

PROPOSITION 47 AND CRIME IN 2015: A COUNTY-LEVEL ANALYSIS



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Research Report

Introduction

Proposition 47 (“Prop 47”), which passed in November 2014, reclassified six property and drug offenses from felonies to misdemeanors. Because the law applied retroactively, incarcerated people serving felony sentences for those offenses were eligible for resentencing, and many received a reduced sentence or were released outright for time already served. Critics of Prop 47 claim that reclassifying felonies to misdemeanors fails to deter people from committing Prop 47-affected offenses and therefore fosters increased crime (see, for example, Zimmerman, 2015). Opponents also argued the policy would cause a rise in violent crime across California by allowing the early release of people convicted of violent felonies (see “Arguments Against Proposition 47,” 2014).

From November 2014 to December 2015, the first year following the passage of Prop 47, California state prisons reported 4,533 people were released as a result of the law’s resentencing provisions (CDCR, 2016). Additionally, the average daily population (ADP) in jails across California dropped by about 7,000 from October 2014, just before the initiative was implemented, to October 2015, one year later (BSCC, 2016a). Recent state figures show California’s 2015 violent crime rate increased by 9 percent and the property crime rate increased by 7 percent from 2014 levels. However, not all offenses rose in 2015; burglaries decreased by about 4 percent. Moreover, the total crime rate remained lower than 2010 levels and was about half the rate reported 20 years ago (DOJ, 2016).

Did Proposition 47 cause or contribute to 2015’s overall increase in reported crime? Examining California’s 58 counties individually provides a more detailed depiction of crime across the state. A recent CJCJ report compared the rates at which people were released from state prisons for Prop-47-related reasons and reductions in county jail ADPs in 2015 to changes in reported crime for California’s 68 largest cities for the first half of 2015 versus 2014. The report found that, on average, urban crime rates did not increase as considerably in counties with higher rates of Prop 47-related prison releases or larger reductions in jail ADPs. In fact, there was no correlation between county changes in criminal justice facility populations and urban crime (CJCJ, 2016).

This report analyzes updated data to examine how changes in crime at the county level in 2015 might have been affected by: 1) changes in the ADP rates in county jails from October 2014 to October 2015, and 2) the rates at which people were released from prison back into the counties for Prop 47-related reasons (“Prop 47-related prison releases”). These two data categories are combined to calculate the total rate change in criminal justice facility populations per county, which is then compared to percentage changes in county reported crime rates. While the prison release data used in this report are directly attributable to Prop 47, the changes in county jail ADP cannot all be ascribed to Prop 47. However, the dramatic jail ADP decrease in the initial months following the passage of Prop 47 suggests that the law has played a role in decreasing the number of people detained or incarcerated in county jails.

Method

This report analyzes several data sources for three time periods.

1. The California Department of Justice (DOJ, 2016a) provides annual, county reported crime rates for 2014 and 2015.
2. The Board of State and Community Corrections (BSCC, 2016) provides figures for average daily population (ADP) in local jails for all counties in October 2014 (pre-Prop 47) and October 2015 (post-Prop 47), which are used to calculate the differences in jail ADP rate per 100,000 general population pre- and post-Prop 47.

3. The California Department of Corrections and Rehabilitation (CDCR, 2016) provides data used to calculate rates of prison releases resulting from Proposition 47, by resentencing county, for the period immediately following the implementation of Prop 47: November 5, 2014 through December 31, 2015.

The county jail ADP rates and the rates of Prop 47-related prison releases are combined to create the total rate change in facility population post-Prop 47 to provide a single unit of comparison to county-level crime. If the reductions in criminal justice facility populations after Proposition 47 caused an increase in crime in 2015, as some critics assert, then counties with the largest decreases in their jails' ADPs and highest rates of Prop 47-related state prison releases would show congruent increases in reported crime.

Results

Decreases in counties' jail and prison populations following the implementation of Prop 47 were not correlated with increases in county-level crime. Table 1 compares the total rate change in facility populations per county to each county's percent change in crime rates. The data show that reductions in a county's facility population do not correspond with similar increases in its violent or property crime rates. In fact, counties with similar reductions in their facility populations typically experienced widely varying crime trends.

For example, two of the 10 counties with the highest total facility population decreases, Kings and Yolo, saw similar rates of facility population change, declines of about 66 persons per 100,000 population. However, violent crime decreased by 1 percent in Kings County while increasing by 5 percent in Yolo County. Glenn County also had a similar decrease in its facility population of about 65 persons per 100,000 population. However, Glenn reported decreases in both its violent and property crime rates of -16 percent and -3 percent, respectively.

Likewise, Marin and Plumas counties, two of the 10 counties with the lowest total rates of facility population decreases, experienced vastly differing crime trends. Both counties actually reported slight increases in their facility populations, with growths of about 0.3 persons and 0.4 persons per 100,000 population, respectively. However, in Marin County, violent crime increased by 14 percent while in Plumas County, it dropped by 36 percent. Property crime in these two counties also varied substantially, with Marin County's property crime increasing by 15 percent and Plumas County's decreasing by 52 percent.

Comparing the 10 counties with the highest total facility population decreases to the 10 counties with the lowest total facility population decreases (or highest total increases), illustrates the wide variation in crime trends across counties and the lack of correlation between facility population change and crime rates. For example, Modoc County and Inyo County had similar decreases in property crime (27 percent and 21 percent, respectively), but Inyo County's facility population increased by 4.1 persons per 100,000 population while Modoc's dropped by 96.1 persons. Violent crime also fluctuated independently of facility population changes, with Calaveras, Marin, Merced, and Lake counties all experiencing similar rates of increasing violent crime, but reporting widely disparate changes in their facility population rates (15.8, 0.3, -82.0 and -113.4, respectively).

On average, the 10 counties with the highest total facility population decreases reported drops of 74.4 persons per 100,000 population, showing smaller increases in violent crime and only slightly higher changes in property crime than the 10 counties with the lowest total facility population decreases (which actually showed an average increase in the facility population of 6.1). The wide variations across counties in both facility population and crime trends make it difficult to establish a causal relationship between the two.

Table 1. Counties ranked by total rate change in facility population post-Prop 47 compared to county crime rate percentage changes

County	Total Rate Change in Facility Population Post-Prop 47	Change in Violent Crime 2014 v. 2015	Change in Property Crime 2014 v. 2015
10 highest total facility population decreases			
Lake	-113.4	11%	2%
Modoc	-96.1	41%	-27%
Merced	-82.0	11%	10%
Tulare	-74.1	-6%	2%
Madera	-68.8	-5%	8%
Kings	-66.1	-1%	11%
Yolo	-66.0	5%	9%
Glenn	-65.0	-16%	-3%
Kern	-56.7	8%	5%
San Luis Obispo	-55.9	-4%	19%
Average	-74.4	4%	4%
10 lowest total facility population decreases/highest total increases			
Tuolumne	-3.8	50%	11%
Colusa	-0.5	21%	5%
Marin	0.3	14%	15%
Plumas	0.4	-36%	-52%
Sutter	2.5	1%	1%
Siskiyou	3.9	-2%	9%
Inyo	4.1	-9%	-21%
Trinity	6.1	0%	40%
Calaveras	15.8	13%	-19%
Mariposa	32.4	25%	2%
Average	6.1	8%	-1%

Sources: BSCC, 2016; CDCR, 2016; DOF, 2016; DOJ, 2016. Note: Rates are calculated per 100,000 population. "Total Rate Change in Facility Population Post-Prop 47" refers to the combination of 1) the difference in the rate of the October 2015 county jail ADP and the rate of the October 2014 county jail ADP and 2) the rate of Prop 47-related prison releases which occurred from November 2014 to December 2015.

Conclusion

In 2015, one year after the passage of Proposition 47, there continued to be no demonstrated county-level correlation between rates of Prop 47-related state prison releases, reductions in county jail average daily populations, and crime rates or trends. If releasing people from prison and jail after Prop 47 were causing an increase in crime in 2015, counties experiencing higher total facility population decreases (that is, larger jail ADP declines and more Prop 47-related state prison releases) would be expected to report increased rates of crime. However, counties experiencing greater decreases in prison and jail populations did not report greater relative increases in crime than counties with lesser population decreases, or increases, in state and county criminal justice facilities.

The large inconsistencies in the experiences of various counties show it is too early to determine if changes in crime rates can be attributed to Prop 47 only one year after the law's passage. Generally, crime trends fluctuate from year to year and may not be indicative of a larger pattern (CJCJ, 2016). For example, after the implementation of Public Safety Realignment in 2011, statewide crime rates increased in 2012 but fell below pre-Realignment levels in 2014 (CJCJ, 2016). At present, available data for 2015 continue to suggest that there is no correlation between post-Prop 47 reductions in facility populations and crime.

References

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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 cannot be responsible for data reporting errors made at the county, state, or national level.

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Appendix

Alphabetized counties showing total change in facility population rate compared to county crime rate changes for all Part I offenses

County	Facility Pop. Rate Change	Jail ADP Rate Change	Prop 47 Prison Release Rate	Violent	Homicide	Rape	Robbery	Assault	Property	Burglary	MV Theft	Theft	Arson
Alameda	-36.9	-35.4	-1.6	-9%	14%	31%	-4%	-18%	2%	-13%	0%	7%	3%
Alpine**	n/a	n/a	--	123%	0%	-100%	0%	198%	45%	49%	~	0%	0%
Amador	-11.9	-6.5	-5.4	3%	0%	0%	-40%	10%	-5%	-4%	42%	-10%	24%
Butte	-28.5	-4.7	-23.8	14%	-37%	54%	-2%	13%	13%	13%	23%	11%	132%
Calaveras	15.8	17.9	-2.2	13%	~	106%	-1%	-4%	-19%	-13%	23%	-29%	-100%
Colusa	-0.5	8.4	-8.9	21%	0%	147%	-34%	23%	5%	-7%	14%	11%	97%

County	Facility Pop. Rate Change	Jail ADP Rate Change	Prop 47 Prison Release Rate	Violent	Homicide	Rape	Robbery	Assault	Property	Burglary	MV Theft	Theft	Arson
Contra Costa	-12.7	-11.3	-1.4	3%	20%	0%	9%	-3%	-1%	-21%	2%	6%	-1%
Del Norte*	-32.8	-32.8	--	-14%	0%	-8%	-34%	-13%	-9%	-11%	-39%	7%	99%
El Dorado	-14.7	-8.7	-6	-18%	199%	12%	4%	-28%	0%	-12%	-20%	8%	-69%
Fresno	-41.8	-26.1	-15.7	14%	-1%	71%	26%	7%	2%	-8%	-2%	6%	-8%
Glenn	-65	-41	-24	-16%	197%	-68%	-16%	-3%	-3%	-24%	14%	4%	-56%
Humboldt	-19.7	-15.3	-4.4	11%	9%	-7%	-3%	20%	-8%	-13%	14%	-10%	3%
Imperial	-24.8	-17.9	-6.9	21%	-35%	-20%	6%	28%	6%	2%	-5%	10%	51%
Inyo	4.1	9.3	-5.2	-9%	0%	-36%	266%	-14%	-21%	-44%	106%	-20%	-100%
Kern	-56.7	-27.3	-29.4	8%	7%	54%	2%	7%	5%	-3%	10%	9%	9%
Kings	-66.1	-37.7	-28.4	-1%	-29%	-6%	42%	-6%	11%	12%	30%	7%	41%
Lake	-113.4	-92.2	-21.1	11%	32%	-31%	81%	9%	2%	-4%	25%	0%	-15%
Lassen	-49.7	-46.9	-2.8	56%	-100%	66%	8%	63%	13%	-9%	29%	24%	124%
Los Angeles	-31.4	-15.3	-16.1	17%	12%	75%	9%	18%	10%	2%	19%	10%	5%
Madera	-68.8	-52.3	-16.5	-5%	-56%	-2%	23%	-8%	8%	-2%	17%	11%	-39%
Marin	0.3	1.1	-0.8	14%	20%	42%	33%	3%	15%	1%	24%	19%	-28%
Mariposa*	32.4	32.4	--	25%	0%	33%	-67%	29%	2%	-5%	159%	1%	0%
Mendocino	-10.5	0.8	-11.3	13%	0%	237%	-13%	4%	-6%	-16%	15%	-5%	-15%
Merced	-82	-77.1	-4.8	11%	-8%	84%	7%	10%	10%	4%	48%	4%	77%
Modoc*	-96.1	-96.1	--	41%	-100%	366%	100%	29%	-27%	-57%	22%	-12%	299%
Mono*	-21.7	-21.7	--	-20%	0%	49%	-25%	-24%	0%	-5%	49%	-1%	0%
Monterey	-33.8	-25.9	-7.9	4%	75%	27%	-6%	5%	-10%	-31%	18%	-13%	-32%
Napa	-6.6	-0.3	-6.3	9%	-40%	37%	-8%	9%	8%	5%	10%	8%	198%
Nevada	-15.6	-11.6	-4.1	-6%	-100%	41%	5%	-8%	8%	8%	4%	8%	100%
Orange	-30.7	-26	-4.7	14%	-7%	18%	14%	14%	24%	13%	37%	24%	6%
Placer	-8.3	0.2	-8.6	12%	98%	19%	47%	2%	8%	-8%	25%	11%	-32%
Plumas*	0.4	0.4	--	-36%	0%	-48%	-75%	-26%	-52%	-55%	-84%	-31%	0%
Riverside	-32.5	-10.6	-21.9	11%	-8%	5%	11%	12%	5%	-11%	16%	9%	-9%
Sacramento	-22.6	-11.9	-10.6	10%	14%	3%	12%	9%	3%	1%	10%	3%	-26%
San Benito	-37.3	-32.3	-5.1	-10%	-75%	16%	-5%	-12%	-3%	-37%	37%	12%	-1%
San Bernardino	-38.4	-22.6	-15.8	19%	-2%	31%	17%	19%	8%	-4%	14%	12%	-7%
San Diego	-25.4	-18.6	-6.8	2%	12%	43%	2%	-2%	6%	-3%	4%	10%	-14%
San Francisco	-6.5	-5.8	-0.7	-1%	17%	-3%	11%	-14%	16%	-2%	12%	20%	11%
San Joaquin	-37.2	-26.4	-10.8	6%	-6%	12%	2%	8%	-2%	-9%	4%	0%	31%
San Luis Obispo	-55.9	-47.1	-8.8	-4%	0%	-16%	8%	-4%	19%	-4%	33%	25%	84%
San Mateo	-14.5	-11.7	-2.8	9%	26%	-2%	10%	10%	9%	5%	13%	9%	-2%
Santa Barbara	-6.1	4.4	-10.5	4%	12%	10%	5%	3%	0%	-12%	-15%	7%	5%
Santa Clara	-33.8	-30	-3.8	2%	9%	18%	0%	-1%	4%	-5%	-7%	11%	-17%
Santa Cruz	-21	-17.7	-3.3	2%	-34%	7%	18%	-3%	14%	6%	7%	17%	-6%
Shasta	-48	-4.6	-43.3	9%	-38%	10%	5%	10%	2%	-6%	-5%	7%	-6%
Sierra**	n/a	n/a	--	-73%	0%	0%	0%	-73%	14%	-58%	402%	44%	0%
Siskiyou	3.9	12.7	-8.8	-2%	299%	133%	60%	-16%	9%	6%	61%	2%	-50%
Solano	-25.5	-20	-5.5	-3%	14%	30%	-8%	-5%	-4%	-6%	-4%	-3%	22%

County	Facility Pop. Rate Change	Jail ADP Rate Change	Prop 47 Prison Release Rate	Violent	Homicide	Rape	Robbery	Assault	Property	Burglary	MV Theft	Theft	Arson
Sonoma	-12.9	-9.7	-3.2	3%	28%	48%	24%	-6%	15%	6%	22%	16%	27%
Stanislaus	-47.3	-17.9	-29.3	8%	20%	17%	18%	4%	5%	-8%	30%	4%	6%
Sutter	2.5	12.7	-10.2	1%	~	53%	14%	-9%	0%	-3%	18%	-1%	-25%
Tehama	-9.3	13.7	-23	2%	-50%	-5%	-30%	9%	4%	4%	-1%	6%	227%
Trinity	6.1	6.1	--	0%	-67%	99%	-17%	0%	40%	71%	199%	-8%	-100%
Tulare	-74.1	-55.7	-18.4	-6%	24%	90%	-13%	-11%	2%	-9%	1%	7%	-12%
Tuolumne	-3.8	7.2	-11	50%	-100%	80%	300%	26%	11%	31%	-3%	1%	-40%
Ventura	-24.3	-16.6	-7.6	14%	19%	12%	-1%	25%	2%	-7%	14%	3%	12%
Yolo	-66	-41.2	-24.8	5%	49%	3%	3%	6%	9%	-11%	4%	16%	-45%
Yuba	-8.7	3.3	-12	5%	147%	17%	25%	-2%	-7%	-13%	0%	-5%	-22%
Total	-30.7	-19.1	-11.7	9%	9%	35%	7%	7%	7%	-4%	11%	10%	3%

Sources: BSCC, 2016; CDCR, 2016; DOF, 2016; DOJ, 2016. Notes: "Jail ADP Rate Change" refers to the difference in the rate of county jail average daily populations (ADP) per 100,000 general population in October 2014 subtracted from October 2015. "Prop 47 Release Rate" refers to the rate at which people in California state prison were released for Prop 47-related reasons per 100,000 general population. Release data covers the period from November 5, 2014 to December 31, 2015. Counties marked with "~" had no Prop 47-related prison releases. Alpine and Sierra counties are marked with "***" because they had no Prop 47-related prison releases and did not operate county jail facilities for the entirety of the period being examined. As of March 2015, Sierra County's jail operates as a temporary housing facility. Those incarcerated are transferred to in Plumas or Nevada county jails. Alpine County does not have a jail facility, but contracts jail space through El Dorado and Calaveras counties. Five years prior to its closure, Sierra County Jail's average daily population never surpassed 10 people (BSCC, 2016). Crime totals for both Alpine and Sierra counties each fell below 100 reported incidents for 2014 and 2015 (DOJ, 2016a). As such, the Center on Juvenile and Criminal Justice does not believe the correlation between jail populations and crime will be significantly altered for those counties to which Alpine and Sierra counties contract jail space. Crime rates for counties are marked with "~" because offense rates in either 2014 or 2015 were 0 and therefore percentage changes cannot be calculated. In 2014-2015, rates of motor vehicle theft in Alpine County increased from 0 to 79 per 100,000 population, rates of homicide in Sutter County decreased from 0 to 1, and rates of homicide in Calaveras County increased from 0 to 13 (DOJ, 2016a).