

Prop 36 Reduces Felony Drug Possession Prison Admissions 30 Percent in 2001 while Drug Possession Arrests on Rise

Since California voters overwhelmingly passed Proposition 36, the Substance Abuse and Crime Prevention Act ("SACPA") of 2000, skeptics have coined the new law an "experiment" while supporters sighed with relief that the trend of imprisonment as a solution to addiction in the state of California was falling from favor. Both schools watched closely to determine if the law would really deliver.

The latest data from the California Department of Corrections indicates that Proposition 36 has succeeded in positively affecting the issue it was intended for: chemical dependency in the criminal justice system.

Prison Admissions Reduced:

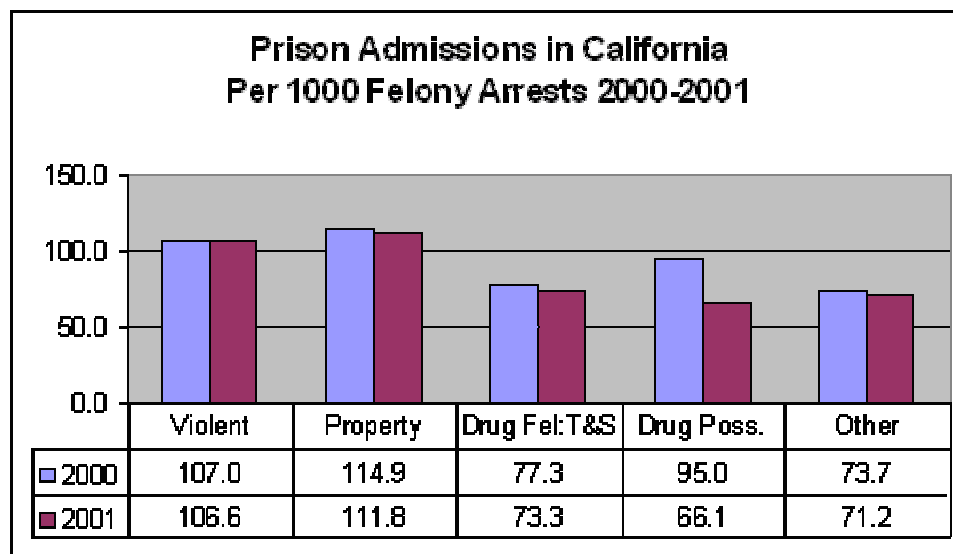


Figure 1 Source: CDC Office of Data Analysis

Rates of prison admission provided by the CDC are useful in describing the number of new and re-offending inmates that are added to the California prison system each year. The data is separated by the type of offense the individual committed. As shown in Figure 1 above, in 2001, the first year of SACPA implementation, all felony drug

possession admissions per 1000 arrests dropped by 30 percent in California Prisons when compared to year 2000 admissions.¹

Due to Prop 36, in the year 2001, 3,539 low level drug possession offenders received treatment instead of prison for an offense often regarded as a health issue, rather than a criminal one.

Arrest Rates Remain Stable

Arrest numbers for drug possession offenses in California are an essential element of this discussion. With the introduction of SACPA, law enforcement officials and others expressed concern that drug possession arrests as a whole would decrease. Lacking the means to put drug offenders behind bars, it was thought that police would either not respond to issues of drug misuse, or else tack on frivolous charges in order to keep individuals detained.

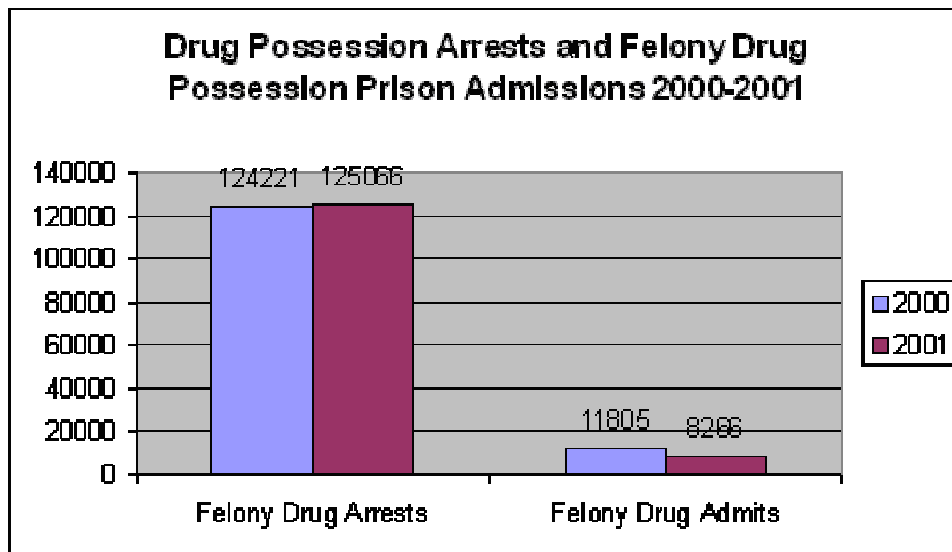


Figure 2 Source: CDC Office of Data Analysis

The most recent data from the CDC reports that this has not been the case. As seen in Figure 2, while felony drug possession admissions to California state prisons have experienced a significant decrease, total arrests for drug possession in the state continued to increase from 124,211 to 125,066 in the year 2001. Charges for violent and property crimes have increased in 2001, but not outside the trends of increased incarceration for these offenses across the state in general.

-Excerpt from Males, M. et. al., "*Drug Use and Justice*", The Center on Juvenile and Criminal Justice, In Press, 2002

¹ As Seen In: *Drug Use and Justice*, The Center on Juvenile and Criminal Justice, 2002. In Press. Males et. al.

(All Raw Data Collected from California Department of Corrections Data Analysis Center.)