

Submitted and Presented in
Committee 01/22/2015



“We can reduce crime, lower our prison population and save money by changing our approach to low-level offenders.

Nobody wins when we incarcerate someone at a cost of thousands to taxpayers, just for them to be released some time later and reoffend. We must transform our justice system into one that prioritizes prevention, effective rehabilitation, and sentences that stop the cycle of crime.”

George Gascón

San Francisco District Attorney

Sponsor of Proposition 47



WHAT DO WE DO?

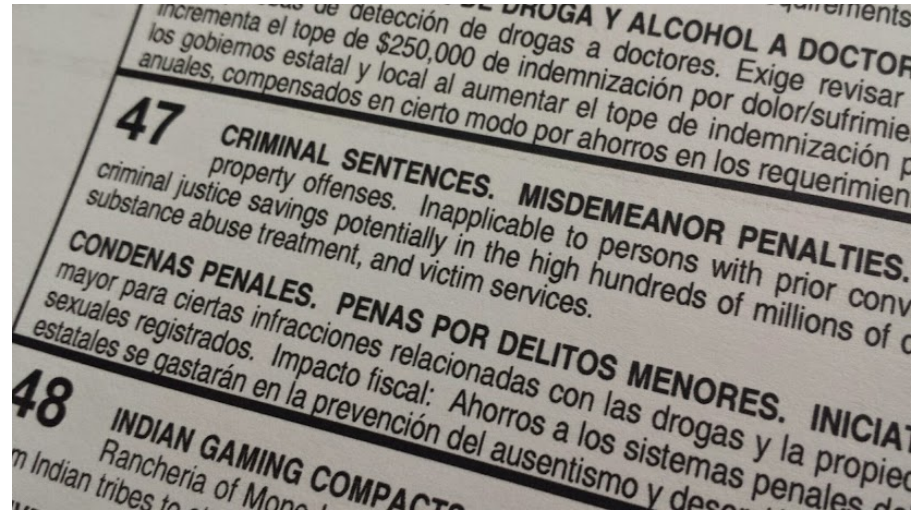


59.6 percent of Californians supported Proposition 47
&
80.1 percent of San Franciscans voted Yes on 47



WHAT IS PROPOSITION 47?

Prop 47 reduces the classification of most non-serious and nonviolent property and drug crimes from a felony to a misdemeanor *unless* the defendant has prior convictions for murder, rape, certain sex offenses or certain gun crimes.



Crimes affected by the penalty reduction:

- Possession for personal use of most illegal drugs (HS 11350, 11377, 11357(a))
- Shoplifting, where the value of property stolen does not exceed \$950 (PC 459 2nd commercial)
- Grand theft, where the value of the stolen property does not exceed \$950 (PC 487)
- Petty theft with most other theft convictions (PC 666)
- Receiving or buying stolen property, where the value of the property does not exceed \$950 (PC 496)
- Forgery, where the value of forged check, bond or bill does not exceed \$950 (PC 470 et seq)
- Fraud, where the value of the fraudulent check, draft or order does not exceed \$950 (PC 475 et seq)

Prop 47 also permits re-sentencing for anyone currently serving a prison sentence for any of the offenses that the initiative reduces to misdemeanors.

Thousands of inmates are estimated to be eligible for resentencing, but each case requires a thorough review of criminal history and risk assessment before re-sentencing to ensure that they do not pose a risk to the public.

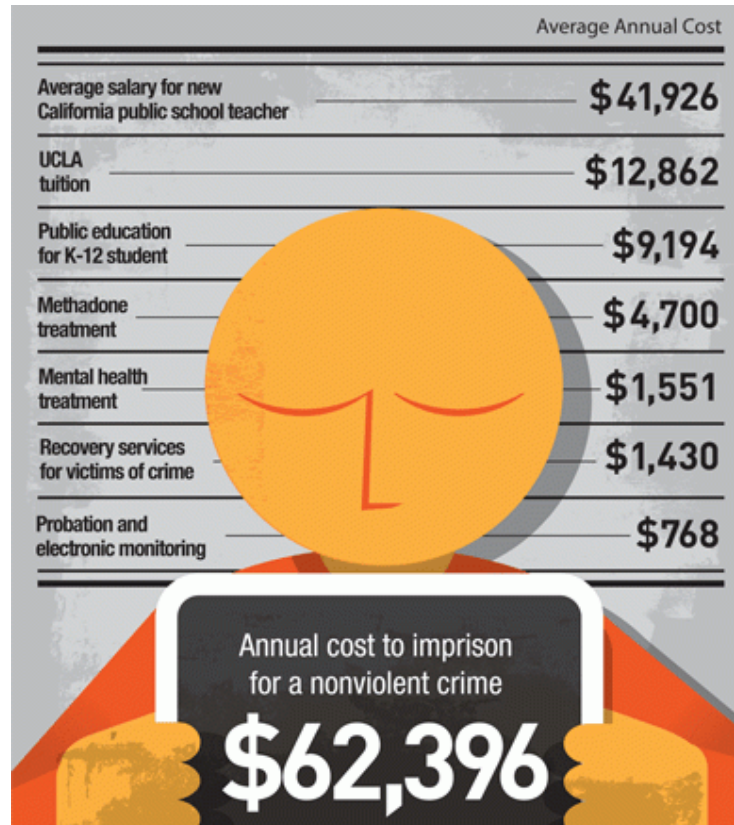


SAVINGS

Estimates for savings range from \$150 million to \$250 million per year.

Savings to counties is expected to be even greater.

The savings will be distributed to fund education, victims and rehabilitation programs.



PROP 47'S IMPACTS ON SAN FRANCISCO BY THE NUMBERS

Number of Open Cases SFDA Office Reduced to Misdemeanors:
Approximately 375 cases

Number of Cases Potentially Eligible for Resentencing:

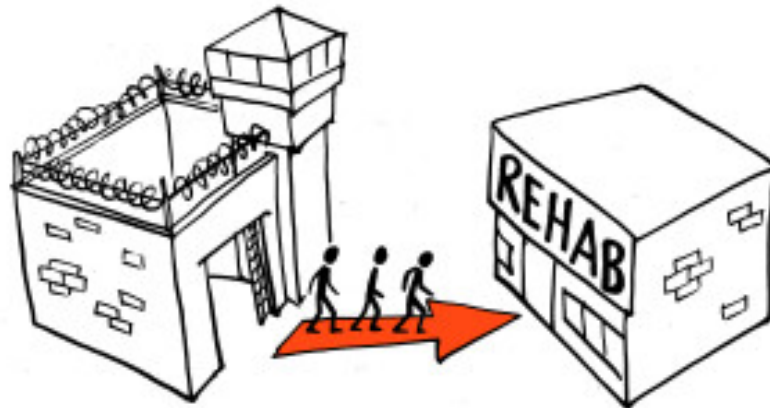
APD: 906 Cases Total

(Drug cases = 293 / Penal code cases = 613)

County Jail: 15 cases

State Prison: 4 cases

There are also an unknown number of individuals whose prior crimes may now be reclassified.



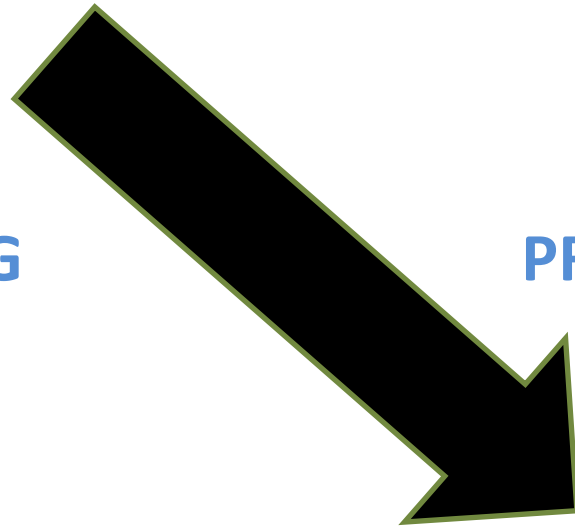
Approximately 1,300 total cases eligible for reduction

IMPACT ON SFDA OFFICE

FEWER FELONIES

SHIFTING

PRIORITIES



MORE

MISDEMEANORS