

PROPOSITION 47: ESTIMATING POTENTIAL COUNTY-LEVEL SAVINGS AND JAIL POPULATION REDUCTIONS



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Research Brief

Proposition 47, the “Safe Neighborhoods and Schools Act,” which will appear on the November 4, 2014 statewide ballot, proposes to reduce the status of certain low-level property and drug offenses from felonies or wobblers to misdemeanors. These offenses include drug possession for personal use and petty-theft-related offenses (theft, shoplifting, receipt of stolen property, checks for non-sufficient funds, forgery, and check fraud, all for \$950 or less). The measure would not apply to people with prior convictions for registerable sex offenses or certain severe offenses.¹

The Legislative Analyst’s Office (LAO) estimates that about 40,000 people annually are convicted of the specified offenses and would be affected by the measure, but acknowledges this estimate may be off by several thousand (LAO, 2014). Because the offenses are not serious, violent, or sex-related, most people convicted of these crimes are currently the responsibility of county-level justice systems. Reclassifying the offenses as misdemeanors would result in shorter jail sentences or sentencing straight to probation or diversionary programs, resulting in 10,000 to 30,000 jail beds potentially freed across the state. This freed jail capacity could translate to county savings of \$400 million to \$700 million.

Currently, approximately one-tenth of people convicted of these offenses are sentenced to state prison due to prior convictions for serious or violent offenses. Should the specified offenses become misdemeanors, most of those convicted would no longer be eligible for state prison, resulting in an ongoing drop of several thousand in the prison population and estimated savings to the state of \$100 million to \$300 million annually (LAO, 2014). These state savings would be transferred to a fund that would support mental health and substance abuse treatment programs, school truancy and dropout prevention, and victim services.

An earlier CJCJ research brief proposed a method for estimating potential local savings and jail beds freed as a result of implementing Proposition 47, using three counties as examples (Males and Buchen, 2014). This brief extends those estimates to all 58 counties. Potential savings vary considerably by county but are substantial, resulting primarily from the freeing of 13 percent to 38 percent of jail capacity (Table 1). However, the estimated cost savings are based on the assumption that the freed jail beds would remain empty. The actual savings will depend on how each county uses its freed jail space; many counties will likely fill a portion of freed jail beds, thereby reducing savings.

¹ Homicide, attempted homicide, solicitation to commit murder, assault with a machine gun on a peace officer or firefighter, possession of a weapon of mass destruction, any serious and/or violent felony punishable by life imprisonment or death, and any registerable sex offense.

Table 1. Potential jail beds freed and annual local savings from Proposition 47

County	Savings (millions)		Jail beds freed		Jail beds freed as % of ADP		Prop 47-affected people
	Low	High	Low	High	Low	High	
Alameda	\$11.8	\$20.6	294	883	9%	27%	1,178
Alpine	\$0.02	\$0.03	0	1	N/A	N/A	2
Amador	\$0.4	\$0.6	9	26	10%	31%	35
Butte	\$3.2	\$5.5	79	237	13%	40%	316
Calaveras	\$0.5	\$0.9	12	37	18%	53%	49
Colusa	\$0.2	\$0.3	5	15	8%	25%	20
Contra Costa	\$11.0	\$19.3	276	827	19%	57%	1,103
Del Norte	\$0.4	\$0.7	9	28	10%	31%	38
El Dorado	\$1.6	\$2.8	40	120	11%	32%	160
Fresno	\$16.1	\$28.1	402	1,205	14%	43%	1,607
Glenn	\$0.3	\$0.4	6	19	7%	21%	25
Humboldt	\$2.4	\$4.2	60	179	16%	48%	238
Imperial	\$3.2	\$5.6	80	240	16%	48%	320
Inyo	\$0.2	\$0.4	5	16	7%	22%	21
Kern	\$15.3	\$26.7	382	1,146	15%	44%	1,528
Kings	\$1.9	\$3.3	47	142	10%	29%	189
Lake	\$1.0	\$1.8	25	76	9%	26%	101
Lassen	\$0.3	\$0.5	7	20	5%	16%	27
Los Angeles	\$99.9	\$174.8	2,497	7,490	14%	41%	9,986
Madera	\$1.6	\$2.8	40	121	9%	27%	162
Marin	\$1.8	\$3.1	44	132	17%	52%	176
Mariposa	\$0.1	\$0.2	3	10	9%	26%	13
Mendocino	\$1.5	\$2.6	36	109	14%	43%	146
Merced	\$3.4	\$6.0	85	255	11%	32%	340
Modoc	\$0.1	\$0.3	4	11	12%	37%	14
Mono	\$0.1	\$0.1	2	5	7%	20%	7
Monterey	\$3.8	\$6.7	95	285	9%	27%	380
Napa	\$1.5	\$2.7	38	115	15%	45%	154
Nevada	\$0.8	\$1.5	21	64	12%	36%	85
Orange	\$29.7	\$51.9	741	2,224	11%	33%	2,966
Placer	\$4.2	\$7.4	106	317	17%	52%	422
Plumas	\$0.2	\$0.3	5	15	11%	33%	20
Riverside	\$24.1	\$42.2	603	1,808	15%	46%	2,411
Sacramento	\$15.6	\$27.3	390	1,171	10%	31%	1561
San Benito	\$0.4	\$0.7	10	30	8%	23%	40
San Bernardino	\$32.7	\$57.2	818	2,453	15%	44%	3,270
San Diego	\$28.4	\$49.7	710	2,131	13%	40%	2,841
San Francisco	\$4.5	\$7.8	111	334	7%	22%	445

County	Savings (millions)		Jail beds freed		Jail beds freed as % of ADP		Prop 47-affected people
	Low	High	Low	High	Low	High	
San Joaquin	\$6.8	\$12.0	171	513	12%	36%	684
San Luis Obispo	\$2.8	\$4.9	70	210	10%	31%	280
San Mateo	\$5.3	\$9.3	132	397	13%	40%	530
Santa Barbara	\$3.7	\$6.4	91	274	9%	28%	366
Santa Clara	\$9.7	\$16.9	242	726	7%	20%	968
Santa Cruz	\$3.5	\$6.1	88	263	22%	65%	351
Shasta	\$2.6	\$4.6	66	197	20%	60%	262
Sierra	\$0.02	\$0.03	0	1	22%	67%	2
Siskiyou	\$0.4	\$0.8	11	34	14%	43%	45
Solano	\$4.3	\$7.5	108	323	12%	36%	431
Sonoma	\$5.3	\$9.3	133	398	13%	40%	531
Stanislaus	\$9.5	\$16.6	237	711	21%	62%	949
Sutter	\$1.1	\$2.0	28	84	12%	37%	112
Tehama	\$1.4	\$2.4	34	103	18%	54%	138
Trinity	\$0.3	\$0.5	7	22	12%	36%	29
Tulare	\$6.8	\$11.9	170	511	10%	31%	682
Tuolumne	\$0.9	\$1.6	23	70	17%	51%	93
Ventura	\$8.3	\$14.6	208	624	13%	38%	832
Yolo	\$2.0	\$3.5	50	151	12%	35%	201
Yuba	\$1.2	\$2.0	29	87	7%	21%	116
Total, all counties	\$400	\$700	10,000	30,000	13%	38%	39,997

Sources: LAO (2014); DOJ (2014); CJSC (2013). ADP: Average Daily Population.

Sources

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Please note: Each year, every county submits their data to the official statewide databases maintained by appointed governmental bodies. While every effort is made to review data for accuracy and to correct information upon revision, CJCJ is not responsible for data reporting errors made by the county or state.

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