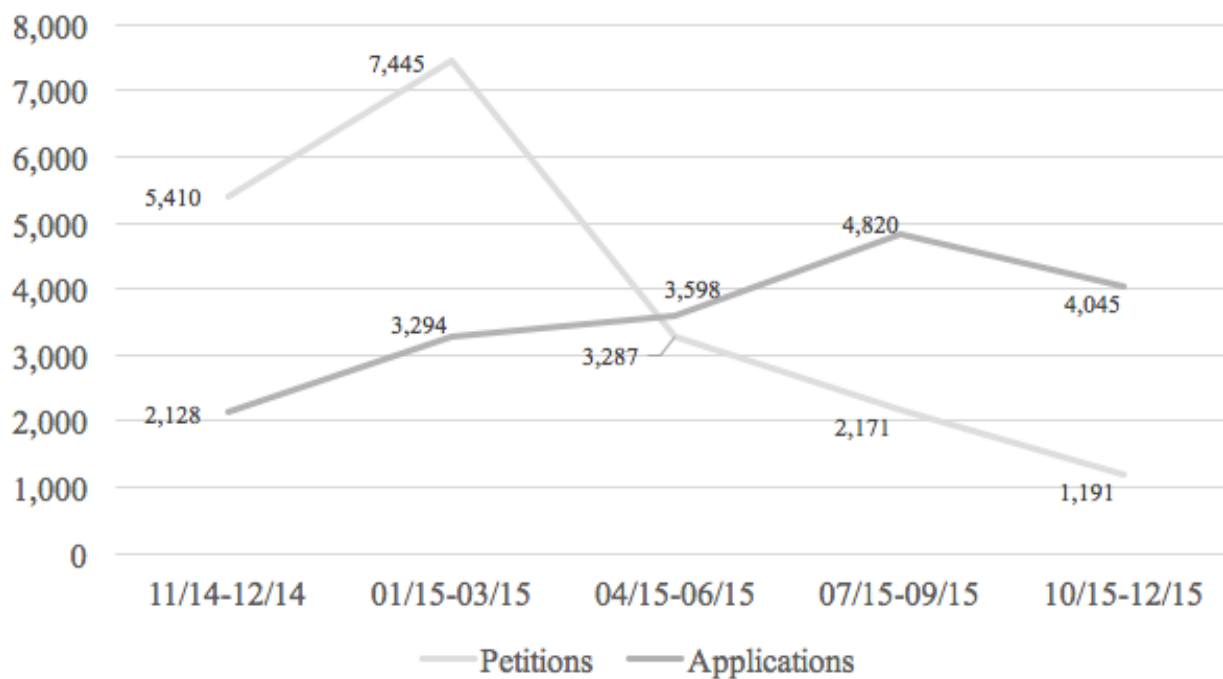
period (Bird et al., 2016). This statistic represents a sample of 13 counties in California (Bird et al., 2016). Several other studies also suggested that the number of convictions had decreased after Proposition 47 (Bird et al., 2016; Bird, Lofstrom, et al., 2018; Buchen & Males, 2014; LAO, 2015a).

The fact that Proposition 47 went into effect immediately after it was passed necessarily meant that there was a massive influx of applications and petitions for relief under the act (LAO, 2016). The state provided the court system with \$27 million to help with the additional workload generated by the influx of Proposition 47 petitions and applications (Dooley-Sammuli, 2015; LAO, 2015a). No other agency received additional funding from the state to assist with the implementation of Proposition 47. As a result, some counties applied for and received funding through grants, while others received funding from the local community corrections fund (Dooley-Sammuli, 2015).

After the initial barrage of submissions, there was a steady decrease in the number of petitions for resentencing being filed, as well as a steady increase in the number of applications for reclassification being filed between November of 2014 and December of 2015 (Naimo, 2016). This change was attributed to an increase in the number of offenses being reclassified while still in the court process, decreasing the need to file petitions for resentencing (Naimo, 2016). The petition and application workload decreased as new offenders were classified and sentenced according to the new Proposition 47 standards (LAO, 2015a). The increase in the filing of applications for reclassification was attributed to an increase of people completing sentences, or simply becoming aware that reclassification was an option (Naimo, 2016). While these trends only describe the first year of implementation, they were expected to continue in this

fashion, statewide as time went on (LAO, 2015a). Figure D is a chart showing a visual representation of the Los Angeles County data referenced by Naimo (2016):

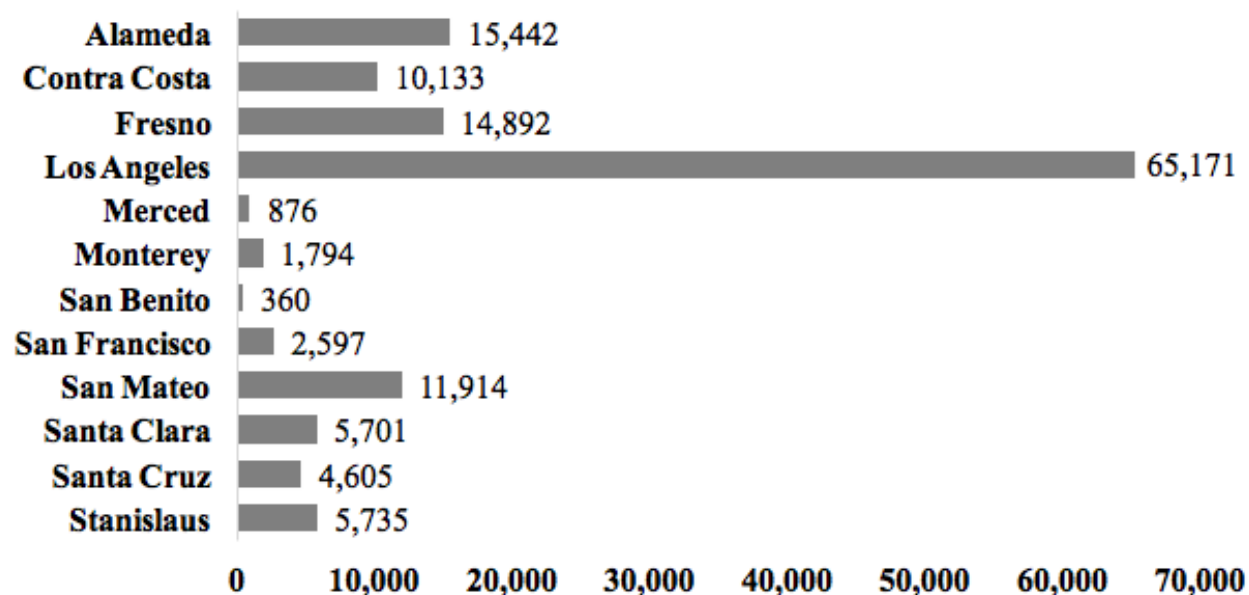
**Figure D: Petitions and Applications Submitted In LA County**



Source: (Naimo, 2016).

Initial estimates regarding the number of resentencing petitions and reclassification applications submitted state-wide varied from 150,000 to over 200,000 (Dooley-Sammuli, 2015; JCC, 2016). Table 13 in Appendix A lists the total number petitions and applications submitted by county between November of 2014 and September of 2015. Table 13 only includes the 40 counties studied in the ACLU report (Dooley-Sammuli, 2015). According to the Judicial Council of California (2019), 1,117 resentencing petitions and 4,585 reclassification applications were submitted in Santa Clara County between November of 2014 and September of 2019. All of these were associated with adult offenders and represented individual cases, not individual offenders (JCC, 2019). This number, along with the totals for other counties in the state, are represented in Figure E.

**Figure E: Proposition 47 Petitions and Applications Submitted in 12 CA Counties (November 2014-September 2019)**



Source: (JCC, 2019)

The total number of petitions/applications for the counties that reported their data to the JCC (not all counties reported consistently throughout the years) between November 2014 through September of 2019 was 374,782 (JCC, 2019). Table 14 in Appendix A lists the total number petitions and applications submitted by county between November of 2014 and September of 2019. Since AB 2765 extended the petition/application acceptance period through November 4<sup>th</sup> of 2022, the court system has been expected to continue handling the increased responsibility through at least the next two years (Couzens, 2016). Some courts hired new employees to help ease the burden of the newly increased workload, while others re-hired retired employees to assist (JCC, 2016). Other courts temporarily re-assigned employees to assist with Proposition 47 cases, causing other court services to suffer (JCC, 2016).

### ***CDCR and Parole***

Due to the fact that Proposition 47 reclassified several felony offenses to misdemeanors, the California Department of Corrections and Rehabilitation (CDCR) saw a marked decrease in the number of offenders who were eligible to go to prison (LAO, 2016). Offenders who committed a new Proposition 47 offense would typically be incarcerated in a county jail, if they were incarcerated at all. CDCR experienced a further reduction in their prison population because a large group of those individuals who were currently incarcerated suddenly became eligible for resentencing under Proposition 47 (LAO, 2016). Some of these offenders were released immediately, some served shorter sentences, and others were transferred into the county jail system to serve the remainder of their sentences. As a result of the combined effect of these factors, there was a significant reduction of the prison population, which reduced the prison workload and increased the parole workload (Buchen & Males, 2014; LAO, 2015a).

Between its enactment and September of the following year, 4,454 state prisoners were determined to be eligible for relief under the act and were ultimately released (SJAP, 2015). It should be noted that approximately 159 of these individuals were later re-incarcerated for new crimes (SJAP, 2015). Within a year of the implementation of Proposition 47, the prison population decreased by about 6%, which was enough to fall below the population caps imposed by the courts in February of 2015 (Bird, Lofstrom, et al., 2018; Lofstrom & Martin, 2015; SJAP, 2015). California's incarceration rate dropped to about 538 for every 100,000 residents, the lowest it had been in twenty years (Lofstrom & Martin, 2015). In 2015, the LAO reported that it expected the state to be able to meet or stay below the population caps imposed by the court as a result of Proposition 47.

On March 16, 2020, the CDCR published its most recent update to the three-judge court which issued the population caps (CDCR, 2020b). The update indicated that CDCR has been in

compliance with the court-imposed population caps for the past five years, and that as of March 11<sup>th</sup>, 2020, the total population is actually at 134.4% of design capacity (CDCR, 2020b).

### ***Sheriff departments and jail populations***

Although no additional funding was given to law enforcement agencies across the state to help with the implementation of Proposition 47, sheriff's departments and probation departments took it upon themselves to make offenders aware of their potential rights for relief under Proposition 47 (Dooley-Sammuli, 2015). This is likely due to the fact that sheriff's departments oversee the county jail system and have the most direct access to eligible offenders.

Proposition 47 led to fewer bookings into county jails, fewer convictions, more pretrial releases, and a reduction in the average length of time served by inmates (Bird et al., 2016; Buchen & Males, 2014; LAO, 2015a). On average, offenders served about 25 days less than they did before Proposition 47 was implemented (Bird et al., 2016). Overall, County jail populations in California decreased between 9% and 13% in the year after Proposition 47 was passed (Bird et al., 2016; Bird, Lofstrom, et al., 2018; Dooley-Sammuli, 2015). Pretrial releases increased from 32% to 37% in the same time period (Bird et al., 2016).

It has been estimated that there has been a 50% decline in the number of people incarcerated for Proposition 47 offenses and the number of new bookings for Proposition 47 offenses decreased by about 56% (Bird et al., 2016). There was approximately a 68% reduction in individuals booked on drug possession charges in the year after Proposition 47 (Bird et al., 2016).

Sheriff's departments' cost savings manifest themselves in the form of lowered operating costs related to food, health services, laundry and other inmate housing supplies. There were usually no staff reductions because the nature of the work requires the same number of staff



members, regardless of the number of inmates. While Proposition 47 did result in some people being released from incarceration, their beds were ultimately occupied by inmates who had been slated for an early release due to the overcrowded conditions (Naimo, 2016).

The practice of releasing an inmate who is serving a sentence for the purpose of reducing overcrowding is called a “capacity release” (Bird et al., 2016). This kind of release decreased by approximately 65% after the passage of Proposition 47 (Bird et al., 2016; Bird, Lofstrom, et al., 2018). While Proposition 47 resulted in shortened sentences and an increase of releases from jail for Proposition 47 offenses, the jail population was not expected to change much due to jails deciding to stop “capacity releases” (LAO, 2015a). County jails used the beds made suddenly available by Proposition 47 to house other (non-Proposition 47) inmates that would have qualified for a “capacity release” (Bird et al., 2016). This practice resulted in slightly less significant fluctuations in jail populations overall after the implementation of Proposition 47 (LAO, 2015a).

Specifically, although the LA County Sheriff’s Department expected a workload reduction associated with Proposition 47, they found themselves dedicating more resources to the remaining inmate population for mental health treatment. They experienced a growth in the population of inmates who required mental health treatment. Since these inmates are typically housed on their own due to safety concerns, they also took up more of the newly available bed space (Naimo, 2016)

In 2015, the LAO mentioned that Proposition 47 data specific to AB 109 offenders was unavailable, but is likely to be significant because felony offenders that had been “realigned” (currently supervised at the county level instead of state level for “non-non-non” felony offenses as a result of AB 109) were also likely eligible for reclassification under Proposition 47. The

biggest impact of Proposition 47 would be in the reduction of time these offenders would serve (LAO, 2015a).

### ***Public and mental health agencies***

County departments responsible for public health and mental health are primarily responsible for providing inmates in county jails with clinical and treatment-related services. Their cost savings are a result of having to provide fewer services, due to a decrease in the number of incarcerated people that require resources and treatment (Naimo, 2016). The Department of State Hospitals saw a decrease in the number of people being committed into mental institutions (LAO, 2016). This decrease was attributed to the fact that there were fewer felony cases in court (as a result of Proposition 47), which resulted in fewer people being committed after being declared incompetent to stand trial (LAO, 2016).

### ***Probation***

The LA County probation department expected a workload reduction due to there being fewer people on probation (Naimo, 2016). Since Proposition 47 offenders weren't sentenced to strict community supervision like other felony offenders, this was also expected to result in a workload reduction (LAO, 2015a). However, in LA, Proposition 47 cost savings were re-allocated towards homelessness, mental health and diversion programs, so their overall workload did not decrease, (Naimo, 2016).

### ***Local law enforcement agencies***

In 2015, the American Civil Liberties Union (ACLU) published a report reviewing the first year of Proposition 47's implementation. In their discussion of challenges in implementing Proposition 47, the ACLU indicated that there was initially some resistance from law enforcement (Dooley-Sammuli, 2015). Law enforcement officers believed this kind of criminal

justice reform would result in an increase in crime rates as a result of the increase in offenders being released (Dooley-Sammuli, 2015; Nguyen, 2015).

In general, local law enforcement agencies arrested fewer people for Proposition 47 offenses after its implementation (Bird, Lofstrom, et al., 2018; JCC, 2016). In a sample of 13 California counties, the percentage of people cited and released after arrest increased from 6% in October 2014 to 19% in October of 2015 (Bird et al., 2016). The average number of arrests made per month decreased by about 5% in the year after Proposition 47 was implemented as compared to the year before (Bird, Lofstrom, et al., 2018).

Another study using a sample of 12 California counties revealed that the average number of cite and release arrests increased by about 8% in the year after Proposition 47 was implemented. This data was interpreted to mean that not only was law enforcement making fewer arrests for these kinds of criminal offenses, but they also booked less of these offenders than they had in the past. The study showed jail bookings declined by about 8% in the year after Proposition 47, dropping to 55,400 from 60,000 the year before. They noted that individuals of Caucasian or Latino descent were booked less often than African Americans. The number of African Americans booked into jail actually increased by 0.7% in the year after Proposition 47 was implemented (Bird, Lofstrom, et al., 2018).

### *State*

In regards to the distribution of the SNSF, the State Controller and Finance Department are responsible for conducting audits on each grant recipient every two years to ensure that grant funds are being spent appropriately (OAG, 2013). This is a significant increase to their typical workload, given that the BSCC has awarded 46 grants since the inception of the SNSF. The CDE has awarded over 80 grants and the CalVCB have awarded at least 7. Proposition 47 specified

that any additional expenses this created for the state could be withdrawn from the SNSF itself (OAG, 2013).

### *Community*

The Board of State and Community Corrections (BSCC) provides three-year grants from the SNSF fund to community-based programs whose purpose it is to provide services to “individuals involved in the criminal justice system” (Bird, Lofstrom, et al., 2018, p.19). Grants are awarded to organizations and programs that provide treatment, housing support, and mental health services. A review of the documents listing the project descriptions of grant recipient programs showed that most of these programs provided some combination of substance abuse treatment, mental health services, housing support, reentry services, trauma treatment, vocational support, intervention or diversion programs, case management, peer counseling, and even utility payment assistance (BSCC, 2019a; BSCC, 2019b). These programs typically take a cross-sector collaboration approach to assisting recently released individuals (Worth, 2018).

Typically, these programs submit an application and a proposal to the BSCC in the hopes of receiving one of these grants (Bird, Lofstrom, et al., 2018). Grants have been awarded to agencies such as the Los Angeles City Attorney’s Office, which used the funding to start a drug intervention and diversion program (Bird, Lofstrom, et al., 2018). The BSCC awarded grants to 23 different public agencies for June 2017 through August 2020 (BSCC, 2019a). Since these were the first agencies to receive Proposition 47 grant funding, the BSCC refers to them as Cohort 1 recipients. These grants totaled \$103 million (BSCC, 2019a).

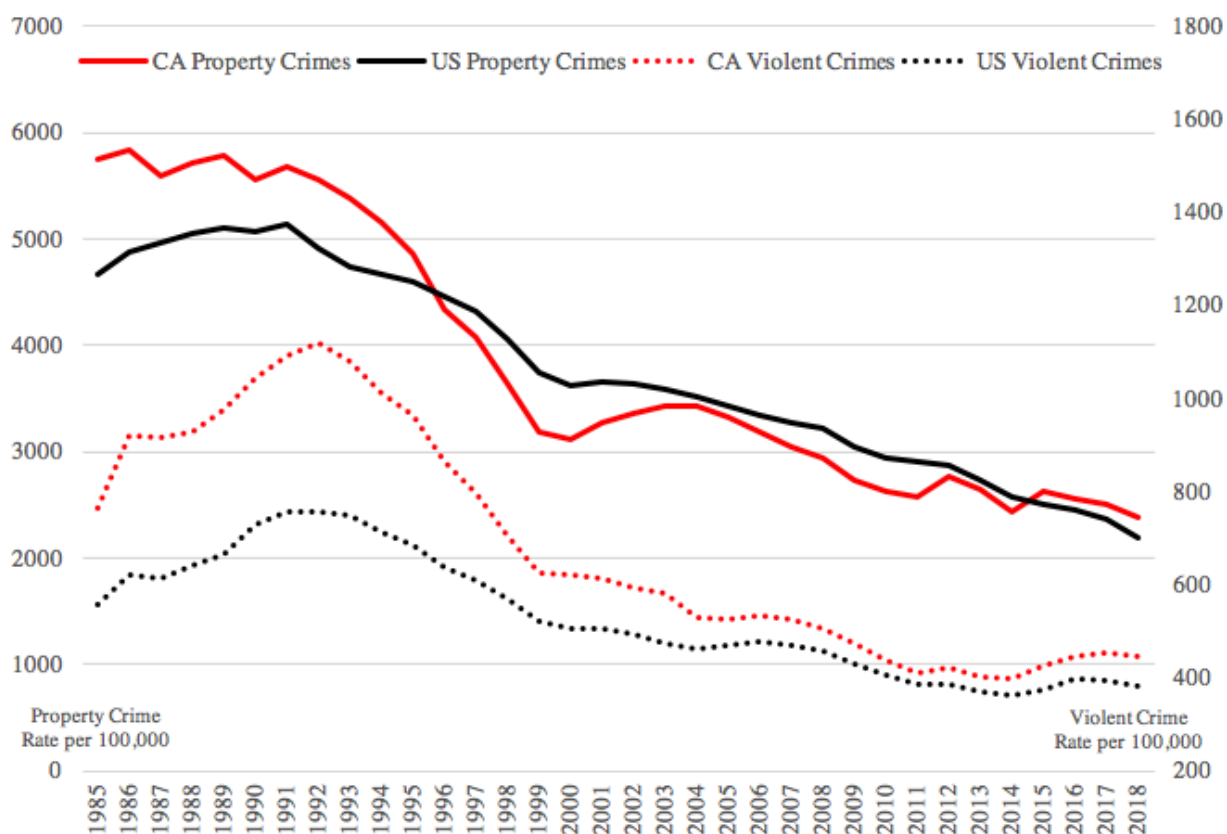
Due to delays in implementation of their programs, most of these agencies were granted a one-year extension through August of 2021. The BSCC awarded grants to 23 public agencies from August 2019 to May 2023. These agencies were referred to as Cohort 2 recipients and the

grants totaled \$96 million (BSCC, 2019b). Outcome evaluations of the grant recipient programs are not yet available. Tables 15 and 16 in Appendix B contain a list of public agencies that received the grants.

### ***Crime trends after Proposition 47***

Crime in California rose steadily from the 1960s through 1980s. Crime rates in California have been steadily declining over the last four decades (Bird, Lofstrom, et al., 2018). Violent crime peaked between 1961 and 1992, declined steadily and began rising again in 2006 (Bird, Lofstrom, et al., 2018). Since then it has varied slightly throughout the years, but has generally continued to decline (Bird, Lofstrom, et al., 2018). Figure F shows violent and property crime rates in California from 1985 through 2018 (the numerical data represented by this figure can be found in Table 22 in Appendix A).

**Figure F: Property/Violent Crime in the United States and California (1985-2018)**



Source: (RAND Coproration, 2020).

After both the implementation of AB 109 and Proposition 47, law enforcement officials often stated that these criminal justice reforms would result in increased crime rates (Dooley-Sammuli, 2015; Nguyen, 2015). However, state-wide crime rates fell consistently between the years 2000 and 2015 (Dooley-Sammuli, 2015).

In January of 2013, the property crime rate in California was the highest it had been in seven years. It began to decline steadily and actually reached a point where it was the lowest it had been in seven years in November of 2014. Between December of 2014 and January of 2016, property crimes increased by about 54,700 crimes total, bringing the property crime rate from about 200 crimes per 100,000 residents to somewhere between 220-230 crimes per 100,000

residents. Bird, Lofstrom, et al. (2018) also found that motor vehicle theft accounted for about 75% of the additional crimes. In 2015, the Stanford Justice Advocacy Project (SJAP) reported that although crimes rose after the implementation of Proposition 47, there was not any data showing that the individuals released under Proposition 47 were the ones committing the additional crimes (SJAP, 2015).

The ACLU report indicated that some counties in California did see an increase in crime, but that the statewide crime rates did not change significantly. Dooley-Sammuli (2015) found that there is likely a difference at the individual agency level as to how they are changing their practices in accordance with Proposition 47. She offers the Fresno sheriff's department and the Los Angeles sheriff's department as examples of this. While the first actually saw a 77% increase in arrests for Proposition 47 eligible offenses, the latter only saw a 10% increase. She mentions that the sheriff's department in Sacramento actually experienced a 43% decrease in the same type of crime (Dooley-Sammuli, 2015).

Between January and June of 2015, there was an increase in certain violent crimes and property crimes in cities with over 100,000 inhabitants. In a study conducted with a sample of 68 large California cities, crime data for the first six months of 2015 was compared to that of the first six months of 2014. These crime rates were also compared to changes in the overall local county jail populations and their specific number of Proposition 47 releases. There was an average of an 8% increase in violent crime and a 7% increase in property crime from 2014 to 2015 in the 68 cities sampled. Males (2016) argued that if Proposition 47 was at fault for the increase in crime, then the cities with a higher number of inmate releases would have a larger increase in crime. The study, however, showed that the counties with the most releases actually

saw a decrease in violent crime and a “smaller increase in property and total crime” (Males, 2016).

In looking at the numbers provided in the study, it is apparent that the crime trends vary significantly from county to county, as noted by Dooley-Sammuli (2015). For example, San Diego county (which included six cities in this study) had a total of 16% decrease in their average jail population when comparing March 2014 to March of 2015. This was equivalent to an 18% reduction in inmates serving felony sentences. Their violent crime rate increased by 5%, but their property crime rate stayed constant during this time period. In Orange county, however, there was a 19% decrease in the jail population, which was equivalent to a 25% decrease in inmates serving felony sentences. Orange County experienced a 19% increase in violent crime and a 25% increase in property crime. For reference, Santa Clara County had a 12% decrease in total jail population from this time period, which was equivalent to 20% of inmates serving felony sentences. The violent crime rate rose by 3% and the property crime rate rose by 5% during this time period (Males, 2016).

When looking at city-specific data, it is also apparent that crime trends vary significantly from city to city. Table 6 shows the change in crime rates (January 2014-June 2014 as compared to January 2015-June 2015) for several cities in California.



**Table 6: Changes In Crime Rates in 10 California Cities (January – June 2014 compared to January – June 2015)**

City	Property	Violent	Total
San Jose	4%	3%	4%
Santa Clara	12%	3%	11%
Sunnyvale	7%	-1%	6%
Fremont	3%	24%	4%
Hayward	-3%	1%	-2%
San Francisco	25%	4%	22%
Salinas	-14%	25%	-8%
Stockton	-7%	0%	-5%
Modesto	4%	12%	5%
Los Angeles	13%	23%	15%

Source: (Males, 2016)

Males (2016) concluded that although cities with large numbers of Proposition 47 releases did experience increases in violent crimes, the actual numbers varied too much to be able to prove causation. Males (2016) also noted that the initial increase in crime could be a normal spike. A similar increase in crime was seen after the implementation of AB109, but then it significantly declined in the following years. Males (2016) stated that it would be beneficial to analyze local law enforcement practices over a longer period of time in order to determine the actual long term effects of maintaining lower jail populations on crime rates.

The following year, Males (2017) conducted a study of crime trends in California between 2010 and 2016. The study revealed that there was less crime during the first six months of 2016 than there was during the same time period the previous year. Males (2017) explains that although the trends were different when looking at the numbers by type of crime, there was a 3% decrease in crime overall. There were fewer cases of burglary, theft and arson, but there was an increase in vehicle theft cases. There was a total of 7,400 fewer property crimes committed the first half of 2016 as compared to the first half of 2015. However, there was also a 4% rise in violent crime (Males, 2017).

After reviewing seven years of crime trend data, Males (2017) concluded that there was no significant change in crime rates after the implementation of AB 109. However, he did indicate that it was too soon to see if the same could be said about crime trends after the implementation of Proposition 47. Males (2017) also clarified that while he drew these conclusions from statewide crime data, crime rates by city did not show the same stability. He indicated that 28 cities experienced an increase in crime between 2015 and 2016, while 41 actually experienced a decrease in total crime (Males, 2017). However, the statistical analysis conducted in this study only addressed correlation and was not sufficient to show causation.

A study conducted by the Public Policy Institute in 2018 also revealed that Proposition 47 did affect property crime rates. Property crime did increase statewide after the implementation of Proposition 47, with larceny thefts increasing by about 9%. The study showed that about 75% of this increase was attributed to a rise in thefts from vehicles, specifically (Bird, Lofstrom, et al., 2018).

### ***Recidivism***

According to the Stanford Justice Advocacy Project, the recidivism rate for offenders released under Proposition 47 was less than 5% in October of 2015 (SJAP, 2015). Recidivism rates decreased after Proposition 47 was implemented (Bird, Lofstrom, et al., 2018). In studying data from a sample of twelve counties in California, only 70.8% of individuals who were released after being incarcerated for a Proposition 47 offense were re-arrested within two years, as opposed to 72.6% of people who served sentences for similar crimes before Proposition 47 (Bird, Lofstrom, et al., 2018).

Before Proposition 47 was implemented, approximately 45.3% of individuals released after serving sentences for offenses similar to Proposition 47 offenses were re-arrested for the same

kind of offense. After Proposition 47 was implemented, only 35% were rearrested for the same kind of offenses. However, due to data limitations, Bird, Lofstrom et al. (2018) were unable to make sure they were only analyzing Proposition 47 offenders. Due to the way the data was compiled in the counties that were included, it is possible that other felony offenders were inadvertently included in their analysis (Bird, Lofstrom, et al., 2018).

Only 46% of the same population were convicted of new offenses within two years, as opposed to 49.1% of people who served sentences for similar crimes before Proposition 47. The results of this study suggested that law enforcement made less Proposition 47 arrests and district attorneys prosecuted less Proposition 47 crimes, but could not distinguish between Proposition 47's effects on reoffending and revised criminal justice agency practices. Changes in re-arrest and reconviction rates could also be attributed to offenders changing their patterns of behavior, as well as changes in the way criminal justice agencies operate (Bird, Lofstrom, et al., 2018).

### **Other California criminal justice reforms**

#### ***SB 678***

When SCOTUS upheld the decision to reduce the prison population in California, the population had already decreased slightly due to Senate Bill 678 (SB 678) but prisons were still operating at approximately 179.5% of their design capacity (Lofstrom & Martin, 2015). SB 678, also known as the California Community Corrections Performance Incentives Act of 2009, provided additional funding to county probation departments that were able to reduce their probation failure rate (Judicial Council of California [JCC], 2020). Reducing the probation failure rate meant that fewer offenders were re-incarcerated in state prisons as a result of violating the terms of their community supervision agreements (JCC, 2020a; LAO, 2015a; Lofstrom & Martin,

2015). In the first year after SB 678 was implemented, the prison population decreased by 6,008 inmates, but prisons were still operating over their design capacity (JCC, 2020a).

### ***Proposition 36***

Proposition 36 (Prop 36) also had an impact on the state prison population. Passed in November of 2012 (just over a year after AB 109, and two years prior to Proposition 47), it made changes to California's infamous three-strikes law (Lofstrom & Martin, 2015; SJAP, 2015). Prop 36 changed the law so that an offender was only eligible to receive a "third-strike" if the new offense was serious or violent (JCC, 2020b). It also applied retroactively, and allowed incarcerated "third-strike" offenders to petition for resentencing if their third offense was not deemed to be serious or violent (JCC, 2020b). This sentencing reform resulted in a reduction of state prison populations, as fewer offenders were being given "third-strike" sentences (Lofstrom & Martin, 2015).

While the combined effect of AB 109, SB 678, and Proposition 36 served to significantly decrease prison population levels, it did not decrease them enough to meet the standards set by the panel of California judges in 2009 and affirmed by the SCOTUS in 2011 (Lofstrom & Martin, 2015; (Bird, Lofstrom, et al., 2018). Those population reduction goals were not met until after Proposition 47 was passed (Lofstrom & Martin, 2015; (Bird, Lofstrom, et al., 2018).

### ***Proposition 57***

Proposition 57 (Prop 57) has also played a role in California's criminal justice reform movement. Prop 57 became effective in November of 2016 (two years after Proposition 47). The public safety section of the 2017 California Governor's Budget Summary states that Prop 57 was specifically created in order to ensure that California prisons would continue to comply with the pre-established court-ordered population requirements (CDCR, 2017). Prop 57 aimed to

accomplish this by allowing offenders convicted of non-violent crimes to be considered for an early parole release upon completion of the sentence for their primary offense in prison if they could show they were no longer a threat to public safety (CDCR, 2017). It also allowed the CDCR to give offenders credits for good behavior and other achievements, and gave judges discretion to determine whether specific juvenile cases should be under the jurisdiction of the juvenile or adult court (CDCR, 2017). All inmates have the opportunity to earn credits towards an early release, with the exception of condemned inmates or those sentenced to life without parole (OIG, 2018). By increasing the number of nonviolent offenders who could be considered for parole, the number of offenders released would increase, further reducing the total population (OIG, 2018).

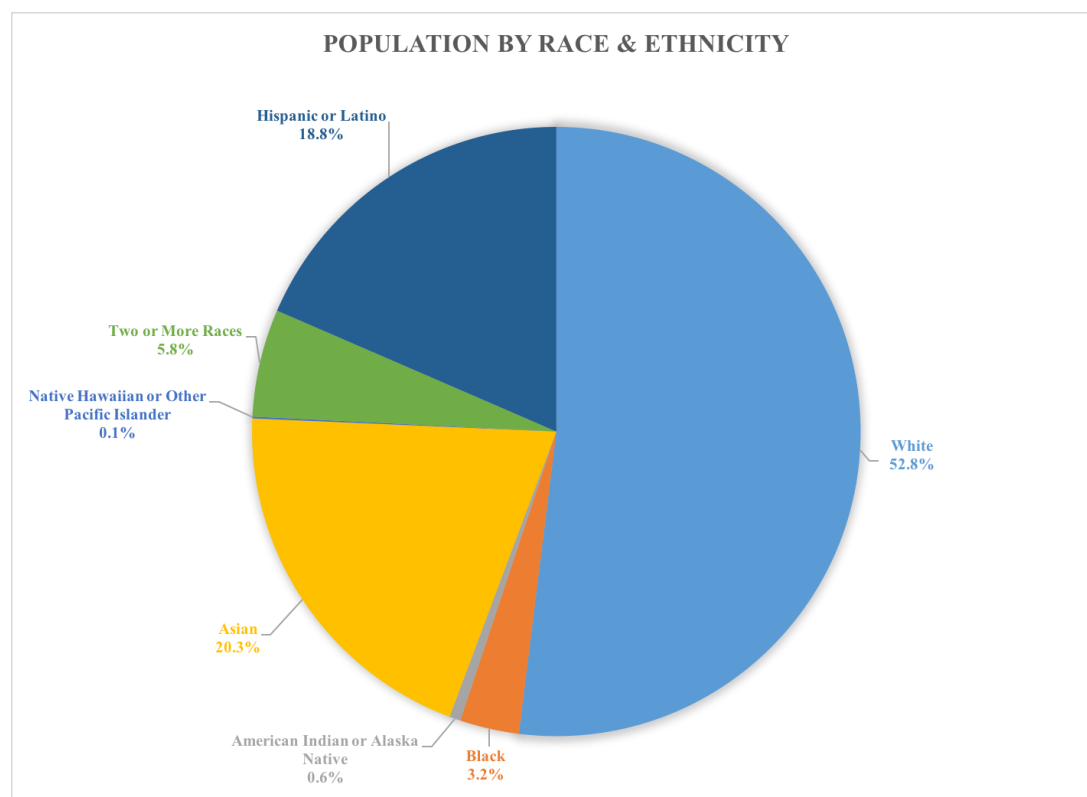
The budget summary stated that Prop 57 was expected to result in a 2,000 inmate reduction by 2018 and approximately 9,500 by 2021 (CDCR, 2017). Due to this reduction, the state also expected to not need out-of-state housing for California prisoners by 2020 (CDCR, 2017). Between July of 2017 and April of 2019, 11,245 offenders were referred to the Parole Board (OIG, 2019). As of April 2019, 9,194 of these referrals were reviewed, with 1,882 approved and 3,243 denied (OIG, 2019). By April 2019, 1490 inmates had earned credits, earning an average of 127.9 days of additional credit toward early release (OIG, 2019).

### **City of Campbell**

Campbell is a small city in Santa Clara County. Spanning just over six square miles, it is home to approximately 43,250 residents (City of Campbell [COC], 2019). The city of Campbell is bordered by the city of San Jose, the town of Los Gatos and the city of Saratoga. In 2019, the average family income in Campbell was over \$155,000 and the average price for a single family home was over \$1.5 million (COC, 2019). About half of the residents over the age of 25 have

obtained their bachelors' degree or higher (COC, 2019). Figure G shows the population of the City of Campbell by race and ethnicity. It should be noted that the figures are estimates and that some residents may have been included in multiple categories.

**Figure G: City of Campbell Population by Race and Ethnicity**



Source: Data derived from United States Census Bureau (2019).

The Campbell Police Department provides all law enforcement services within the city. The Campbell Police Department had approximately 70 full-time employees at the time of this project. Forty of these were sworn full-time peace officers, 11 were reserve officers, and the rest worked in the communications unit, the records unit, and the property and evidence unit. The department consists of three main divisions: field services, special enforcement, and support services. The field services division conducts patrol operations within the city, 24 hours a day, 7 days a week. Approximately 23 officers (including supervisors) staff four separate patrol shifts: a day and a night shift during the early half of the week (Sunday through Wednesday) and another

day and night shift during the late half of the week (Wednesday through Saturday). The teams work twelve hour shifts and alternate working every other Wednesday. Each officer on each team is assigned to his or her own area of responsibility, called a “beat,” within the city. They are responsible for responding to calls for service which originate in their area, as well as for patrolling the area and enforcing laws in a proactive manner when no calls for service are pending.

The remaining sworn officers either serve in an administrative capacity or are in the special enforcement division. The administrative positions include Chief of Police, captain of the field services division and captain of the special enforcement division. The special enforcement division is comprised of eight investigators (including a supervisor). Two of the investigators serve on countywide special enforcement task forces. The other investigators are responsible for investigating arson, robbery, homicide, financial crimes, sexual assaults and juvenile crimes. The support services division is comprised of 15 dispatchers (including a supervisor), and 10 records specialists (including a property and evidence technician, a court liaison and a supervisor). The records specialists are primarily responsible for the collection and maintenance of department data.

A resident satisfaction survey conducted in 2015 revealed that 94.5% of all residents were either very satisfied or somewhat satisfied with the quality of life in the city of Campbell. 81.4% of residents were either very or somewhat satisfied with the way police services were being provided by the city. Of the remaining 18.6%, 6% were somewhat dissatisfied, 11.7% were not sure, and only 0.9% were very dissatisfied. The resident satisfaction survey included questions regarding the resident’s assessment of safety and crime within the city. 98.4% of residents felt very or somewhat safe walking alone in their neighborhoods during the day, while

76% felt the same during nighttime hours. 99.1% felt safe walking alone in the downtown area during the day, while 89.2% felt the same about walking alone downtown at night (COC, 2016).

This survey provided some interesting information about the perception of crime levels at the local level. The last question in the safety and crime portion of the survey asked, “In general, do you feel crime in the City of Campbell has increased, decreased, or stayed about the same in the past five years?” Since this survey was conducted in December of 2015, this question was specifically asking about the residents perceived changes in crime levels between 2010 and 2015. Since Proposition 47 was passed in November of 2014, it had been in place for just over a year at the time of the survey. Of those who responded to the survey, 35.2% felt that crime in the City of Campbell had increased over the last five years. 41.3% felt the level of crime had stayed about the same, 20.4% were unsure, and only 3.1% felt that crime had decreased in the last five years (COC, 2016).



## METHODOLOGY

### **Design**

A process evaluation was used to determine whether Proposition 47 had been implemented in a way that was consistent with its stated purpose over the last six years. According to Sylvia & Sylvia (2012), a process evaluation consists of four phases: problem identification, solution development, implementation and feedback evaluation.

### ***Problem identification phase***

The problem in this research was identified through a review of the text of the Safe Neighborhoods and Schools Act, otherwise known as Proposition 47. The text of the proposed law explicitly stated that its purpose was to ensure that corrections 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” (OAG, 2013). Therefore, the text of the proposed law implied that the problem was an inefficient use of monetary resources and a lack of support for offenders.

The underlying problem was California’s inability to meet prison population caps affirmed by the Supreme Court of the United States in *Plata v. Brown* (2011). These population caps are an example of an “engineered standard” as described by Sylvia and Sylvia (2012). There were no nationwide (or even statewide) population standards for overcrowded prisons and jails before SCOTUS affirmed the population caps as set by a panel of California judges. These standards represented their expectations (as the decision-makers) regarding the time frame in which overcrowding needed to be addressed. This panel of judges engineered the specific population caps in an attempt to solve a serious issue which arose in the California criminal justice system.

### ***Solution development phase***

The solution to this problem was authored by prominent criminal justice officials and was proposed to the residents of California through the ballot initiative process as Proposition 47. The solution, as proposed by this measure, involved reducing the amount of money being spent on low-level nonviolent offenders and redirecting the savings to community programs designed to reduce recidivism. This was expected to result in a reduction of the prison population, cost savings to the state and local agencies, and an increased investment in community organizations for the purpose of reducing crime and recidivism in the long run.

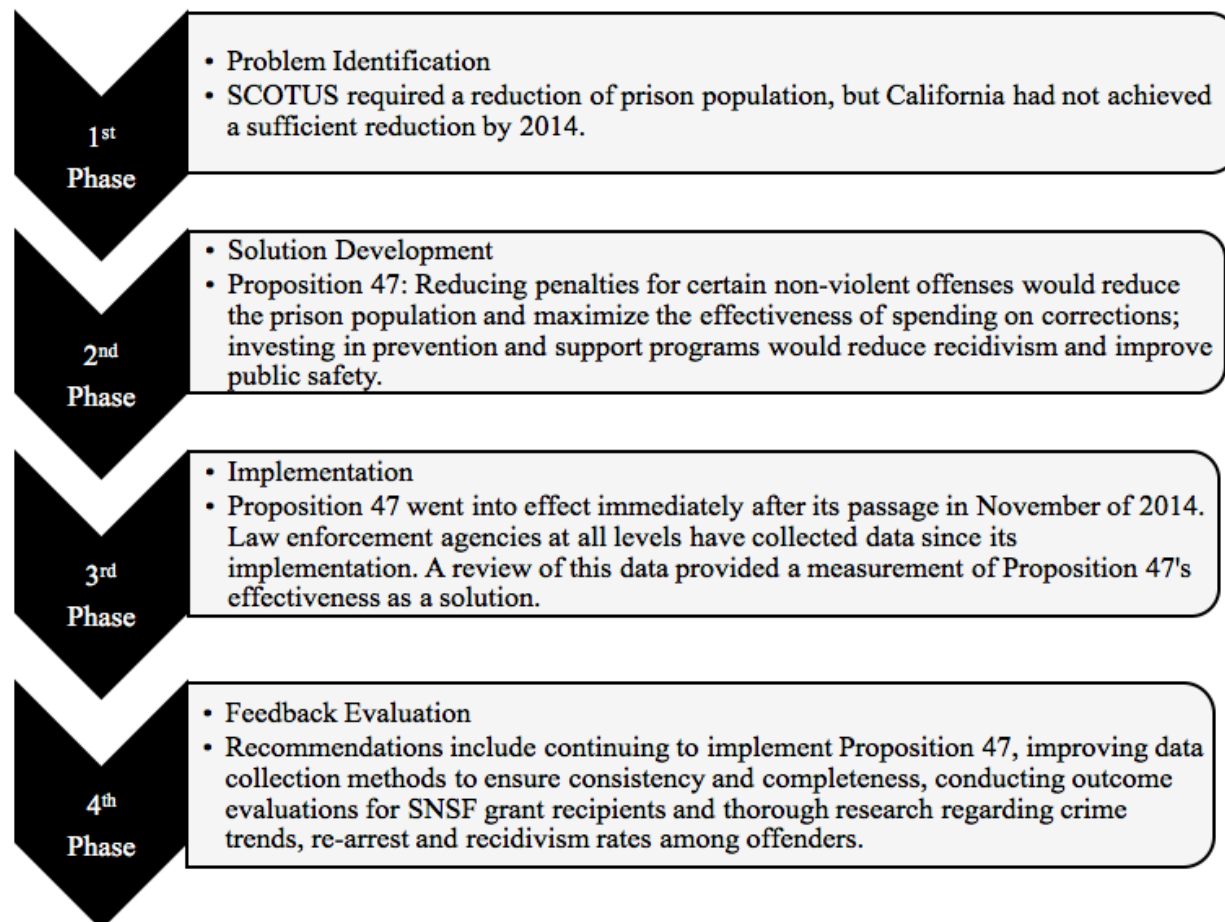
### ***Implementation phase***

The initiative passed and was enacted the following day. Criminal justice agencies quickly adjusted their practices and stepped into their new responsibilities under the act. Proposition 47 has been in effect since 2014. California now has five complete years of Proposition 47 implementation data to review and analyze. Given the nature of the original problem, the measures used to evaluate program effectiveness were data regarding the number of arrests and jail bookings, total prison and jail population, corrections spending levels, crime rate trends, and recidivism rates. Available department-specific arrest, jail bookings, and crime rate trend data were also used to assess the impact of Proposition 47 on a local law enforcement agency, the Campbell Police Department.

### ***Feedback evaluation phase***

This process evaluation also used evaluative criteria and concepts for policy analysis as presented by Bardach and Patashnik (2020). Figure H illustrates the four phases of the process evaluation of Proposition 47 in the first five years of its implementation in California, following the format provided by Sylvia and Sylvia (2012).

**Figure H: Process evaluation of Proposition 47**



### Data Collection

The Uniform Crime Reporting (UCR) Program maintains crime data from over 18,000 law enforcement agencies around the country (FBI, n.d.a.). Individual agencies voluntarily report this data to the UCR program, which then compiles it. Criminal offenses are sorted and compiled according to two categories: part I and part II offenses. Part I crimes include homicide, manslaughter, rape, robbery, assault, burglary, theft, motor vehicle theft, and arson (FBI, 2010). Data about these specific offenses is collected “because they are serious crimes, they occur with regularity in all areas of the country, and they are likely to be reported to the police” (FBI, 2010).

The UCR program only compiles arrest data from law enforcement agencies for part II offenses (FBI, 2010). This means that law enforcement agencies only report the number of offenses that were reported, investigated and ultimately resulted in an arrest. The data is therefore not representative of all part II offenses which were reported in a given jurisdiction. Part II offenses include simple assault, forgery and counterfeiting, fraud, embezzlement, stolen property, vandalism, weapons, prostitution and commercialized vice, sex offenses, drug abuse violations, gambling, offenses against the family and children, driving under the influence, liquor laws, drunkenness, disorderly conduct, vagrancy, suspicion, curfew and loitering, suspicion and all other offenses (FBI, 2010). A brief definition of each of these offenses can be found in Appendix B.

The data in this project that are specific to the Campbell Police Department (CPD) were collected and compiled yearly by records specialist personnel in the Support Services Division of the police department. The data itself consists of public information regarding crime statistics within the City of Campbell. Scanned copies of the yearly summarized data from 2005 to 2017 were obtained from the shared portion of the police department's computer network. This portion of the network is available to all police department employees. The yearly summarized data for 2018 and 2019 were not on the shared portion of the network. Records personnel assisted the author in locating a hard copy of the 2019 summarized data, and in printing a copy of the 2018 summarized data from the records division database. This database can only be accessed by records personnel. Given that all of the data obtained was saved as a scanned file or printed as a hard copy, the data was re-entered for the purposes of this project.

CPD records personnel collect and maintain data according to the UCR program standards. It should be noted, however, that CPD records personnel enter simple assault data

under Part 2 crimes “as a quality control matter and for the purpose of looking at total assault” (CPD, 2019). For the purposes of this project, Part I and Part II crimes were calculated both with and without simple assaults, unlike the original data provided. It should also be noted that unlike the data reported to the UCR program, which only includes Part II offenses for which an arrest was made, the data obtained and used in this project are complete department-specific statistics. This means that the data includes all offenses that the department has become aware of and recorded within its jurisdiction, regardless of disposition. The data, as compiled by the author, can be found in Appendix C (Figure Q through Figure U).

The process evaluation method also required information about government spending on the corrections system, prison population and capacity, crime rates, local jail population, and booking practices. This information was obtained through a wide-ranging review of information made publically-available on the internet. The California state budgets were accessed on the California department of finance website, and the Santa Clara county budgets were accessed through the county budget and finance website. Information about statewide crime trends was obtained through the crime data explorer tool available on the Federal Bureau of Investigation’s website. Information regarding statewide prison population and capacity were partially obtained through the RAND Corporation state statistics database and the Bureau of Justice Statistics (BJS) online corrections statistical analysis tool (BJS, n.d.b.). The rest of the information was obtained through reports published by the California Office of the Inspector General, court documents, and archived population reports available on the CDCR website. Jail population and booking information specific to Santa Clara County was obtained through the Board of State and Community Corrections jail profile survey online querying tool. Santa Clara County crime rate

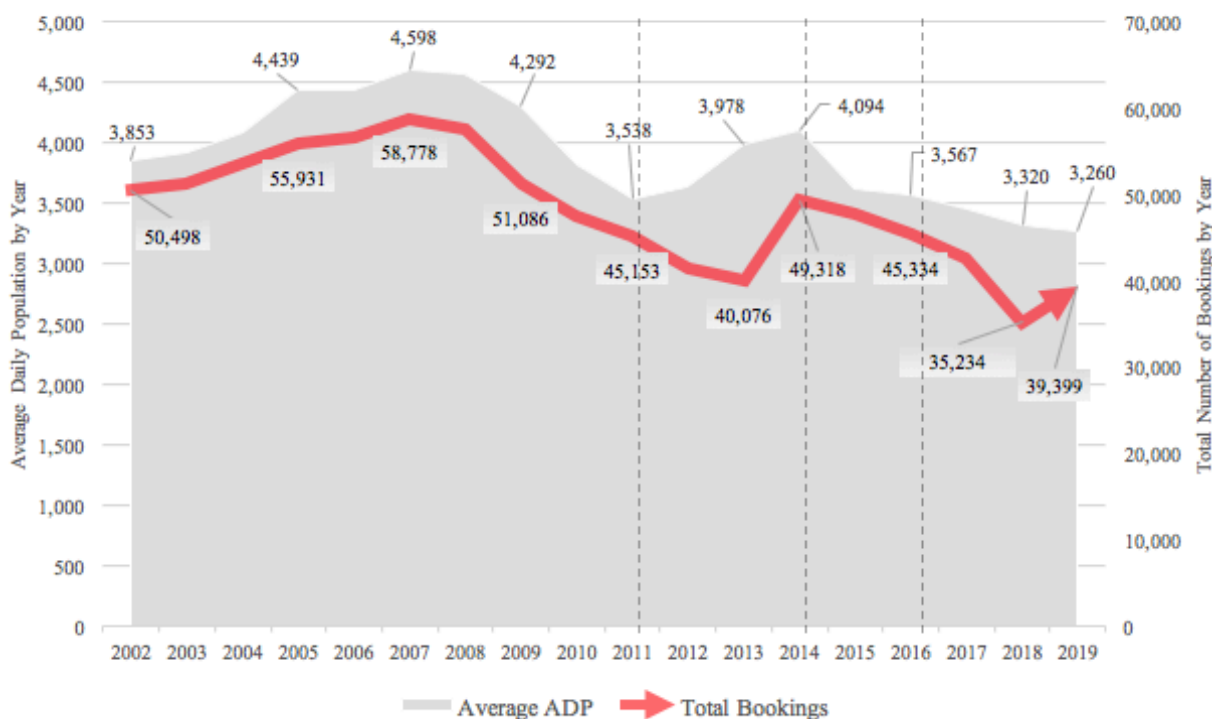
data was obtained through the Department of Justice Open Justice data portal (Open Justice, 2020).

## FINDINGS

Significant Observation 1: *Proposition 47 met its explicitly stated goal to reduce the amount of money being spent on offenders that commit non serious and non-violent crimes.*

Over the last five years, Proposition 47 has resulted in fewer arrests, fewer bookings, and fewer convictions for Proposition 47 offenses statewide in California (Bird et al., 2016; Buchen & Males, 2014; LAO, 2015a). The review of the literature provided evidence that these reductions were seen within criminal justice agencies statewide. For reference, this research also examined local jail population data from Santa Clara County. Figure I shows the average daily population per year for all Santa Clara County correctional facilities between 2002 and 2019. These data are compared to the total number of bookings per year for the same time period. These data were obtained through the online query tool on the BSCC website.

**Figure I: Santa Clara County Jail Average Daily Population and Total Bookings**



Source: (BSCC, n.d.).

According to data from the BSCC, the average daily population in Santa Clara County jail facilities climbed steadily from 2002 through 2007, when average daily population reached a high of approximately 4,598. It then declined steadily through 2011 when the average daily population reached 3,538. The average daily population increased steadily between 2011 and 2014. In 2014, it reached a high of 4,094. This equates to a 15.7% increase in the average daily population within the Santa Clara County jail facilities between 2011 and 2014. This increase may be attributed to the implementation of AB 109. The transfer of prisoners to county jails and the increase in offenders being incarcerated in jails for felony offenses was likely what caused this significant increase. However, these data only show correlation and are insufficient to show causation.

This scenario is even more likely when the number of total bookings is taken into account. While average daily population increased significantly between 2011 and 2014, the total number of bookings between 2011 and 2013 decreased by 11.2%. Total number of bookings increased by 23% between 2013 and 2014. The total number of bookings then decreased steadily from 2014 through 2018. Between 2014 and 2016, bookings decreased by 8%. Between 2016 and 2018, they decreased another 22.3%. The total percent change between 2014 and 2018 was 28.6%.

The decrease in total bookings (between 2014 and 2018) may be attributed to the implementation of Proposition 47 in 2014. The reclassification of certain felonies to misdemeanors, increased the number of offenders who could be cited and released, thereby decreasing the number of offenders ultimately booked into jail for these offenses. Proposition 47 also allowed for offenders who were incarcerated to petition for resentencing, leading to their sentences being shortened, resulting in either their immediate release or being released earlier



than expected. It should be noted that the average daily population also decreased by about 12.9% between this time period. It is also worth mentioning that while Prop 57 went into effect in 2015, it only provided options for early release to offenders incarcerated in prison. It is possible that offenders released under Prop 57 may have been subsequently booked for lesser offenses into the Santa Clara County Main Jail between 2016 and 2019, however, this population was not specifically tracked within the data that was obtained. Again these data do not allow for a definitive finding of causation, but do show a strong correlation.

In 2019, the average daily population in the Santa Clara County jail system was 3,260. This is a 24% decrease from 10 years prior in 2009. The total number of bookings did increase from 2018 to 2019. There was a 33% decrease in the total number of bookings from the peak in 2007 to 2019. There was a 20% decrease in the total number of bookings between the implementation of Proposition 47 and 2019.

The average cost to house an inmate in prison was estimated to be \$81,203 per year (LAO, 2019). A 2018 survey of local detention facilities in the state of California revealed it costs about \$241.12 per day to house an inmate within the Santa Clara County jail system, which is approximately \$88,008.80 per year (BSCC, 2018a). Tables 7 and 8 provide examples of potential savings derived from an inmate population reduction (specifically within the Santa Clara County Jail system). While the calculations in Table 7 assume each inmate was only housed for one day, in reality a significant number of inmates are housed for extended periods of time while awaiting trial, and others are serving multi-year sentences for felony convictions within the jail system as a result of AB 109. The calculations in Table 8 show the total cost of housing the average daily number of inmates for one day.

**Table 7: Santa Clara County Jail Potential Savings based on 2014 and 2019 Total Bookings**

Year	Daily Cost per inmate	Total Bookings	Total Cost
2014	\$241.12	49,318	\$11,891,556.20
2019	\$241.12	39,399	\$9,499,886.88
		Savings:	\$2,391,669.32

Source: (BSCC, n.d.; BSCC, 2018a)

**Table 8: Santa Clara County Jail Changes in Costs based on Average Daily Population (2011-2019)**

Year	Daily cost per inmate	Average Daily Population	Total Cost	Total Savings as compared to the year before
2011	\$241.12	3,538	\$853,082.56	
2012	\$241.12	3,635	\$876,471.20	-\$23,388.64
2013	\$241.12	3,978	\$959,175.36	-\$82,704.16
2014	\$241.12	4,094	\$987,145.28	-\$27,969.92
2015	\$241.12	3,609	\$870,202.08	\$116,943.20
2016	\$241.12	3,567	\$860,075.04	\$10,127.04
2017	\$241.12	3,442	\$829,935.04	\$30,140.00
2018	\$241.12	3,320	\$800,518.40	\$29,416.64
2019	\$241.12	3,260	\$786,051.20	\$14,467.20

Source: (BSCC, 2018a; BSCC, 2020).

While there is likely to be some variation in the cost per inmate between these years, as well as some adjustments for inflation, these simplistic examples illustrate the cost savings associated with reducing the jail population in Santa Clara County. It follows that the same concept would apply at the state prison level. The data in Table 8 show that the average daily population in the Santa Clara County jail system increased after the implementation of AB 109 in 2011, resulting in increased expenses. The data in Table 8 also show a significant reduction of expenses after the implementation of Proposition 47 in 2014. While these data do not describe what the actual cost savings were, they do demonstrate the potential for extensive cost savings.

This calculation was replicated in some form in correctional facilities, court systems and other affected agencies statewide in order to calculate Proposition 47 savings for the yearly

deposit into the SNSF fund. Thus, the amount deposited into the SNSF yearly is an appropriate measure by which to determine Proposition 47's effectiveness in reducing the money spent on non-violent offenders and directing those savings elsewhere. These data will be explored in the following section.

*Significant Observation 2: Proposition 47 met its explicitly stated goal to invest savings generated into community-based treatment and support programs.*

As previously mentioned, the monetary savings from Proposition 47 are transferred into the Safe Neighborhoods and Schools Fund (SNSF) pursuant to California Government Code 7599.1 (CLI, 2014; State of CA, 2015a). The BSCC then transfers 25% of this amount to the Department of Education and 10% to the California Victim Compensation Board. The remaining 65% of Proposition 47 funds (which were initially deposited into the SNSF) are transferred to another fund, called the "Second Chance Fund (SCF)," which is also administered by the BSCC. The SCF was created in October of 2015, by A.B. 1056 for the purpose of directing how Proposition 47 savings are allocated. The SCF is also referred to as fund 3287, and was codified in Section 6046.2(a) of the California Penal Code (State of CA, 2015c).

A.B. 1056 required the BSCC to use the Proposition 47 funds it received to administer a grant program aimed specifically at reducing recidivism (CLI, 2015). These programs target individuals who have been convicted of criminal offenses. The services they provide include drug treatment and mental health services, housing support, medical care, and assistance in complying with court and community supervision requirements (Bird, Lofstrom et al., 2018). These programs provide the same type of services that AB 109 anti-recidivism programs do, as both seek to address the root cause of criminality by fulfilling basic needs, thus giving

individuals in the criminal justice system the opportunity to succeed. Table 9 shows the amount of money that has been deposited into the SNSF and SCF during the last several fiscal years:

**Table 9: Deposits into the SNSF and Disbursement to CDE, VCB, and SCF (2016-2021)**

Fiscal Year	General Fund transfer to SNSF (GC § 7599.1)	Department of Education	California Victims Compensation Board	Second Chance Fund (PC § 6046.2(a))
2016-17	\$39,449,000	\$9,465,000 (24%)	\$3,945,000 (10%)	\$25,642,000 (65%)
2017-18	\$45,573,000	\$11,296,000 (24.8%)	\$4,518,000 (9.9%)	\$29,370,000 (64.4%)
2018-19	\$64,647,000	\$16,066,000 (24.9%)	\$6,426,000 (9.9%)	\$41,772,000 (64.6%)
2019-20	\$78,444,000	\$19,515,000 (24.9%)	\$7,806,000 (10%)	\$50,740,000 (65%)
2020-21	\$122,465,000	\$30,445,000 (24.9%)	\$12,178,000 (9.9%)	\$79,156,000 (64.6%)

Source: (State of CA, 2018, 2019, 2020b).

The remaining funds during the last four fiscal years (less than 1%) were allocated to the state controller or other administrative expenditures. Over \$228 million have been deposited into the SNSF as a result of Proposition 47 thus far. If the Governor's proposed budget for 2020-2021 were to be enacted, the total amount of money deposited into the Safe Schools and Neighborhoods Fund would be over \$350 million. The BSCC has used Proposition 47 funds to award grants to trauma-informed, evidence-based community programs. These programs provide emergency housing support, mental health and drug treatment, counseling, education and employment assistance. Tables 15 and 16 in Appendix A list all BSCC grant recipients and amounts thus far.

The California Department of Education (CDE) created the Learning Communities for School Success Program (LCSSP) to administer a grant program with the funds received as a result of Proposition 47 (California Department of Education [CDE], 2018a). The LCSSP sought to award grants to programs that aimed to reduce truancy and support at-risk students (CDE, 2018a). The CDE awarded \$19,079,184 in grants to 20 recipient programs between 2016 and 2018 (Yee, 2019a). Local educational agencies are awarded a three-year CDE proposition 47

grant, which provides funding of \$50 per year per enrolled student for the duration of the grant, with a maximum of \$2,000,000 (CDE, 2018b). The CDE prioritizes local educational agencies with increased absenteeism, suspension, and dropout rates, that are located in communities where the crime rate exceeds the state-wide average (CDE, 2019a) These programs provide various services including in-school non-punitive behavior intervention, social-emotional learning activities, and attendance management software. All grant-funded programs must aim to increase attendance and decrease student involvement with the criminal justice system, the rationale being that if students complete their schooling and stay out of trouble, they are less likely to engage in criminal activity in the future.

A recent audit conducted by the State Controller's Office verified that all of the CDE's administrative costs were within the 5% maximum as specified in Proposition 47 (Yee, 2019a). However, the audit revealed that the Department of Education inaccurately charged administrative costs to the Proposition 47 grant program (Yee, 2019a). The Department of Education also failed to adequately monitor and review the expenditures and costs of their grant recipients to ensure that grant funds were being used according to the program requirements (Yee, 2019a). Tables 17 through 20 in Appendix A list grant recipients and amounts thus far that were administered by the CDE. These represent over \$97,000,000 worth of Proposition 47 savings that have been re-invested into the California K-12 education system.

The California Victim Compensation Board (CalVCB) was directed to administer a grant program that awarded Proposition 47 funding to trauma recovery centers (TRC) across the State of California. On March 19<sup>th</sup>, 2020, CalVCB announced that they had awarded \$13.5 million to 7 trauma recovery centers for the 2020-21 fiscal year (Zeagler, 2020). The most recent recipients were trauma recovery centers located in Alameda County, downtown Los Angeles, Long Beach,

Gardena and San Francisco (Zeagler, 2020). These provide services such as trauma informed psychotherapy, clinical case management, victim witness advocacy, rape treatment centers and support services for victims of violent crime (Alameda County Family Justice Center, n.d.; University of California San Francisco, 2020).

An audit conducted by the State Controller's Office revealed that CalVCB did not charge any administrative costs to the Proposition 47 grant program, and therefore was well within the 5% maximum specified in Proposition 47. However, the audit revealed that CalVCB's internal controls were not sufficient when it came to reviewing and approving grant recipient invoices. The State Controller's Office found that CalVCB had reimbursed \$6,341 worth of trauma recovery center costs that were incurred prior to the start of the grant program. This meant CalVCB had to ask the TRCs to return the money, or find another way to account for the error. The audit also revealed that CalVCB reimbursed TRCs for \$223,342 worth of expenditures that had not been adequately documented, reviewed and approved. The State Controller's office noted that the Proposition 47 grant program was the first grant program CalVCB had administered, and recommended that they improve their review, approval and accounting processes as they continued awarding grants (Yee, 2019b). Table 21 in Appendix A lists all grant recipients and amounts as of March 19<sup>th</sup>, 2020 that were administered by the CalVCB.

It is evident that a large sum of money is being saved and spent for new social service initiatives as a result of Proposition 47. There was a 98.8% increase in the amount of money deposited in the SNSF between fiscal year 2016-17 and fiscal year 2019-20. If the Governor's recently proposed budget is approved, there will have been a 210% increase between the amount of money deposited in the SNSF during the 2020-21 fiscal year as compared to the 2016-17 fiscal year. The data show that the savings resulting from Proposition 47 have grown annually.

If the funds are disbursed appropriately and their final use proves to be effective, there is great potential for Proposition 47 to have a significant positive societal impact on recidivism and crime prevention.

Tables 15 through 21 in Appendix A show that the savings generated by Proposition 47 have been distributed according to its directives. The programs that ultimately received funding appeared to be firmly rooted community organizations striving to improve conditions for at-risk youth, victims of crime, and recently released offenders. Based on these observations, the research supports an assertion that Proposition 47 met its goal of reducing spending on non-violent offenders by reducing penalties and incarceration for specified offenses, increasing the resources available to offenders for diversion services, and investing in programs that support at-risk youth and victims of crime.

The question that remains is, how effective will this increased investment be? This question leads into the next significant observation.

*Significant Observation 4: By reclassifying certain felonies as misdemeanors and allowing those previously convicted of these reclassified offenses to petition for resentencing or reclassification, Proposition 47 met its implicit goal of reducing the California prison population.*

Although not explicitly stated within the text of Proposition 47, one of the main driving forces behind the creation of this type of reform was the need to comply with court-mandated population caps. The need to reach this specific numeric goal by a certain date is an example of a commonly used evaluative criteria referred to as “Hit the Target!” by Bardach and Patashnik (2020). These authors state that the need to meet a goal such as this is “useful for political purposes like mobilizing and focusing attention” (p. 33). The concrete target in this case is the population cap imposed by the three-judge panel and SCOTUS in 2011.

Table 10 shows the progress CDCR has made gaining and maintaining compliance with this court mandate. The table shows the reported total custody population for state and federal prisons in California. It also shows the total design capacity and operational capacity if the facilities (when available). Design capacity is defined as “the number of inmates that planners or architects intended for a facility” (BJS, n.d.a.; CDCR, 2019). Operational capacity is defined as “the number of inmates that can be accommodated based on a facility's staff, existing programs, and services” (BJS, n.d.a.). This measure is called “staffed capacity” on CDCR weekly and monthly population reports. The table also shows custody population as a percentage of both design and operation capacity, based on available public data.



**Table 10: California Prison Population (1997-2020)**

Year	Operational Capacity	Designed capacity	Custody Population	Custody Population as a percentage of designed capacity	Custody Population as a percentage of operational capacity
1997	145,267	76,352	155,276	203.4	106.9%
1998	154,101	79,875	159,563	199.8	103.5%
1999	154,467	80,272	152,763	190.3	98.9%
2000	154,697	80,467	152,859	190	98.8%
2001	150,536	79,957	149,654	187.2	99.4%
2002	155,087	80,587	152,225	188.9	98.2%
2003	157,070	80,487	155,657	193.4	99.1%
2004	159,948	80,890	158,307	195.7	99.0%
2005	164,559	87,250	162,545	186.3	98.8%
2006	168,150	83,551	166,445	199.2	99.0%
2007	165,464	82,936	162,841	196.3	98.4%
2008	161,530	84,066	158,931	189.1	98.4%
2009	157,427	84,056	155,641	185.2	98.9%
2010	149,624	84,130	146,701	174.7	98.0%
2011	n/a	84,130	138,274	164.4%	-
2012	n/a	84,130	123,090	146.3%	-
2013	n/a	86,054	122,798	142.7%	-
2014	127,594	87,187	119,071	136.6%	93.3%
2015	127,482	87,287	116,569	133.5%	91.4%
2016	126,832	89,763	117,557	131.0%	92.7%
2017	n/a	85,083	115,229	135.4%	-
2018	n/a	85,083	114,471	134.5%	-
2019	125,575	89,763	117,555	131%	93.6%
2020	123,895	89,663	116,886	130.4%	94.3%

Source: (RAND Corporation, 2020; BJS, 2011-2016; Becerra, 2017; OIG, 2018; CDCR, 2020c).

The data for 1997 through 2010 were obtained from the RAND Corporation California state prison populations and capacities statistics database. The data for 2011 through 2016 were derived from the Bureau of Justice Statistics online database and reflect the total custody population as of the last day of each year (BJS, n.d.b.). The database did not contain any data for

2017 through 2019. The data for 2017 were derived from documents provided to the three-judge court as an update on their progress towards maintaining compliance with the court-ordered population cap (Becerra, 2017). The documents referenced a CDCR population report dated August 9<sup>th</sup>, 2017 (Becerra, 2017). This update did not contain operational or staffed capacity measures. The data for 2018 was derived from an Office of the Inspector General report regarding CDCR's progress in reducing the prison population (OIG, 2018). The number shown for 2018 is the total population documented as of March 14<sup>th</sup>, 2018. This report also did not contain operation or staffed capacity measures.

The data for 2019 and 2020 were derived from monthly population reports archived on the CDCR website. These reports only included 2019 through March of 2020. This is the reason a search of the BJS database, court documents, and OIG reports was required to obtain data for 2011 through 2018. For the sake of consistency, the numbers shown are the total population documented as of March 31<sup>st</sup>, 2019 and March 31<sup>st</sup>, 2020 (CDCR, 2020c).

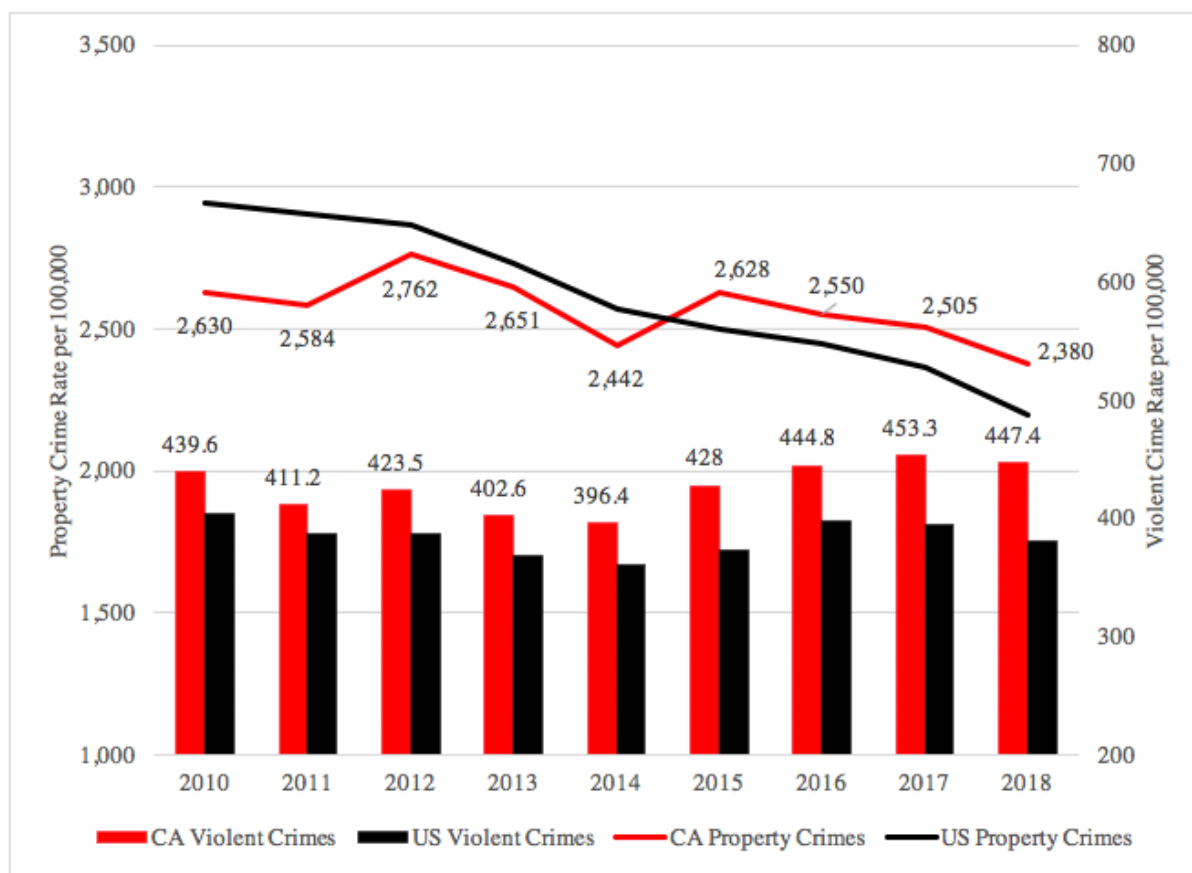
As shown in Table 2, the court mandated CDCR to reduce its prison population to 137.5% of designed capacity by February 27<sup>th</sup>, 2016. As shown in Table 10, prison population had been gradually decreasing since 2006 and continued decreasing with the implementation of AB 109 in 2011. California prisons were operating at 164.4% of design capacity in 2011. After the implementation of Proposition 47 in 2014, the prisons were operating at 136.6% of design capacity, which was below the court-mandated standard. The prison population did not hit this concrete target (as described by Bardach and Patashnik, 2020) until Proposition 47 was implemented. The CDCR has continued to hit this target every year since the implementation of the measure, and was still in compliance at the time of this research. Based on these data, the

author concluded that Proposition 47 was effective in accomplishing its implicit goal of reducing the prison population.

*Significant Observation 5: The implementation of Proposition 47 resulted in a documented increase in certain crimes statewide.*

Figure F in an earlier section depicted the property and violent crime rates in the United States and California from 1985 through 2018 to provide an overview of crime trends during the past several decades. Figure J depicts property and violent crime rates in the United States and California from 2010 to 2018, for the purpose of providing a clearer visual image of the change in crime rates per year (the data represented in Figure J are also presented in numerical format in Table 22 in Appendix A).

**Figure J: Crime Rates in the United States and California (2010-2018)**



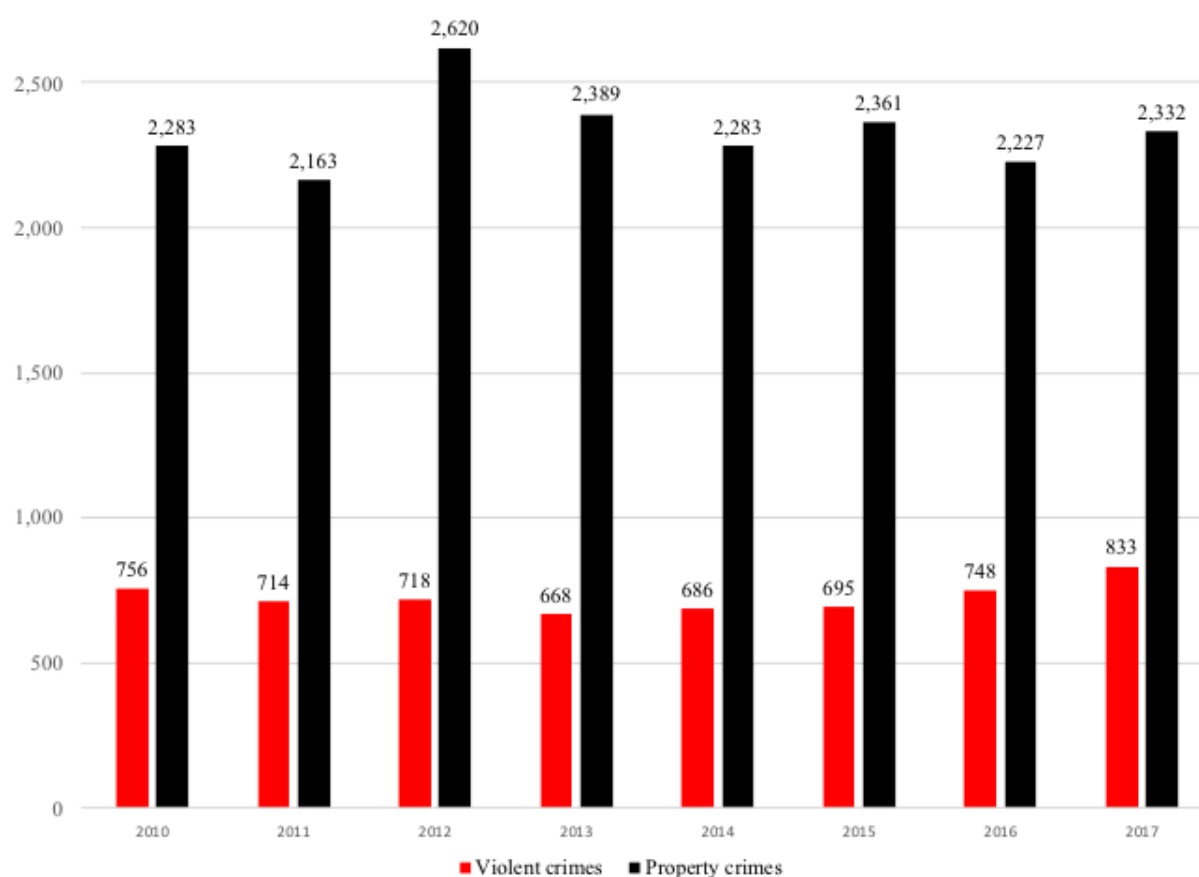
Source: (RAND Corporation, 2020).

Figure J clearly shows that the property crime rate in the United States decreased steadily from 2010 through 2018. The California property crime rate, however, dipped in 2011, increased by 6.8% in 2012, and started decreasing again through 2013. It increased by 7.6% from 2014 to 2015 and started decreasing again steadily through 2018. The violent crime rate increased by 8% from 2014 to 2015, by 4% from 2015 to 2016, and again by another 2% from 2016 to 2017 before it started to decrease in 2018.

These data show that there was an increase in California property crime rates immediately after the implementation of both AB 109 (2011) and Proposition 47 (2014), as

noted by several researchers (Bird, Lofstrom, et al., 2018; Dooley-Sammuli, 2015; Males, 2016; SJAP, 2015). These researchers also noted that although statewide crime trends did not change significantly, county and city crime rates varied in the way they were impacted by the implementation of Proposition 47. Figure K shows Santa Clara County property and violent crime rates per 100,000 inhabitants.

**Figure K: Santa Clara County Crime Rates (2010-2017)**



Source: (Open Justice, 2020)

These data also show that violent crime rates in the county increased steadily for three years after the implementation of Proposition 47. Table 11 shows data from a 2018 BSCC report

on the County of Santa Clara. The data compares crime and arrest rates in the county per 100,000 inhabitants in 2007, 2016, and 2017.

**Table 11: Santa Clara County Crime and Arrest Rates (2007, 2016, and 2017)**

Rate	2007	2016	2017	Change 2007-2016	Change 2007-2017	Change 2016-2017
Violent Crime	321.4	281	308.2	-12.6%	-4.1%	9.7%
Property Crime	2,552.1	2,217.2	2,310.7	-13.1%	-9.5%	4.2%
Felony Arrest	1,095.5	525.2	532.3	-52.1%	-51.4%	1.4%
Misdemeanor Arrest	2,546.6	1,382.9	1,378.6	-45.7%	-45.9%	-0.3%

Source: (BSCC, 2018b)

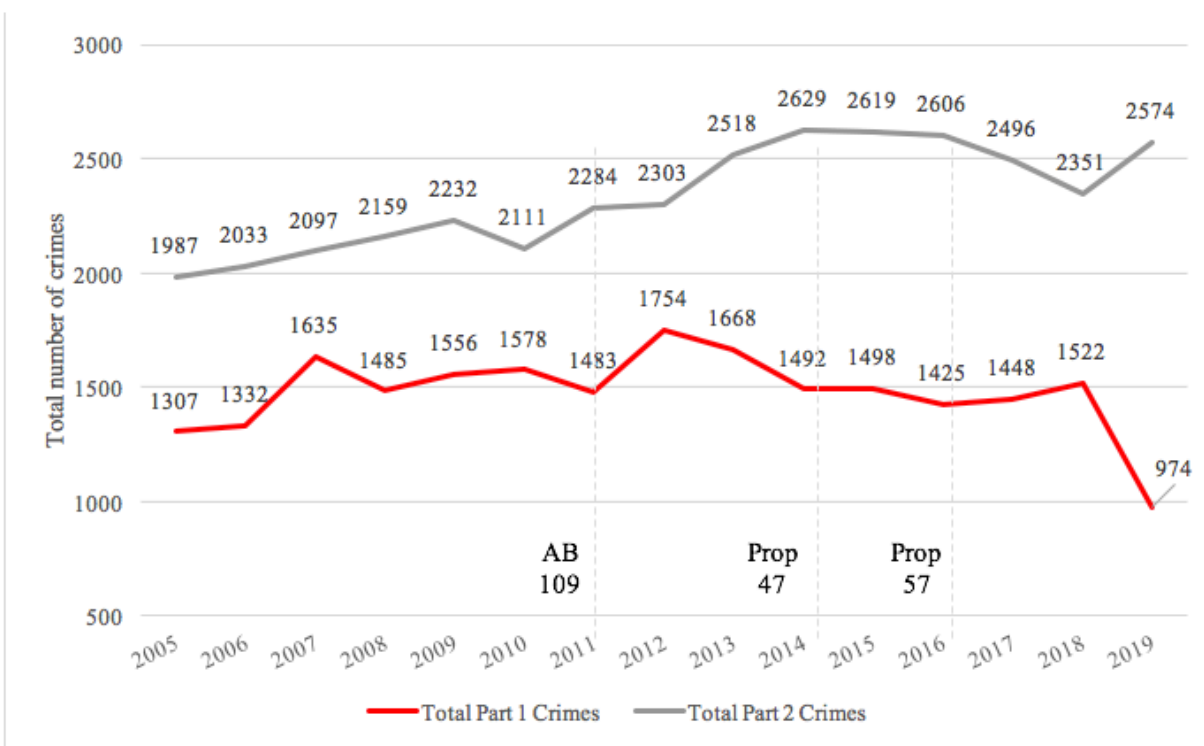
These data show that both violent crime and property crime rates increased in Santa Clara County between 2016 and 2017. These data also show significant changes in arrest rates from 2007 to 2016, both decreasing by over 45%. When comparing arrest rates from 2016 and 2017, the changes are much less drastic, with felony arrests increasing slightly and misdemeanor arrests decreasing slightly. These data illustrate a significant change in the number of arrests being made by law enforcement. The data referenced in this section supports an assertion that the implementation of Proposition 47 was followed by an increase in certain crimes statewide. While the publicly available data shows correlation, it is inadequate to conclude causation.

*Significant Observation 6: The implementation of Proposition 47 resulted in a documented increase in certain crimes within the City of Campbell.*

In answering the research question and assembling evidence by means of a literature review, it became apparent that the impact of Proposition 47 varied at the state, county and city levels. In addition to answering whether or not Proposition 47 was an effective solution to the problem of prison overcrowding, this project sought to explore the specific impact of Proposition 47 on the City of Campbell, in Santa Clara County. Figure L shows the total Part I and Part II crime trends

from 2005 – 2019 (the data presented in this figure are also presented in numerical form in Table 23 in Appendix A).

**Figure L: Total Part I and Part II Crime Trends in Campbell, CA (2005-2019)**

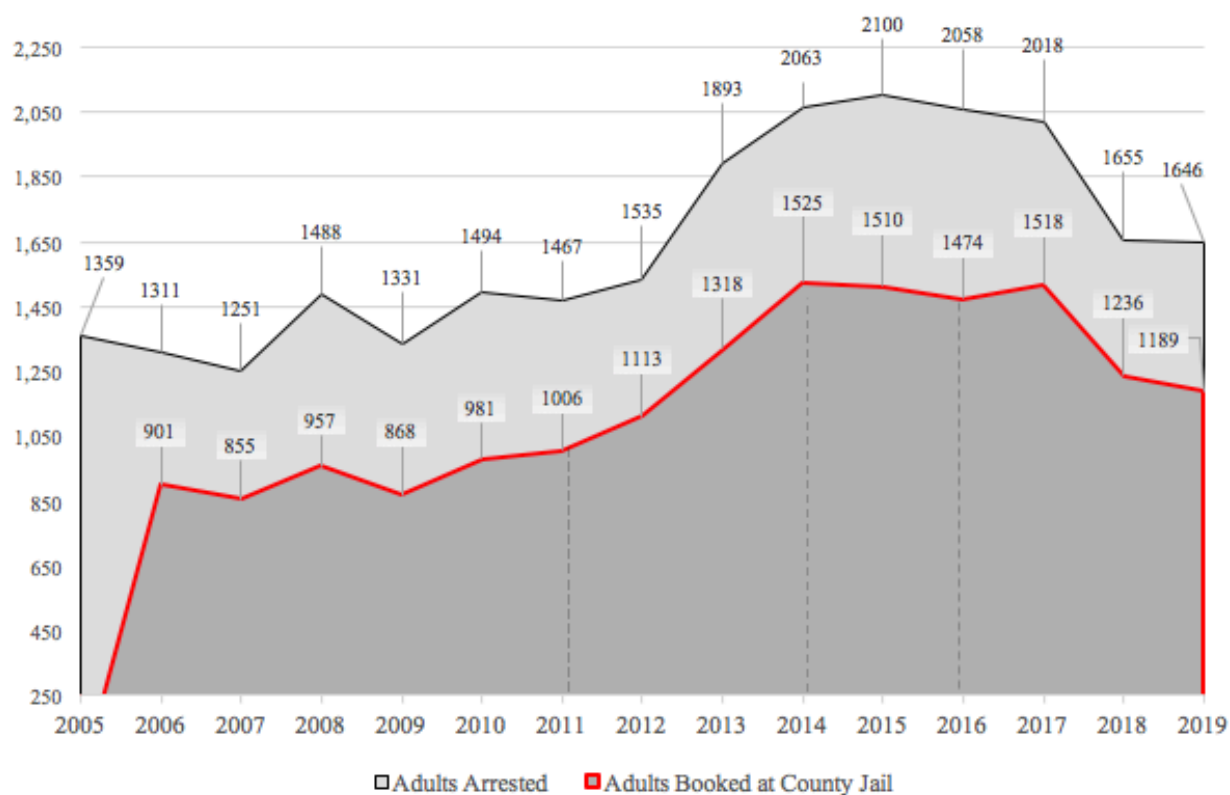


Source: (CPD Department Statistics, 2005-2019)

Given the fact that murder and manslaughter are two crimes which very seldom occur in Campbell, there is little benefit to presenting them graphically. Between 2005 and 2019, 7 homicides and 1 manslaughter occurred in the city of Campbell. The homicides occurred in 2005, 2007, two occurred in 2013, and one each in 2014, 2015, and 2017. The manslaughter occurred in 2013.

Figure M shows the total of adults arrested and adults booked into the Santa Clara County Jail by year from 2005 to 2019 (the data presented in this figure are also presented in numerical form in Table 24 in Appendix A).

**Figure M: Campbell PD Adult Arrests Compared to Bookings (2005-2019)**



Source: (CPD Department Statistics, 2005-2019)

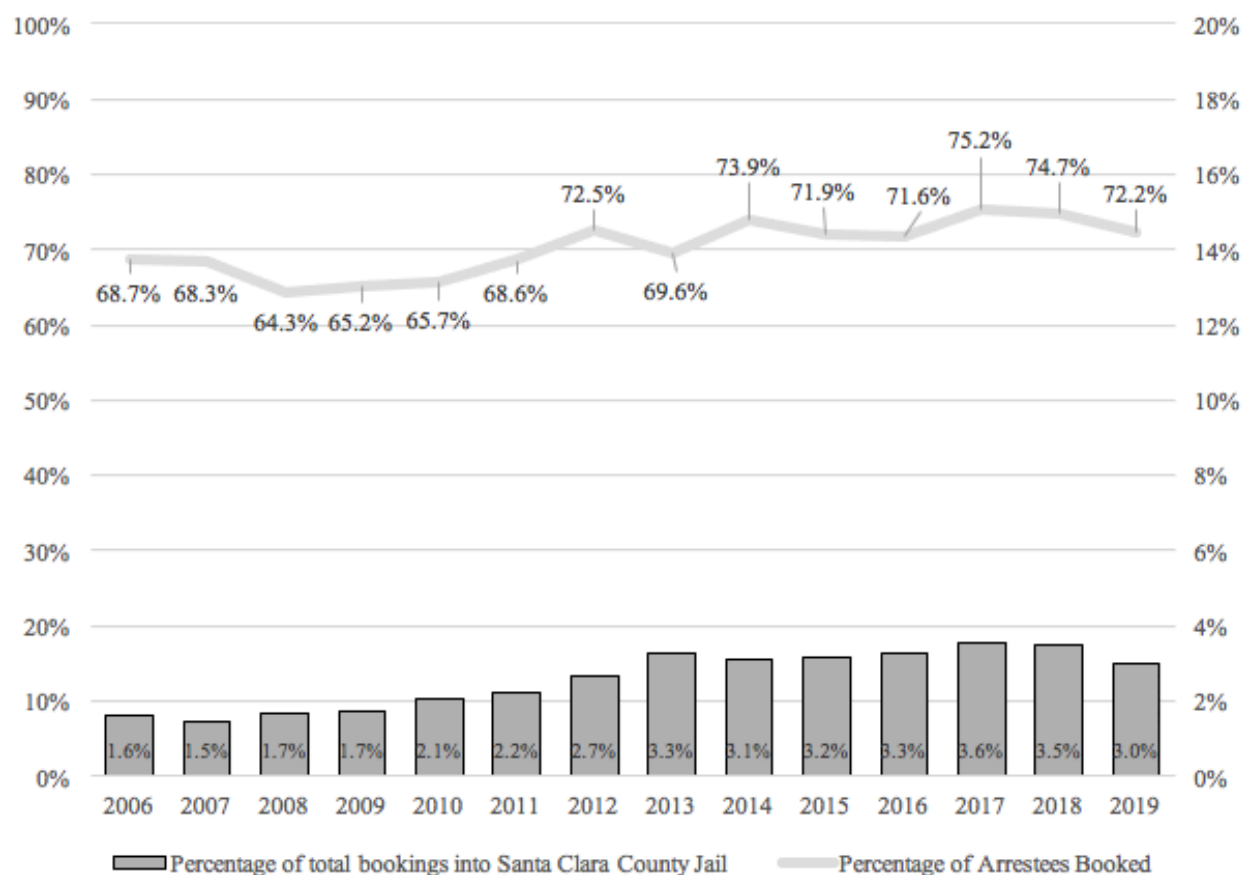
A review of the Campbell Police Department statistics revealed that while the number of adults arrested increased by 1.7% in the year after Proposition 47 was implemented, the number of arrestees that were booked into jail decreased by 0.9%. The 0.8% difference can most likely be attributed to a rise in “cite and release” arrests as compared to an arrest where the offender is booked into jail. Due to data limitations, this cannot be confirmed. A factor which could affect this statistic are arrestees who are released per section 849(b) of the penal code. This section allows for arrestees to be released without going through the booking process in situations where they need medical attention or are otherwise unable to be booked.

The number of bookings decreased by 3.3% between 2014 and 2016, and decreased by a total of 22% between 2014 and 2019. This also represents a significant change in arrest practices at the local level over the last five years. Figure N shows the percentage of total arrestees that



were booked into jail by year, as well as the percentage of total bookings at the Santa Clara County jail stemming from Campbell PD arrests.

**Figure N: Campbell PD Percentage of Arrestees and Bookings**



Source: (CPD Department Statistics, 2005-2019)

These data show that the percentage of arrestees booked into jail by the Campbell Police Department did not vary much after the implementation of Proposition 47. The number of bookings decreased by two percentage points between 2014 and 2015, by 0.3 percentage points between 2015 and 2016, but then increased by 3.6 percentage points between 2016 and 2017. The number of bookings started decreasing steadily after 2017. At the same time, there was a steady increase the percentage of total bookings at the county jail stemming from a Campbell PD arrest.

Table 12 is a portion of Figure P in Appendix C. Select offenses were displayed in order to easily see trends in the last six years. These years were chosen to include one year prior to the implementation of Proposition 47 through 2019. The crime rate per 10,000 inhabitants was calculated for each offense. In order to calculate this rate, the number of offenses was divided by the total population for that year, then multiplied by 10,000.

**Table 12: City of Campbell Crime Rates by Offense per 10,000 Inhabitants**

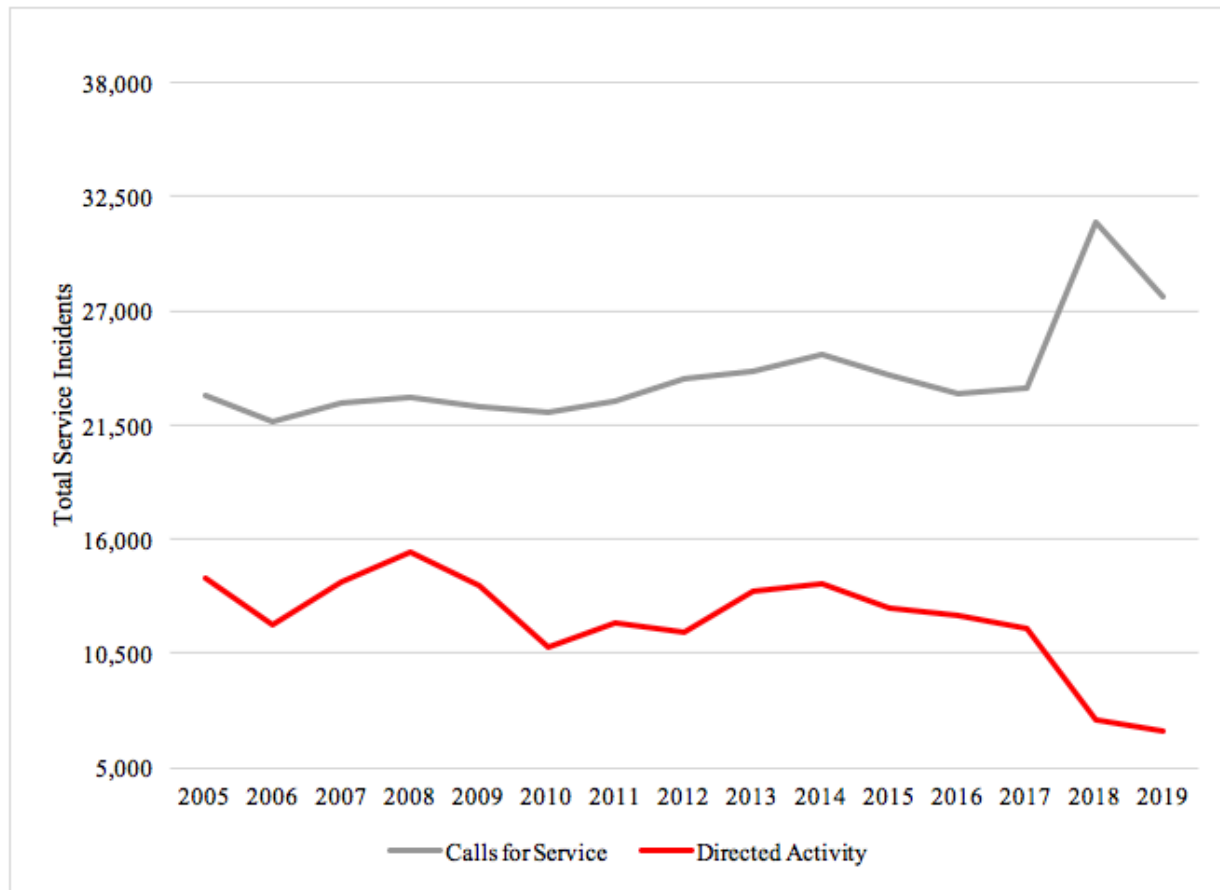
	2013	2014	2015	2016	2017	2018	2019
City of Campbell population:	40,161	41,993	41,119	42,584	40,939	42,466	43,250
<b>Part 1 Crimes</b>							
Rape	3.0	3.3	2.7	3.5	4.6	2.6	3.7
Robbery	6.0	5.0	7.3	7.7	6.6	8.2	3.2
Assault	13.7	10.7	11.4	13.4	14.4	16.7	6.2
Simple Assaults*	77.7	77.4	75.1	81.3	76.9	54.6	40.0
Burglary	84.9	74.5	60.1	58.5	58.4	55.6	29.4
Theft	253.0	207.9	244.7	213.0	223.7	229.8	155.6
Motor Vehicle Theft	51.3	48.1	34.5	35.2	42.7	39.6	24.7
<b>Part 2 Crimes</b>							
Other Assaults	16.4	19.8	18.0	18.6	20.5	32.0	29.1
Forgery & Counterfeiting	11.0	10.2	7.8	8.9	7.6	8.2	5.8
Fraud	21.7	26.0	35.5	37.3	34.0	22.4	33.8
Embezzlement	1.2	1.4	1.7	0.9	0.7	1.9	0.9
Stolen Property	6.7	6.2	5.8	7.7	7.8	6.8	6.2
Vandalism	73.7	59.3	58.6	50.0	52.5	27.8	25.4
Weapons	6.5	6.0	8.0	9.2	9.5	11.3	16.9
Prostitution & Vice	0.5	0.7	0.7	0.7	0.2	0.2	0.2
Sex Offenses	8.0	4.8	8.3	4.9	6.4	9.4	5.5
Drug Abuse Violations	53.0	76.4	69.8	78.0	82.8	82.7	97.6
Gambling	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Offenses Against Family & Children	4.5	2.4	1.7	2.1	2.4	3.1	1.2
DUI	73.5	56.0	81.7	57.3	52.8	49.7	53.9
Liquor Laws	4.2	1.4	2.2	1.2	0.7	0.9	2.3
Drunk in Public	78.7	78.8	89.0	65.8	68.4	45.4	40.0
Disorderly Conduct	4.7	4.3	2.7	4.9	5.6	5.2	0.9
All Other	178.8	191.0	166.8	177.8	176.8	189.3	229.1
Auto Burglary/Theft of Motor Vehicles Parts/Acc.	96.1	86.2	89.0	62.5	77.7	113.3	87.2
Bike Theft	18.9	16.0	22.1	22.3	13.2	12.2	6.7

Source: (CPD Department Statistics, 2013-2019)

A review of the data shows that the crime rate for burglary offenses has been declining steadily since 2013. The theft crime rate decreased by 45.1 between 2013 to 2014 then increased by 36.8 between 2014 and 2015. Fraud increased by 9.5 from 2014 to 2015. The drug abuse violations crime rate increased by 23.4 between 2013 and 2014, decreased by 6.6 in 2015, and increased steadily through 2019. The drug abuse violations crime rate was 53 in 2013 and 97.6 in 2019, an increase of 44.6. Based on these data, it appears that drug abuse violations and theft were the crimes that exhibited the most change before and after the implementation of Proposition 47. This is not unexpected since both are considered Proposition 47 offenses.

Figure O shows changes in calls for service and directed activity within the Campbell Police Department from 2005 to 2019. Calls for service are generated when an individual calls and requests assistance or reports a crime. Directed activity is proactive traffic or law enforcement activity conducted by patrol officers.

**Figure O: Campbell PD Trends in Calls for Service and Directed Activity**



Source: (CPD Department Statistics, 2005-2019)

It is interesting to note that both calls for service and directed activity appear to decrease after the implementation of Proposition 47. It would be very interesting to see how these statistics compare to other cities in the area.

### **Limitations**

The Campbell Police Department statistics did not differentiate between misdemeanor and felony offenses. The data did not document differences in terms of property value for theft-related offenses. It also did not differentiate between the number of actual “cite and release” arrests and booking arrests by offense. Given these the researcher was unable to conduct further analysis of Proposition 47 offenses within the city of Campbell. Collecting more specific data at

the department level would facilitate evaluating the impact of future criminal justice reforms on local arrest, cite and release and booking practices.

While it is apparent that Proposition 47 is funding a variety of programs committed to providing re-entry support services, funding trauma recovery centers, reducing truancy and recidivism, no outcome evaluations of programs that have received Proposition 47 grants were publicly available at the time of this research. As a result, data regarding the effectiveness of Proposition 47 grant recipient programs and their impact on at-risk youth, recidivism, and the recently released offender population does not exist. It is unknown how effective these programs have been at reaching these specific goals. Until outcome evaluations are completed, the exact impact of these programs on overall crime trends and on society as a whole, will remain unclear. It is possible that the outcomes of certain programs will not become apparent until a significant amount of time has passed, such as programs funded by the California Department of Education that are geared towards at-risk youth in the K-12 education system. It is likely that the impact of these programs on youth (besides changes in truancy/drop-out rates) will not be adequately measured until they reach adulthood.

## ANALYSIS

The Safe Neighborhoods and Schools Act (Proposition 47) was created and implemented as a way of gaining and maintaining compliance with a court-ordered state prison population cap. Its explicitly stated goals consisted of reducing government spending on nonviolent offenders and redirecting the resulting cost savings to community based rehabilitative, diversion, and support programs. Proposition 47 also had the implicit goal of acting as a state prison population reduction measure. This information was garnered from the nature of the changes the act implemented, the professional research conducted about the act, the way it was characterized in the media, and the way in which it was presented in California state budget documents. These explicit and implicit goals speak to the problem the measure was designed to address: prison overcrowding.

The findings in this project demonstrate that Proposition 47 remained true to its legislative intent and has accomplished what it sought to achieve. However, they also suggest that the measure was implemented in a rushed and haphazard manner that resulted in lost opportunities for data collection and population tracking. In order to ensure that a program or policy achieves a good outcome, evaluations must be conducted in a logical order (Posavac, 2011). First, the need must be identified and properly measured, and a program must then be carefully planned and implemented according to this plan. If any of these steps are circumvented, it is not likely that a good outcome will be achieved (Posavac, 2011).

In assembling the evidence for this evaluation, the researcher discovered that the measure was created by two men in top administrative positions within California criminal justice agencies, one being a Chief of Police and the other a District Attorney. While this fact was apparent, the manner in which they arrived at Proposition 47 as the solution to the issue of

overcrowding was not as obvious. Due to the direct nature of California's initiative process, to the average uninformed voter, "who knows little about these ballot measures other than the noise on television", it seemed as if the policy response just appeared on the ballot (Gerston, p. 245). Gerston (2012) explains that special interest groups deliberately "label their proposals with titles far from their intent" in order to influence the initiative process (p. 245). This is, in part, what occurred when Proposition 47 was presented to the voters. The measure was cleverly titled the "Safe Neighborhoods and Schools Act." In just reading this title, the average voter would have no idea that it actually sponsored the early release of incarcerated individuals and the reduction of penalties for some criminal offenses.

After the implementation of Proposition 47, several researchers voiced their concerns regarding the tendency of law enforcement to resist the changes implemented by Proposition 47 (Dooley-Sammuli, 2015; Nguyen, 2015). In explaining the purpose of a process evaluation, Sylvia and Sylvia (2012) state that "[e]mployee resistance to change can be overcome by involving them in the problem-analysis and solution development stages of the process" (p. 93). It is possible that law enforcement professionals would have been more receptive to this type of reform had they been more involved in the process of identifying a solution.

As Sylvia and Sylvia (2012) noted, "bureaucracy is made of interdependent subunit specialties that tend to have a narrow rather than a broad worldview" (p. 97). Every agency that plays a role in the criminal justice system was affected by the implementation of Proposition 47. Most agencies were not prepared to take on the additional workload created by the passage of this measure. Being that they were ultimately responsible for the actual work of implementing Proposition 47, they would have been more adequately prepared if they had been included in the problem definition and solution development process. The failure to involve key players in the

beginning stages of a policy response resulted in the failure of agencies to collect and maintain sufficient data for an evaluation to be conducted at a later date. If evaluation criteria had been selected in advance of the implementation, comprehensive data collection could have begun as soon as the measure went into effect.

While there is an abundance of research on prison overcrowding and sentencing reform, there is very little scholarly research which focuses specifically on the Safe Neighborhoods and Schools Act. The vast majority of the research conducted about Proposition 47 to this date was conducted periodically by the affected agencies and by other criminal justice research institutions and non-profit organizations. The data collection in each study or report mentioned in this work was inconsistent or incomplete. Given that Proposition 47 was a new initiative and research was being conducted with the data that was available at the time, this issue was to be expected. However, it does speak volumes about the way data collection is conducted in criminal justice agencies.

Since there was no unified approach to data collection about offenders or cost saving tracking methods, affected agencies were at a loss when attempting to determine the exact impact of Proposition 47 on their workloads and finances. Research institutions and non-profit organizations resorted to attempting research and analysis with inconsistent and incomplete data. While their findings shed light on the impact of Proposition 47, they are nevertheless incomplete and do not represent the impact on the state criminal justice system as a whole. In order to conduct an accurate process evaluation, outcome evaluation, or even an analysis of crime rate trends and recidivism, researchers must have access to accurate and complete data. The criminal justice agencies within the state would benefit from using one system (or at least systems that are



compatible with each other and tracking the same data) to track the plethora of data generated on an everyday basis. This would ensure accuracy, consistency, and completeness.

In taking a cost-effectiveness approach to evaluating Proposition 47, it is evident from the findings that the measure has been extremely effective in achieving its desired outputs despite a less than ideal start (Sylvia & Sylvia, 2020). The findings demonstrate that not only has it ensured continued compliance with the court-ordered prison population caps, it has continually generated more monetary savings that are being automatically re-invested in the community. This in itself is evidence of the measure's administrative robustness (Bardach & Patashnik, 2020). These two policy outcomes – meeting prison population goals and diverting money from incarceration to social programs – appear to be extremely successful, irrespective of the abrupt way in which Proposition 47 was implemented.

### **Areas for further research**

The purpose of conducting a process evaluation is to ensure that an organization is running as it should be. Process evaluations are also used to ensure that a policy or program is being implemented appropriately, in order to “maximize the public interest” (Bardach & Patashnik, 2020, p. 33). Evaluations should be done periodically to check that policies and programs have not deviated from this standard. In the case of Proposition 47, the findings support continuing to implement the policy, while demonstrating the need to collect complete and accurate data that would allow for a clearer understanding of its impact on local, county-wide, and state-wide crime rates and trends.

For example, there has been a notable increase in property crime both locally and statewide. It has been argued that Proposition 47 increased retail theft crimes by increasing the minimum monetary threshold that makes such offenses a felony (Watts, 2019). There was also a

significant increase in vehicle burglaries in the Bay Area in 2019 (Salonga, Hurd & Kelliher, 2020). The California Police Chief's Association determined that the property crime rate in California had increased over 7% in the year after Proposition 47 as compared to the year before it passed (League of California Cities [LOCC], 2017). The property crime rate in the rest of the United States declined by over 4% during the same time period (LOCC, 2017).

There have been several attempts to modify the changes made by Proposition 47. In March of 2017, the League of California Cities announced their support of Assembly Bill 1326 which sought to address the increase in theft-related crimes. AB 1326 would have allowed law enforcement to “aggregate the monetary value of property stolen by an individual over the course of a year, and authorize felony prosecution if that monetary value meets the \$950 threshold” (LOCC, 2017, para. 4). However, a final hearing for the bill was canceled on April 18<sup>th</sup>, 2017 by the author (C.L.I, n.d.e.).

Assembly Bill 1065 (A.B. 1065) was proposed in 2017 in response to this increase (CLI, 2018). Approved by the Governor on September 27<sup>th</sup>, 2018, A.B. 1065 created Section 490.4 of the California Penal Code (CLI, 2018). This section made it a crime to act in concert with two or more people to shoplift with the “intent to sell, exchange, or return the merchandise for value” (CLI, 2018). While still relatively new, the Santa Clara County District Attorney's office has already had great success in prosecuting cases involving millions of dollars' worth of recovered stolen property under the organized retail crime theft section (Geha, 2020). Most recently, the “Reducing Crime and Keeping California Safe Act of 2018” has been accepted as a measure to appear on the ballot in November of 2020 (OAG, 2017). This ballot initiative seeks to reform the parole system, theft laws and expand DNA collection. Whether the initiative passes remains to be seen.

These attempts enact legislative change show that elected officials and stakeholders believe Proposition 47 contributed to an increase in crime rates. Can the increases in these types of crime actually be attributed to the change in the felony threshold amount, or to changes in police arrest practices, or to district attorney charging practices for Proposition 47 offenses? Understanding the cause and effect relationship between newly created crimes (like organized retail theft) and Proposition 47 crimes is necessary for a complete evaluation of the measure and its impact on society. The nature of this relationship will remain elusive unless the state government, the criminal justice system, and all affected agencies are able to collect more complete data.

While the findings support making small adjustments in order to improve Proposition 47's implementation, with the hopes of improving its eventual outputs and outcomes, there is currently no data to guide policy makers in selecting the adjustments most likely to generate positive change. The review of the literature makes it apparent that agencies have struggled with calculating cost savings, collecting and maintaining data, measuring the impact of implementation on their own agencies, and population tracking of those who are granted relief under Proposition 47. There is no consistent data collection by the CDE or CalVCB to prove whether investing in these activities is the most efficient way to use the savings generated by Proposition 47. This is an ongoing need that should be addressed. One possible way to address this need would be the creation of a state-wide database, or at least a standardized data collection tool to assist all agencies in maintaining consistent data.

Another area of research which should be explored is the actual harm caused to society as a result of Proposition 47. The review of the literature focuses on the positive outcomes of the measure (reduction in prison population and saving money for rehabilitative programs) and

glosses over the negative outcomes. While the increase in property crimes statewide has been documented and accepted by researchers, there was no specific benefit-cost analysis conducted to determine the financial impact of this negative outcome (Sylvia & Sylvia, 2020). There is no systematic study documenting the exact cost of the increase in property crimes. A study of this nature would have to take into account the exact financial loss as a result of the increased property crime itself, the cost of medical and mental health care for the victims, and the increase in the cost of insurance for the impacted communities. In addition, it would need to include the cost of the subsequent law enforcement investigation, the cost of the subsequent criminal prosecution and potential incarceration or community supervision of these offenders – on a statewide basis. Cross-sectoral studies would also be needed to understand how Proposition 47 has impacted crime trends when studied with other social and legal change, like the legalization of marijuana sales, possession, use and cultivation, and the impact of the shelter-in-place orders for COVID-19 in 2020. Did the decreased opportunity to commit retail theft (due to businesses being closed) lead to an increase in home invasion robberies, package thefts, and financial crimes?

The benefit-cost analysis would compare the total financial loss to the total monetary gain (as evidenced by the Safe Neighborhoods and Schools Fund) from of Proposition 47. The other societal factors will have to be incorporated into the understanding of Proposition 47's role.

## CONCLUSION

California has dealt with the issue of prison overcrowding for several decades. Creative policy responses to this issue were developed after the Supreme Court of the United States upheld a decision by a specially convened panel of California judges imposing prison population caps which had to be met within certain time frames. When Public Safety Realignment (AB 109) failed to decrease the prison population sufficiently, Proposition 47 was authored and implemented. Soon after its implementation, prison populations fell below the court-ordered population caps for the first time. Prison populations have remained below these caps for the last five years.

This research explored the implementation of Proposition 47 in its first five years. It sought to fill a gap in the literature by conducting a process evaluation of its implementation and making recommendations for improvement. It also explored its impact on the Campbell Police Department. While Proposition 47 has proven to be efficient in achieving its stated goals, this research has made it apparent that there is a large gap in the academic literature focused on this policy that requires improving and expanding current data collection methods. The BSCC, CDE and CalVCB should require grant recipients to conduct outcome evaluations for each program and participant, with longitudinal outcome studies for the programs that receive consistent grant funding, like the school programs and trauma recovery centers.

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## APPENDIX A

Table 13: Proposition 47 Applications/Petitions (November 2014- September 2015)

County	Petitions	Applications	Total	Population	Corrections Funding
Alameda			1,031	1,583,979	\$34,600,000
Butte	1,322	213	1,535	223,905	\$7,270,993
Contra Costa	614	156	770	1,096,637	\$22,407,133
El Dorado	524	204	728	183,957	\$4,376,059
Fresno	5,187	1,580	6,767	967,491	\$23,152,815
Humboldt	486	299	785	134,609	\$3,866,946
Imperial	19	2	21	181,103	\$3,829,100
Kern	2,006	2,906	4,912	872,322	\$33,598,584
Kings	899	427	1,326	149,788	\$8,886,914
Lake	276	91	367	64,744	\$2,655,713
Los Angeles	16,142	9,020	25,162	10,069,036	\$317,576,000
Madera	355	515	870	154,278	\$4,816,413
Marin	109	73	182	258,324	\$3,237,452
Mendocino	124	63	187	88,545	\$3,124,496
Merced	372	93	465	265,069	\$7,256,499
Monterey	543	270	813	425,365	\$12,326,710
Napa	51	66	117	140,348	\$1,877,813
Nevada	74	56	130	98,235	\$2,039,766
Orange	17,257	5,286	22,543	3,132,681	\$68,629,453
Placer	769	299	1,068	369,726	\$7,331,927
Riverside	7,298	1,752	9,050	2,295,298	\$52,794,731
Sacramento	6,872	1,398	8,270	1,460,480	\$36,152,316
San Bernardino	3,690	1,942	5,632	2,091,618	\$63,942,850
San Diego			37,268	3,212,298	\$67,120,000
San Francisco	483	250	733	837,831	\$31,819,000
San Joaquin	1,404	1,288	2,692	711,797	\$17,408,453
San Luis Obispo	714	273	987	273,323	\$6,478,084
San Mateo	800	789	1,589	748,438	\$16,556,322
Santa Barbara	1,174	231	1,405	436,516	\$9,635,672
Santa Clara	775	1,120	1,895	1,874,526	\$51,447,677
Santa Cruz	962	257	1,219	271,857	\$6,261,044
Shasta	1,285	447	1,732	178,522	\$7,221,617
Solano	247	704	951	427,743	\$14,461,318
Sonoma	1,039	489	1,528	495,684	\$12,274,697
Stanislaus			3,076	530,327	\$16,761,278
Sutter	422	125	547	96,408	\$3,004,699
Tulare	361	1,268	1,629	459,176	\$12,723,594
Ventura	2,319	1,731	4,050	844,259	\$20,250,030
Yolo			1,431	207,212	\$7,596,491
Yuba	203	133	336	73,425	\$2,500,000

Source: (Dooley-Sammuli, 2015).

**Table 14: Proposition 47 Applications/Petitions (November 2014- September 2019)**

<b>County</b>	<b>Petitions</b>	<b>Applications</b>	<b>Total Adult</b>	<b>Total Juvenile</b>
Alameda	15,442	0	15,442	5
Alpine	0	0	0	0
Amador	161	204	365	0
Butte	1836	669	2,505	1
Calaveras	192	145	337	0
Contra Costa	9,416	717	10,133	264
Del Norte	115	53	168	5
El Dorado	703	659	1,362	0
Fresno	7,489	7,403	14,892	82
Glenn	129	135	264	2
Humboldt	574	514	1,088	0
Imperial	452	251	703	0
Inyo	35	10	45	0
Kern	2,889	10,238	13,127	0
Kings	2,367	4,245	6,612	0
Lake	360	183	543	0
Lassen	126	80	206	0
Los Angeles	29,494	35,677	65,171	15
Madera	417	748	1,165	0
Marin	208	522	730	0
Mariposa	13	20	33	0
Mendocino	155	186	341	0
Merced	572	304	876	0
Modoc	16	7	23	0
Mono	68	74	142	0
Monterey	738	1,056	1,794	36
Napa	74	265	339	0
Nevada	84	138	222	0
Orange	19,166	18,563	37,729	57
Placer	988	622	1,610	10
Plumas	37	29	66	0
Riverside	9,186	6,151	15,337	116
Sacramento	7,677	4,989	12,666	2
San Benito	261	99	360	0
San Bernardino	5,647	8,714	14,361	78
San Diego	48,799	2,844	51,643	563
San Francisco	651	1,946	2,597	36
San Joaquin	4,137	19,032	23,169	0
San Luis Obispo	973	730	1,703	0
San Mateo	4,278	7,636	11,914	1
Santa Barbara	1,655	2,993	4,648	0
Santa Clara	1,117	4,584	5,701	0
Santa Cruz	1,873	2,732	4,605	1
Shasta	3	2	5	0
Siskiyou	157	40	197	10
Solano	270	2,498	2,768	18
Sonoma	1,280	1,071	2,351	17
Stanislaus	3,995	1,740	5,735	0
Sutter	540	306	846	0
Tehama	482	344	826	1
Trinity	54	34	88	47
Tulare	2,389	3,152	5,541	5
Ventura	2,469	17,178	19,647	291
Yolo	3,711	287	3,998	66
Yuba	227	226	453	36

Source: (JCC, 2019).

**Table 15: BSCC Proposition 47 Cohort 1 Grant Recipients**

Recipient	Amount
Alameda County Health Services Department	\$6 million
Contra Costa County Health Services Department	\$5.98 million
City of Corning	\$1 million
El Rancho Unified School District	\$997,436
City of LA, City Attorney's Office	\$6 million
City of LA Mayor's Office of Reentry	\$5.99 million
LA County Department of Health Services, Office of Diversion & Reentry	\$20 million
Marin County Health and Human Services	\$998,504
Merced County Probation Department	\$945,666
Monterey County Health Department Behavioral Health Bureau	\$6 million
Oceanside Unified School District	\$998,300
Orange County Health Care Agency	\$6 million
Pasadena City Police Department	\$2.51 million
Placer County Health and Human Services	\$990,000
Plumas County District Attorney	\$1 million
City of Rialto	\$997,977
Riverside University Health System Behavioral Health	\$6 million
San Bernardino County Department of Public Health	\$1.25 million
San Diego County	\$6 million
San Francisco Department of Public Health	\$6 million
San Joaquin County Behavioral Human Services	\$6 million
Solano County Health and Social Services	\$6 million
Yolo County Health and Human Services Agency	\$5.97 million

Source: (BSCC, 2019a).

**Table 16: BSCC Proposition 47 Cohort 2 Grant Recipients**

Recipient	Amount
Alameda County Health Care Services Agency	\$6 million
City of Compton	\$3 million
Contra Costa Behavioral Health Services	\$5,936,088
City of Corning	\$3,535,485
Corona-Norco Unified School District	\$1 million
City of Hayward	\$999,881
LA City Attorney's Office	\$6 million
LA County Department of Health Services, Office of Diversion & Reentry	\$18,616,627
LA Mayor's Office of Economic Opportunity, Office of Reentry	5,999,304
Marin County Health and Human Services	\$999,965
Monterey County Health Department, Behavioral Health Bureau	\$6 million
Nevada County Department of Behavioral Health	\$1 million
Orange County Health Care Agency	\$6 million
Pasadena Unified School District	\$999,528
Placer County Health and Human Services	\$6 million
Plumas County District Attorney's Office	\$1 million
San Francisco Department of Public Health	\$6 million
Santa Ana Unified School District	\$2,756,857
Santa Barbara County Office of the Public Defender	\$5,998,511
Santa Clara County Behavioral Health Services Department	\$5,999,171
Santa Cruz County Probation Department	\$5,998,164
Shasta county Probation Department	\$1 million
Siskiyou County Health & Human Services Agency	\$875,897

Source: (BSCC, 2019b).

**Table 17: CDE Proposition 47 Grant Recipients Cohort 1 (2017-2020)**

<b>County</b>	<b>Grant Recipient</b>	<b>Amount</b>
Alameda	Alameda County Office of Education	\$1,759,400
Alameda	Hayward Unified School District	\$1,759,400
Alameda	Leadership Public Schools Oakland R&D	\$192,628
Alameda	Oakland Unified School District	\$1,759,400
Alameda	San Leandro Unified School District	\$1,139,563
Colusa	Pierce Joint Unified School District	\$195,293
Contra Costa	West Contra Costa Unified School District	\$1,759,400
Del Norte	Del Norte County Office of Education	\$542,335
Imperial	Brawley Elementary School District	\$526,764
Imperial	Brawley Union High School District	\$243,589
Imperial	Central Union High School District	\$543,443
Kern	Kernville Union Elementary School District	\$116,252
Kern	McFarland Unified School District	\$327,239
Kings	Reef Sunset Unified School District	\$349,681
Los Angeles	Bellflower Unified School District	\$1,045,955
Los Angeles	El Rancho Unified School District	\$1,155,134
Los Angeles	Los Angeles Unified School District	\$1,753,418
Los Angeles	Pomona Unified School District	\$1,759,400
Madera	Madera Unified School District	\$1,759,400
Mendocino	Ukiah Unified School District	\$782,625
Riverside	Banning Unified School District	\$562,128
Riverside	Coachella Valley Unified School District	\$1,544,723
Riverside	Desert Sands Unified School District	\$1,174,751
Riverside	Hemet Unified School District	\$954,914
Sacramento	Sacramento City Unified School District	\$1,707,854
Sacramento	San Juan Unified School District	\$1,365,998
San Benito	Hollister School District	\$533,494
San Benito	San Benito County Office of Education	\$555,122
San Bernardino	San Bernardino Unified School District	\$1,759,400
San Joaquin	Lodi Unified School District	\$1,701,032
Shasta	Shasta County Office of Education	\$940,707
Sonoma	Santa Rosa High	\$1,076,615
Stanislaus	Stanislaus County Office of Education	\$1,758,168
Tehama	Red Bluff Joint Union High School	\$214,559
Tulare	Visalia Unified School District	\$1,759,400
Total Grants Awarded:		\$37,079,184

Source: (CDE, 2019b).

**Table 18: CDE Proposition 47 Grant Recipients Cohort 2 (2018-2021)**

County	Grant Recipient	Amount
Butte	Thermalito Union Elementary School District	\$228,420
Contra Costa	Pittsburg Unified School District	\$1,521,045
Fresno	Fresno Unified School District	\$1,103,861
Los Angeles	Pasadena Unified School District	\$1,760,000
Los Angeles	South Whittier Elementary School District	\$417,405
Mariposa	Mariposa County Unified School District	\$252,900
Mendocino	Mendocino County Office of Education	\$681,343
Merced	Merced County Office of Education	\$70,350
Merced	Merced Union High School	\$154,960
Napa	Napa County Office of Education	\$25,950
Riverside	Palm Springs Unified School District	\$1,402,276
San Bernardino	Morongo Unified School District	\$702,266
San Diego	Oceanside Unified School District	\$1,760,000
Stanislaus	Patterson Joint Unified School District	\$842,212
Tulare	Tulare County Office of Education	\$757,068
Tuolumne	Tuolumne County Superintendent of Schools	\$838,488
Yolo	Washington Unified School District	\$1,077,300
Total Grants Awarded:		\$13,595,844

Source: (CDE, 2019c).

**Table 19: CDE Proposition 47 Grant Recipients Cohort 3 (2019-2022)**

County	Grant Recipient	Amount
San Diego	Grossmont Union High School District	\$1,800,000
Kern	Kern High School District	\$1,800,000
Los Angeles	Lancaster Elementary School District	\$1,800,000
Los Angeles	Long Beach Unified School District	\$1,520,466
Stanislaus	Modesto City Elementary School District	\$1,013,931
Riverside	Moreno Valley Unified School District	\$1,490,940
Napa	Napa Valley Unified School District	\$1,800,000
Humboldt	Northern Humboldt Union High School District	\$1,327,008
Butte	Palermo Union Elementary School District	\$194,400
San Diego	San Diego County Office of Education	\$1,799,998
San Joaquin	San Joaquin County Office of Education	\$283,200
Santa Clara	San Jose Unified	\$1,800,000
Kern	Standard Elementary School District	\$450,000
San Joaquin	Stockton Unified School District	\$1,544,021
Total Grants Awarded:		\$18,623,964

Source: (CDE, 2019d).

**Table 20: CDE Proposition 47 Grant Recipients Cohort 4 (2020-2023)**

County	Grant Recipient	Amount
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Alameda	Hayward Unified School District	\$1,932,902
Alameda	Oakland Unified School District	\$1,996,300
Contra Costa	Antioch Unified School District	\$818,100
Contra Costa	Contra Costa County Office of Education	\$283,650
Humboldt	Humboldt County Office of Education	\$1,883,550
Imperial	Brawley Elementary School District	\$599,100
Kern	Kern County Office of Education	\$118,573
Lake	Lake County Office of Education	\$1,436,250
Los Angeles	Los Angeles County Office of Education	\$2,000,000
Mendocino	Ukiah Unified School District	\$903,300
Merced	Los Banos Unified School District	\$605,400
Sacramento	Sacramento City Unified School District	\$1,944,499
Sacramento	San Juan Unified School District	\$1,578,750
Sacramento	Twin Rivers Unified School District	\$1,729,542
San Bernardino	Victor Valley Unified School District	\$1,999,998
Santa Clara	Alum Rock Union Elementary School District	\$1,276,400
Santa Clara	Santa Clara County Office of Education	\$2,000,000
Solano	Fairfield-Suisun Unified School District	\$2,000,000
Solano	Solano County Office of Education	\$15,000
Stanislaus	Stanislaus County Office of Education	\$2,000,000
Sutter	Sutter County Office of Education	\$761,550
Total Grants Awarded:		\$27,882,864

Source: (CDE, 2020).

**Table 21: CAL VCB Proposition 47 Grant Recipients (2020-2021)**

Cal Victim Compensation Board Grant Recipient	Amount	
Alameda County Family Justice Center	\$1,970,972	
Christian Counseling Service's Trauma Recovery Center	\$997,895	
Downtown Women's Center in Los Angeles	\$2,373,173	
Long Beach Recovery Center	\$3,089,511	
Miracles Counseling Center in Gardena	\$1,204,877	
University of California San Francisco Trauma Recovery Center	\$2,334,825	
South Alameda County Trauma Recovery Center	\$1,596,090	
Total Grants Awarded:		\$13,567,343

Source: (Zeagler, 2020).



**Table 22 : United States and California Crime Rates per 100,000 people (1985-2018)**

Year	CA Violent Crime Rate	US Violent Crime Rate	CA Property Crime Rate	US Property Crime Rate
1985	765.3	558.1	5752.7	4666.4
1986	920.5	620.1	5842.3	4881.8
1987	918	612.5	5588.4	4963
1988	929.8	640.6	5705.7	5054
1989	977.7	666.9	5785.8	5107.1
1990	1045.2	729.6	5558.4	5073.1
1991	1089.9	758.2	5682.7	5140.2
1992	1119.7	757.7	5559.8	4903.7
1993	1077.8	747.1	5379.1	4740
1994	1013	713.6	5160.8	4660.2
1995	966	684.5	4865.1	4590.5
1996	862.7	636.6	4345.1	4451
1997	798.3	611	4067.1	4316.5
1998	703.7	567.6	3639.1	4052.5
1999	627.2	523	3177.8	3743.6
2000	621.6	506.5	3118.2	3618.3
2001	615.2	504.5	3278	3658.1
2002	595.4	494.4	3361.2	3630.6
2003	579.6	475.8	3426.4	3591.2
2004	527.8	463.2	3423.9	3514.1
2005	526	469	3320.6	3431.5
2006	533.5	479.3	3181.7	3346.6
2007	524.1	471.8	3043.5	3276.4
2008	504.2	458.6	2941	3214.6
2009	473.3	431.9	2731	3041.3
2010	439.6	404.5	2629.9	2945.9
2011	411.2	387.1	2584.2	2905.4
2012	423.5	387.8	2761.8	2868
2013	402.6	369.1	2651.2	2733.6
2014	396.4	361.6	2441.7	2574.1
2015	428	373.7	2628.4	2500.5
2016	444.8	397.5	2550	2451.6
2017	453.3	394.9	2505.3	2362.9
2018	447.4	380.6	2380.4	2199.5

Source: (FBI, n.d.b).

**Table 23: Campbell PD Part I and Part II crimes (2005-2019)**

Year	Total Part 1 Crimes	Total Part 2 Crimes
2005	1307	1987
2006	1332	2033
2007	1635	2097
2008	1485	2159
2009	1556	2232
2010	1578	2111
2011	1483	2284
2012	1754	2303
2013	1668	2518
2014	1492	2629
2015	1498	2619
2016	1425	2606
2017	1448	2496
2018	1522	2351
2019	974	2574

Source: (CPD Department Statistics, 2005-2019).

**Table 24: Campbell PD Juvenile and Adult Arrests and Bookings (2005-2019)**

Year	Juveniles Arrested	Juvenile Bookings	% of Total Booked	Adults Arrested	Adults Booked at County Jail	% of Total Booked
2005	134	42	31.3%	1359	NA	
2006	151	34	22.5%	1311	901	68.7%
2007	232	43	18.5%	1251	855	68.3%
2008	218	43	19.7%	1488	957	64.3%
2009	196	51	26.0%	1331	868	65.2%
2010	236	78	33.1%	1494	981	65.7%
2011	144	62	43.1%	1467	1006	68.6%
2012	152	41	27.0%	1535	1113	72.5%
2013	145	62	42.8%	1893	1318	69.6%
2014	145	43	29.7%	2063	1525	73.9%
2015	92	19	20.7%	2100	1510	71.9%
2016	111	23	20.7%	2058	1474	71.6%
2017	75	37	49.3%	2018	1518	75.2%
2018	44	5	11.4%	1655	1236	74.7%
2019	66	8	12.1%	1646	1189	72.2%

Source: (CPD Department Statistics, 2005-2019).

## APPENDIX B

### Definitions Crime Statistics Report

#### Part I Crimes

Part I crime statistics are compiled from written police reports and are generated from the Records Management System. If a call is created in the Computer Aided Dispatch system and a crime report is not written, the crime is not tallied.

#### ***Homicide***

This category includes Murders and Non-negligent Manslaughters. Does not include Suicides, Accidental Deaths, Traffic Fatalities and Attempted Murders.

#### ***Manslaughter***

This category includes Manslaughter by Negligence. Does not include Deaths of Persons due to their own negligence, Accidental Deaths not resulting from gross negligence, and Traffic Fatalities.

#### ***Rape***

This category includes Rape by Force and Attempts to Commit Forcible Rape.

#### ***Robbery***

This category includes all Robberies (theft or larceny aggravated by element of force or threat of force). This category does not include pocket picking or purse snatching unless force or threat of force is used to overcome the active resistance of the victim.

#### ***Assault***

This category includes Aggravated Assault by firearm, knife or cutting instrument, other dangerous weapon, and hands/fists/feet/etc., with aggravated injury. Also includes simple, not aggravated assaults which do not involve use of a weapon and there was no serious or aggravated injuries to the victim.

#### ***Burglary***

This category includes all Burglaries including Attempted Burglaries.

#### ***Other Theft***

This category includes Larceny and Theft. This category also includes Attempted Thefts. Does not include Motor Vehicle Theft, Embezzlement, or Larceny by Check.

#### ***Motor Vehicle Theft***

This category includes all Thefts of Motor Vehicles and Attempted Thefts of Motor Vehicles.

## **Part II Crimes**

Part II Crime Statistics are compiled from written police reports and are generated from the Records Management System. If a call is created in the Computer Aided Dispatch system and a crime report is not written, the crime is not tallied.

### ***Other Assaults***

This category includes the following types of crimes and includes attempts:

- False Information to Police Officer;
- Obstruct Criminal Investigation;
- Filing a False Police Report;
- Impersonating a Police Officer;
- Resisting a Police Officer.

### ***Arson***

This category includes all Arson related crimes including Attempted Arson. The actual Arson Report is compiled by the Fire Department. The number of Arsons reported by the Fire Department is transferred to the Part 2 report.

### ***Forgery & Counterfeiting***

This category includes the following types of crimes and includes attempts:

- Forgery;
- Forged Prescription;
- Counterfeiting

### ***Fraud***

This category includes Embezzlement and Attempted Embezzlement.

### ***Stolen Property***

This category includes all crimes related to Buying, Receiving or Possessing Stolen Property. It also includes attempts to commit any of these offenses.

### ***Vandalism***

This category includes the following types of crimes and includes attempts:

- Defacing Property;
- Graffiti;
- Vehicle Vandalism.

### ***Weapons***

This category includes the following types of crimes and includes attempts:

- Manufacture, Sale or Possession of Deadly Weapon;
- Carrying a Concealed Weapon;
- Discharging a Firearm;
- Using or Possessing an Incendiary Device;
- Unlawful Use of Rear Gas;

- Possess/Sell Switchblade;
- Firing at a Dwelling

### ***Prostitution & Vice***

This category includes the following types of crimes and includes attempts:

- Prostitution;
- Pandering, Procuring, Transporting, or Detaining Women for Immoral Purposes;
- Keeping a Place of Prostitution
- Sexual Exploitation of Children;
- Pimping;
- Patronizing a Prostitute.

### ***Sex Offenses***

This category includes the following types of crimes and includes attempts:

- Incest;
- Indecent Exposure;
- Sexual Battery;
- Oral Copulation;
- Sodomy;
- Lewd or Lascivious Acts with Children;
- Sexual Abuse of a Child;
- Failure to Register as a Sex Offender.

### ***Drug Abuse Violations***

This category includes the following types of crimes and includes attempts:

- Sale, Manufacturing or Possession of Opium or Cocaine, Marijuana, Synthetic Narcotics, and Dangerous Non-Narcotic Drugs;
- Possession of Hypodermic Needle/Syringe;
- Under Influence of Controlled Substance.

### ***Gambling***

This category includes the following types of crimes and includes attempts:

- Promoting, permitting, or engaging in illegal gambling including Bookmaking, Numbers and Lottery.

### ***Offenses Against Family and Children***

This category includes the following types of crimes and includes attempts:

- Desertion, abandonment, or nonsupport of spouse or child;
- Neglect or abuse of spouse or child (if injury is serious, these are tallied as aggravated assaults);
- Nonpayment of alimony.

### ***DUI***

This category includes the following types of crimes and includes attempts:

- Operating a motor vehicle while under the influence;

- Operating an engine, train, streetcar, boat, etc. while under the influence.

### ***Liquor Laws***

This category includes the following types of crimes and includes attempts:

- Manufacture, sale, transporting, furnishing, possessing, etc., intoxicating liquor;
- Maintaining unlawful drinking places;
- Bootlegging;
- Operating still;
- Furnishing liquor to a minor or intemperate person;
- Using a vehicle for illegal transportation of liquor;
- Drinking on train or public conveyance.

### ***Drunk in public***

This category includes the following types of crimes and does not include driving under the influence:

- Drunkenness;
- Drunk and disorderly;
- Common or habitual drunkard;
- Intoxication.

### ***Disorderly Conduct***

This category includes the following types of crimes and includes attempts:

- Affray;
- Unlawful assembly;
- Disturbing the peace;
- Disturbing meetings;
- Disorderly conduct in state institutions, at court, at fairs, on trains or public conveyances, etc.;
- Blasphemy, profanity and obscene language;
- Desecrating the flag;
- Refusing to assist an officer.

### ***Curfew***

This category includes the following types of crimes:

- Violations of local curfew or loitering ordinances.

### ***Runaway***

This category includes apprehensions for protective custody as defined by local statute and does not include protective custody actions with respect to runaways taken for other jurisdictions.

### ***All Other***

This category includes the following types of crimes and includes attempts:

- Admitting minors to improper places;
- Abduction and compelling to marry;
- Bigamy and polygamy;
- Blackmail and extortion;

- Bribery;
- Combination in restraint of trade, trusts, or monopolies;
- Contempt of court;
- Criminal anarchism;
- Criminal syndicalism;
- Discrimination, unfair competition;
- Kidnapping;
- Marriage within prohibited degrees;
- Offense contributing to juvenile delinquency;
- Perjury and subordination of perjury;
- Possession, repair, manufacture, etc. of burglar's tools;
- Possession of drug paraphernalia;
- Possession or sale of obscene literature, pictures, etc.;
- Public nuisances;
- Riot and rout;
- Trespass;
- Unlawfully bringing weapons into prisons or hospitals;
- Unlawful use, possession, etc., of explosives;
- Violations of state regulatory laws and municipal ordinances;
- Violation of quarantine;
- All offenses not otherwise classified.

### **Other Crime Information**

#### ***Auto Burglary/Theft of Motor Vehicle Parts & Accessories***

This is a sub-category of Theft. This includes theft of articles from a motor vehicle, whether locked or unlocked. This category also includes Theft of Motor Vehicle Parts and Accessories that are attached to the interior or exterior of a motor vehicle.

#### ***Bike Theft***

This category includes all bicycle thefts.

#### ***Hate Crimes***

This category includes all criminal acts, which cause physical injury emotional suffering or property damage where there is a reasonable cause to believe that the crime was motivated by victim's race, ethnicity, religion, sexual orientation, physical or mental disability.

### **Domestic Violence**

#### ***Domestic Violence Reports without Arrest***

The total number of domestic violence calls resulting in a written report with no arrest.

#### ***Domestic Violence Reports with Arrest***

The total number of domestic violence calls resulting in a written report with an arrest.



***Reported as Domestic Violence, Unfounded***

The total number of reported Domestic Violence Calls that were unfounded or did not meet the domestic violence criteria.

**Service Incidents*****Calls for Service***

This number reflects the total number of CAD calls for service. This category does not include Directed Activity as outlined below.

***Directed Activity***

Officer-initiated activity that includes the following types of calls:

- Person Stop
- Person Stop – Fill Requested
- Vehicle Stop
- Vehicle Stop – Fill Requested
- Bar Check
- Report of Blight Conditions
- Follow-up
- Foot Patrol
- Patrol Check
- Park Patrol
- Radar Trailer
- Search Warrants
- Traffic Enforcement
- Warrant Service
- Parole/Probation Violation

**Services and Activity**

The Services and Activity report is a summary of specific types of calls for service and/or officer-initiated activity. The call may or may not have resulted in a written police report. An example of this would be an alarm call that resulted in a burglary. The alarm call would be tallied on the Services and Activity report under “Alarms” and the burglary crime report would generate a burglary statistic on the Crime Statistics Report (Part I Crimes).

***Alarms***

Includes all alarm calls for service

***Animal Services***

Includes all calls for service related to animals.

***Assist Outside Police Agencies/Other City Depts***

All calls for service where officers assist other police agencies, or City Departments.

***Attended/Unattended Deaths***

All calls for service involving non-suspicious deaths.

***City Ordinance Violations***

All City Ordinance Violations including Blight conditions.

***Disturbances***

All calls for service involving a disturbance.

***Fire Calls***

All calls for service involving a fire or wire down. This category does not include Medical Calls.

***Graffiti***

All calls for service reporting graffiti.

***Lost & Found Property***

All reports of lost or found property.

***Malicious Mischief***

All reports of vandalism or attempted vandalism.

***Medical calls***

All calls for service related to medical conditions.

***Mental Health***

All calls for service involving subjects with mental disorders.

***Missing Persons***

All reports of missing persons including adults and juveniles.

***Special Public Contacts***

All calls related to public service including escorts, requests to meet with an officer, bar checks, civil details, civil stand-bys, foot patrol, patrol check, park patrol, public relations details, vehicle lock-outs, and welfare checks.

***Subpoenas***

All calls related to service of subpoenas including attempts to serve subpoenas.

***Suicides***

All reported suicides.

***Suicides – Attempted***

All reported suicide attempts.

***Suspicious Circumstances***

All calls for service related to suspicious circumstances.

***Traffic Complaint by Citizen***

All calls for service related to traffic complaints by a citizen.

***Traffic Enforcement – Directed Activity***

All directed activity related to traffic enforcement. Does not include traffic stops.

***Traffic Stops***

All traffic stops by officers.

***Unclassified Services***

All other miscellaneous or special details.

***Warrants***

All warrant services and attempts to serve warrants. This category does not include warrants that are served while making other arrests.

**Other Statistics**

***911 Calls***

All 911 calls received including abandoned and hang-up calls.

***Police Reports***

Total number of written police reports including accident reports. This number is generated by the total number of OCA numbers issued.

***False Alarm Revenues***

Total amount of revenues received for false alarms.

***Bike Patrol Hours***

Total number of staff hours dedicated to bike patrol.

***Reserve Hours***

Total number of reserve officer hours.

***Explorer Hours***

Total number of explorer hours.

***Number of Training Hours***

Total number of employee training hours.

**Arrests**

***Adults***

Total number of adults arrested by CPD including bookings, cite & release, etc.

***Juveniles***

Total number of juvenile arrests including bookings, cite and release, etc.

Source: (CPD Department Statistics, 2006).

## APPENDIX C

Figure P: Campbell Crime Rate Per 10,000 Inhabitants (2010-2019)

Crime Rate per 10,000 inhabitants by year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
City of Campbell population:	39,349	40,860	40,393	40,161	41,993	41,119	42,584	40,939	42,466	43,250
<b>Part 1 Crimes</b>										
Homicide	0.0	0.0	0.0	0.5	0.2	0.2	0.0	0.2	0.0	0.0
Manslaughter	0.0	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0
Rape	2.5	2.7	4.5	3.0	3.3	2.7	3.5	4.6	2.6	3.7
Robbery	8.1	8.8	8.2	6.0	5.0	7.3	7.7	6.6	8.2	3.2
Assault	10.2	12.0	9.9	13.7	10.7	11.4	13.4	14.4	16.7	6.2
Simple Assaults*	78.5	91.5	79.7	77.7	77.4	75.1	81.3	76.9	54.6	40.0
Burglary	81.3	75.1	91.6	84.9	74.5	60.1	58.5	58.4	55.6	29.4
Theft	265.3	225.4	272.6	253.0	207.9	244.7	213.0	223.7	229.8	155.6
Motor Vehicle Theft	30.0	37.2	43.3	51.3	48.1	34.5	35.2	42.7	39.6	24.7
Arson	3.6	1.7	4.2	2.7	5.5	3.4	3.3	2.9	5.9	2.3
<b>Part 2 Crimes</b>										
Other Assaults	11.4	16.4	13.4	16.4	19.8	18.0	18.6	20.5	32.0	29.1
Forgery & Counterfeiting	18.8	12.5	9.4	11.0	10.2	7.8	8.9	7.6	8.2	5.8
Fraud	15.2	19.1	21.3	21.7	26.0	35.5	37.3	34.0	22.4	33.8
Embezzlement	1.3	0.7	2.7	1.2	1.4	1.7	0.9	0.7	1.9	0.9
Stolen Property	3.8	3.9	7.9	6.7	6.2	5.8	7.7	7.8	6.8	6.2
Vandalism	83.6	68.3	77.7	73.7	59.3	58.6	50.0	52.5	27.8	25.4
Weapons	5.8	7.3	5.9	6.5	6.0	8.0	9.2	9.5	11.3	16.9
Prostitution & Vice	0.5	0.2	0.7	0.5	0.7	0.7	0.7	0.2	0.2	0.2
Sex Offenses	5.6	8.1	8.7	8.0	4.8	8.3	4.9	6.4	9.4	5.5
Drug Abuse Violations	46.3	39.6	41.1	53.0	76.4	69.8	78.0	82.8	82.7	97.6
Gambling	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Offenses Against Family & Children	2.0	3.9	1.2	4.5	2.4	1.7	2.1	2.4	3.1	1.2
DUI	39.9	46.7	52.7	73.5	56.0	81.7	57.3	52.8	49.7	53.9
Liquor Laws	2.3	4.4	2.7	4.2	1.4	2.2	1.2	0.7	0.9	2.3
Drunk in Public	54.6	68.5	71.8	78.7	78.8	89.0	65.8	68.4	45.4	40.0
Disorderly Conduct	4.6	5.6	6.2	4.7	4.3	2.7	4.9	5.6	5.2	0.9
Curfew	0.0	0.0	0.0	0.0	0.2	0.0	0.0	0.0	0.5	4.6
Runaway	13.0	14.9	10.2	6.2	3.8	3.4	5.4	3.9	2.1	1.6
All Other	149.2	147.1	156.7	178.8	191.0	166.8	177.8	176.8	189.3	229.1
Other Crime Information	0.0	0.0	0.0							
Auto Burglary/Theft of Motor Vehicles Parts/Acc.	98.4	112.3	119.8	96.1	86.2	89.0	62.5	77.7	113.3	87.2
Bike Theft	20.1	15.2	32.7	18.9	16.0	22.1	22.3	13.2	12.2	6.7
Hate Crimes	0.3	0.5	0.2	0.2	0.0	0.0	0.2	0.0	0.0	0.0

Source: (CPD Department Statistics, 2005-2019).

Figure Q: CPD Statistics (2005-2012)

Crime Category	2005	2006	2007	2008	2009	2010	2011	2012
<b>Part 1 Crimes</b>								
Homicide	1	0	1	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0
Rape	5	7	8	8	13	10	11	18
Robbery	13	24	30	32	25	32	36	33
Assault	53	46	59	49	78	40	49	40
Simple Assaults*	300	271	277	248	326	309	374	322
Burglary	225	243	232	208	248	320	307	370
Theft	873	829	1058	1036	1038	1044	921	1101
Motor Vehicle Theft	120	166	224	128	139	118	152	175
Arson	17	17	23	24	15	14	7	17
<b>Total Part 1 Crimes</b>	<b>1607</b>	<b>1603</b>	<b>1912</b>	<b>1733</b>	<b>1882</b>	<b>1887</b>	<b>1857</b>	<b>2076</b>
<b>Total Part 1 Crimes without Simple Assaults</b>	<b>1307</b>	<b>1332</b>	<b>1635</b>	<b>1485</b>	<b>1556</b>	<b>1578</b>	<b>1483</b>	<b>1754</b>
<b>Part 2 Crimes</b>								
Other Assaults	53	57	41	38	70	45	67	54
Forgery & Counterfeiting	101	109	104	123	93	74	51	38
Fraud	75	59	69	72	82	60	78	86
Embezzlement	4	4	5	2	2	5	3	11
Stolen Property	13	10	11	7	13	15	16	32
Vandalism	202	297	330	360	401	329	279	314
Weapons	18	10	22	34	21	23	30	24
Prostitution & Vice	6	2	7	13	1	2	1	3
Sex Offenses	33	37	34	28	25	22	33	35
Drug Abuse Violations	127	95	113	125	122	182	162	166
Gambling	0	0	0	0	0	0	0	0
Offenses Against Family & Children	4	8	9	6	12	8	16	5
DUI	124	120	164	200	206	157	191	213
Liquor Laws	3	15	17	20	12	9	18	11
Drunk in Public	124	210	187	179	154	215	280	290
Disorderly Conduct	11	14	7	14	25	18	23	25
Curfew	0	1	3	1	4	0	0	0
Runaway	32	51	67	27	64	51	61	41
All Other	757	663	630	662	599	587	601	633
<b>Total Part 2 Crimes</b>	<b>1687</b>	<b>1762</b>	<b>1820</b>	<b>1911</b>	<b>1906</b>	<b>1802</b>	<b>1910</b>	<b>1981</b>
<b>Total Part 2 Crimes with Simple Assaults</b>	<b>1987</b>	<b>2033</b>	<b>2097</b>	<b>2159</b>	<b>2232</b>	<b>2111</b>	<b>2284</b>	<b>2303</b>
<b>Other Crime Information</b>								
Auto Burglary/Theft of Motor Vehicles Parts/Acc.	430	384	497	485	545	387	459	484
Bike Theft	39	30	50	45	58	79	62	132
Hate Crimes	0	0	1	2	4	1	2	1
<b>Total Other Crimes</b>	<b>469</b>	<b>414</b>	<b>548</b>	<b>532</b>	<b>607</b>	<b>467</b>	<b>523</b>	<b>617</b>
<b>Grand Total Crimes</b>	<b>3763</b>	<b>3779</b>	<b>4280</b>	<b>4176</b>	<b>4395</b>	<b>4156</b>	<b>4290</b>	<b>4674</b>
Domestic Violence								
Domestic Violence Reports without Arrest	129	110	98	102	117	86	117	97
Domestic Violence Reports with Arrest	44	37	47	35	62	61	58	51
Reported as Domestic Violence: Unfounded	164	154	171	163	170	170	224	179
<b>Total Domestic Violence Calls for Service</b>	<b>337</b>	<b>301</b>	<b>316</b>	<b>300</b>	<b>349</b>	<b>317</b>	<b>399</b>	<b>327</b>

\*Simple Assault is not a Part 1 Offense - it is a Part 2 Offense but is collected under Part 1 as a quality control matter and for the purpose of looking at total assault violence.

Source: (CPD Department Statistics, 2005-2012).

Figure R: CPD Statistics (2013-2019)

Crime Category	2013	2014	2015	2016	2017	2018	2019
<b>Part 1 Crimes</b>							
Homicide	2	1	1	0	1	0	0
Manslaughter	1	0	0	0	0	0	0
Rape	12	14	11	15	19	11	22
Robbery	24	21	30	33	27	35	20
Assault	55	45	47	57	59	71	46
Simple Assaults*	312	325	309	346	315	232	250
Burglary	341	313	247	249	239	236	209
Theft	1016	873	1006	907	916	976	987
Motor Vehicle Theft	206	202	142	150	175	168	158
Arson	11	23	14	14	12	25	13
<b>Total Part 1 Crimes</b>	<b>1980</b>	<b>1817</b>	<b>1807</b>	<b>1771</b>	<b>1763</b>	<b>1754</b>	<b>1705</b>
<b>Total Part 1 Crimes without Simple Assaults</b>	<b>1668</b>	<b>1492</b>	<b>1498</b>	<b>1425</b>	<b>1448</b>	<b>1522</b>	<b>1455</b>
<b>Part 2 Crimes</b>							
Other Assaults	66	83	74	79	84	136	179
Forgery & Counterfeiting	44	43	32	38	31	35	39
Fraud	87	109	146	159	139	95	223
Embezzlement	5	6	7	4	3	8	7
Stolen Property	27	26	24	33	32	29	39
Vandalism	296	249	241	213	215	118	173
Weapons	26	25	33	39	39	48	90
Prostitution & Vice	2	3	3	3	1	1	1
Sex Offenses	32	20	34	21	26	40	37
Drug Abuse Violations	213	321	287	332	339	351	571
Gambling	0	0	0	0	0	0	0
Offenses Against Family & Children	18	10	7	9	10	13	7
DUI	295	235	336	244	216	211	343
Liquor Laws	17	6	9	5	3	4	16
Drunk in Public	316	331	366	280	280	193	248
Disorderly Conduct	19	18	11	21	23	22	9
Curfew	0	1	0	0	0	2	26
Runaway	25	16	14	23	16	9	9
All Other	718	802	686	757	724	804	1402
<b>Total Part 2 Crimes</b>	<b>2206</b>	<b>2304</b>	<b>2310</b>	<b>2260</b>	<b>2181</b>	<b>2119</b>	<b>3419</b>
<b>Total Part 2 Crimes with Simple Assaults</b>	<b>2518</b>	<b>2629</b>	<b>2619</b>	<b>2606</b>	<b>2496</b>	<b>2351</b>	<b>3669</b>
Other Crime Information							
Auto Burglary/Theft of Motor Vehicles Parts/Acc.	386	362	366	266	318	481	565
Bike Theft	76	67	91	95	54	52	43
Hate Crimes	1	0	0	1	0	0	0
<b>Total Other Crimes</b>	<b>463</b>	<b>429</b>	<b>457</b>	<b>362</b>	<b>372</b>	<b>533</b>	<b>608</b>
<b>Grand Total Crimes</b>	<b>4649</b>	<b>4550</b>	<b>4574</b>	<b>4393</b>	<b>4316</b>	<b>4406</b>	<b>5732</b>
Domestic Violence							
Domestic Violence Reports without Arrest	106	106	112	113	113	97	129
Domestic Violence Reports with Arrest	53	52	64	90	73	64	93
Reported as Domestic Violence, Unfounded	183	182	171	144	105	38	
<b>Total Domestic Violence Calls for Service</b>	<b>342</b>	<b>340</b>	<b>347</b>	<b>347</b>	<b>291</b>	<b>199</b>	<b>222</b>

Source: (CPD Department Statistics, 2013-2019).

Figure S: CPD Statistics and Percent Change by Year (2005-2009)

Crime Category	2005	2006	% CHG (05-06)	2007	% CHG (06-07)	2008	% CHG (07-08)	2009
<b>Part 1 Crimes</b>								
Homicide	1	0	-100.0%	1		0	-100.0%	0
Manslaughter	0	0		0		0		0
Rape	5	7	40.0%	8	14.3%	8	0.0%	13
Robbery	13	24	84.6%	30	25.0%	32	6.7%	25
Assault	53	46	-13.2%	59	28.3%	49	-16.9%	78
Simple Assaults*	300	271	-9.7%	277	-2.2%	248	-10.5%	326
Burglary	225	243	8.0%	232	-4.5%	208	-10.3%	248
Theft	873	829	-5.0%	1058	27.6%	1036	-2.1%	1038
Motor Vehicle Theft	120	166	38.3%	224	34.9%	128	-42.9%	139
Arson	17	17	0.0%	23	35.3%	24	4.3%	15
<b>Total Part 1 Crimes (With Simple Assault)</b>	<b>1607</b>	<b>1603</b>	<b>-0.2%</b>	<b>1912</b>	<b>19.3%</b>	<b>1733</b>	<b>-9.4%</b>	<b>1882</b>
<b>Total Part 1 Crimes (Without Simple Assault)</b>	<b>1307</b>	<b>1332</b>	<b>1.9%</b>	<b>1635</b>	<b>22.7%</b>	<b>1485</b>	<b>-9.2%</b>	<b>1556</b>
<b>Part 2 Crimes</b>								
Other Assaults	53	57	7.5%	41	-28.1%	38	-7.3%	70
Forgery & Counterfeiting	101	109	7.9%	104	-4.6%	123	18.3%	93
Fraud	75	59	-21.3%	69	16.9%	72	4.3%	82
Embezzlement	4	4	0.0%	5	25.0%	2	-60.0%	2
Stolen Property	13	10	-23.1%	11	10.0%	7	-36.4%	13
Vandalism	202	297	47.0%	330	11.1%	360	9.1%	401
Weapons	18	10	-44.4%	22	120.0%	34	54.5%	21
Prostitution & Vice	6	2	-66.7%	7	250.0%	13	85.7%	1
Sex Offenses	33	37	12.1%	34	-8.1%	28	-17.6%	25
Drug Abuse Violations	127	95	-25.2%	113	18.9%	125	10.6%	122
Gambling	0	0		0		0		0
Offenses Against Family & Children	4	8	100.0%	9	12.5%	6	-33.3%	12
DUI	124	120	-3.2%	164	36.7%	200	22.0%	206
Liquor Laws	3	15	400.0%	17	13.3%	20	17.6%	12
Drunk In Public	124	210	69.4%	187	-11.0%	179	-4.3%	154
Disorderly Conduct	11	14	27.3%	7	-50.0%	14	100.0%	25
Curfew	0	1		3	200.0%	1	-66.7%	4
Runaway	32	51	59.4%	67	31.4%	27	-59.7%	64
All Other	757	663	-12.4%	630	-5.0%	662	5.1%	599
<b>Total Part 2 Crimes</b>	<b>1687</b>	<b>1762</b>	<b>4.4%</b>	<b>1820</b>	<b>3.3%</b>	<b>1911</b>	<b>5.0%</b>	<b>1906</b>
<b>Other Crime Information</b>								
Auto Burglary/Theft of Motor Vehicles Parts/Acc.	430	384	-10.7%	497	29.4%	485	-2.4%	545
Bike Theft	39	30	-23.1%	50	66.7%	45	-10.0%	58
Hate Crimes	0	0		1		2	100.0%	4
<b>Total Other Crimes</b>	<b>469</b>	<b>414</b>	<b>-11.7%</b>	<b>548</b>	<b>32.4%</b>	<b>532</b>	<b>-2.9%</b>	<b>607</b>
<b>Grand Total Crimes</b>	<b>3763</b>	<b>3779</b>	<b>0.4%</b>	<b>4280</b>	<b>13.3%</b>	<b>4176</b>	<b>-2.4%</b>	<b>4395</b>
Domestic Violence								
Domestic Violence Reports without Arrest	129	110	-14.7%	98	-10.9%	102	4.1%	117
Domestic Violence Reports with Arrest	44	37	-15.9%	47	27.0%	35	-25.5%	62
Reported as Domestic Violence, Unfounded	164	154	-6.1%	171	11.0%	163	-4.7%	170
<b>Total Domestic Violence Calls for Service</b>	<b>337</b>	<b>301</b>	<b>-10.7%</b>	<b>316</b>	<b>5.0%</b>	<b>300</b>	<b>-5.1%</b>	<b>349</b>

Source: (CPD Department Statistics, 2005-2009).

Figure T: CPD Statistics and Percent Change by Year (2010-2014)

% CHG (08-09)	2010	% CHG (09-10)	2011	% CHG (10-11)	2012	% CHG (11-12)	2013	% CHG (12-13)	2014
	0		0		0		2	200.0%	1
	0		0		0		1	100.0%	0
62.5%	10	-23.1%	11	10.0%	18	63.6%	12	-33.3%	14
-21.9%	32	28.0%	36	12.5%	33	-8.3%	24	-27.3%	21
59.2%	40	-48.7%	49	22.5%	40	-18.4%	55	37.5%	45
31.5%	309	-5.2%	374	21.0%	322	-13.9%	312	-3.1%	325
19.2%	320	29.0%	307	-4.1%	370	20.5%	341	-7.8%	313
0.2%	1044	0.6%	921	-11.8%	1101	19.5%	1016	-7.7%	873
8.6%	118	-15.1%	152	28.8%	175	15.1%	206	17.7%	202
-37.5%	14	-6.7%	7	-50.0%	17	142.9%	11	-35.3%	23
8.6%	1887	0.3%	1857	-1.6%	2076	11.8%	1980	-4.6%	1817
4.8%	1578	1.4%	1483	-6.0%	1754	18.3%	1668	-4.9%	1492
84.2%	45	-35.7%	67	48.9%	54	-19.4%	66	22.2%	83
-24.4%	74	-20.4%	51	-31.1%	38	-25.5%	44	15.8%	43
13.9%	60	-26.8%	78	30.0%	86	10.3%	87	1.2%	109
0.0%	5	150.0%	3	-40.0%	11	266.7%	5	-54.5%	6
85.7%	15	15.4%	16	6.7%	32	100.0%	27	-15.6%	26
11.4%	329	-18.0%	279	-15.2%	314	12.5%	296	-5.7%	249
-38.2%	23	9.5%	30	30.4%	24	-20.0%	26	8.3%	25
-92.3%	2	100.0%	1	-50.0%	3	200.0%	2	-33.3%	3
-10.7%	22	-12.0%	33	50.0%	35	6.1%	32	-8.6%	20
-2.4%	182	49.2%	162	-11.0%	166	2.5%	213	28.3%	321
	0		0		0		0		0
100.0%	8	-33.3%	16	100.0%	5	-68.8%	18	260.0%	10
3.0%	157	-23.8%	191	21.7%	213	11.5%	295	38.5%	235
-40.0%	9	-25.0%	18	100.0%	11	-38.9%	17	54.5%	6
-14.0%	215	39.6%	280	30.2%	290	3.6%	316	9.0%	331
78.6%	18	-28.0%	23	27.8%	25	8.7%	19	-24.0%	18
300.0%	0	-100.0%	0		0		0		1
137.0%	51	-20.3%	61	19.6%	41	-32.8%	25	-39.0%	16
-9.5%	587	-2.0%	601	2.4%	633	5.3%	718	13.4%	802
-0.3%	1802	-5.5%	1910	6.0%	1981	3.7%	2206	11.4%	2304
12.4%	387	-29.0%	459	18.6%	484	5.4%	386	-20.2%	362
28.9%	79	36.2%	62	-21.5%	132	112.9%	76	-42.4%	67
100.0%	1	-75.0%	2	100.0%	1	-50.0%	1	0.0%	0
14.1%	467	-23.1%	523	12.0%	617	18.0%	463	-25.0%	429
5.2%	4156	-5.4%	4290	3.2%	4674	9.0%	4649	-0.5%	4550
14.7%	86	-26.5%	117	36.0%	97	-17.1%	106	9.3%	106
77.1%	61	-1.6%	58	-4.9%	51	-12.1%	53	3.9%	52
4.3%	170	0.0%	224	31.8%	179	-20.1%	183	2.2%	182
16.3%	317	-9.2%	399	25.9%	327	-18.0%	342	4.6%	340

Source: (CPD Department Statistics, 2010-2014).



Figure U: CPD Statistics and Percent Change by Year (2015-2019)

	% CHG (13-14)	2015	% CHG (14-15)	2016	% CHG (15-16)	2017	% CHG (16-17)	2018	% CHG (17-18)	2019	% CHG (18-19)
	-50.0%	1	0.0%	0	-100.0%	1		0	-100.0%	0	0.0%
	-100.0%	0		0		0		0		0	0.0%
	16.7%	11	-21.4%	15	36.4%	19	26.7%	11	-42.1%	22	100.0%
	-12.5%	30	42.9%	33	10.0%	27	-18.2%	35	29.6%	20	-42.9%
	-18.2%	47	4.4%	57	21.3%	59	3.5%	71	20.3%	46	-35.2%
	4.2%	309	-4.9%	346	12.0%	315	-9.0%	232	-26.3%	250	7.8%
	-8.2%	247	-21.1%	249	0.8%	239	-4.0%	236	-1.3%	209	-11.4%
	-14.1%	1006	15.2%	907	-9.8%	916	1.0%	976	6.6%	987	1.1%
	-1.9%	142	-29.7%	150	5.6%	175	16.7%	168	-4.0%	158	-6.0%
	109.1%	14	-39.1%	14	0.0%	12	-14.3%	25	108.3%	13	-48.0%
	-8.2%	1807	-0.6%	1771	-2.0%	1763	-0.5%	1754	-0.5%	1705	-2.8%
	-10.6%	1498	0.4%	1425	-4.9%	1448	1.6%	1522	5.1%	1455	-4.4%
	25.8%	74	-10.8%	79	6.8%	84	6.3%	136	61.9%	179	31.6%
	-2.3%	32	-25.6%	38	18.8%	31	-18.4%	35	12.9%	39	11.4%
	25.3%	146	33.9%	159	8.9%	139	-12.6%	95	-31.7%	223	134.7%
	20.0%	7	16.7%	4	-42.9%	3	-25.0%	8	166.7%	7	-12.5%
	-3.7%	24	-7.7%	33	37.5%	32	-3.0%	29	-9.4%	39	34.5%
	-15.9%	241	-3.2%	213	-11.6%	215	0.9%	118	-45.1%	173	46.6%
	-3.8%	33	32.0%	39	18.2%	39	0.0%	48	23.1%	90	87.5%
	50.0%	3	0.0%	3	0.0%	1	-66.7%	1	0.0%	1	0.0%
	-37.5%	34	70.0%	21	-38.2%	26	23.8%	40	53.8%	37	-7.5%
	50.7%	287	-10.6%	332	15.7%	339	2.1%	351	3.5%	571	62.7%
		0	0.0%	0	0.0%	0		0		0	0.0%
	-44.4%	7	-30.0%	9	28.6%	10	11.1%	13	30.0%	7	-46.2%
	-20.3%	336	43.0%	244	-27.4%	216	-11.5%	211	-2.3%	343	62.6%
	-64.7%	9	50.0%	5	-44.4%	3	-40.0%	4	33.3%	16	300.0%
	4.7%	366	10.6%	280	-23.5%	280	0.0%	193	-31.1%	248	28.5%
	-5.3%	11	-38.9%	21	90.9%	23	9.5%	22	-4.3%	9	-59.1%
	100.0%	0	-100.0%	0		0		2		26	1200.0%
	-36.0%	14	-12.5%	23	64.3%	16	-30.4%	9	-43.8%	9	0.0%
	11.7%	686	-14.5%	757	10.3%	724	-4.4%	804	11.0%	1402	74.4%
	4.4%	2310	0.3%	2260	-2.2%	2181	-3.5%	2119	-2.8%	3419	61.3%
	-6.2%	366	1.1%	266	-27.3%	318	19.5%	481	51.3%	565	17.5%
	-11.8%	91	35.8%	95	4.4%	54	-43.2%	52	-3.7%	43	-17.3%
	-100.0%	0		1	100.0%	0	-100.0%	0		0	0.0%
	-7.3%	457	6.5%	362	-20.8%	372	2.8%	533	43.3%	608	14.1%
	-2.1%	4574	0.5%	4393	-4.0%	4316	-1.8%	4406	2.1%	5732	30.1%
	0.0%	112	5.7%	113	0.9%	113	0.0%	97	-14.2%	129	33.0%
	-1.9%	64	23.1%	90	40.6%	73	-18.9%	64	-12.3%	93	45.3%
	-0.5%	171	-6.0%	144	-15.8%	105	-27.1%	38	-63.8%		-100.0%
	-0.6%	347	2.1%	347	0.0%	291	-16.1%	199	-31.6%	222	11.6%

Source: (CPD Department Statistics, 2015-2019).