



Words to Deeds

From Silos to Solutions:

Cross System Implementation in California's Behavioral Health & Criminal Justice Reform Initiatives

September 25 - 26, 2025
Los Angeles, California

Proposition 36

Early Lessons Learned on Drug Offenses

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California's Latest Criminal Justice Reform: Proposition 36

Words to Deeds Conference, Los Angeles
September 25, 2025

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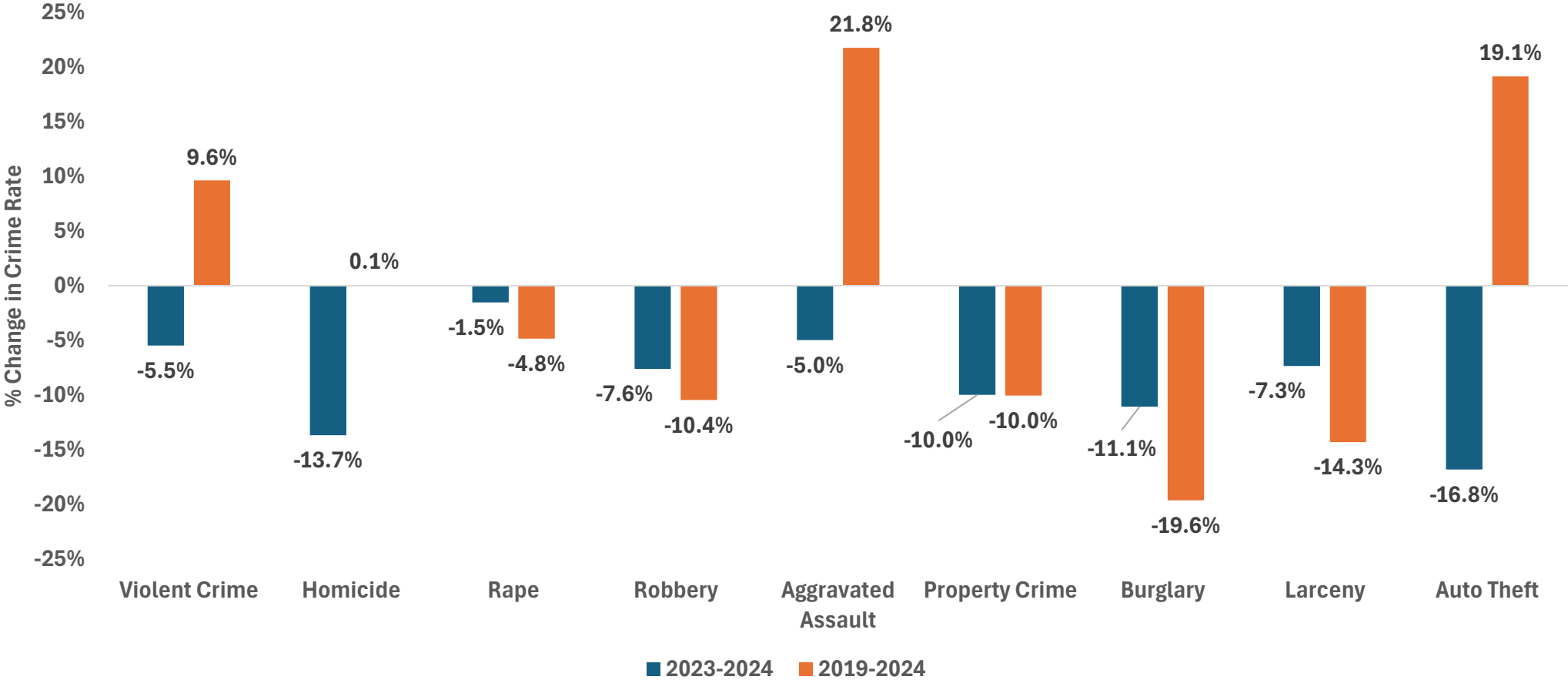
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PUBLIC POLICY
INSTITUTE OF CALIFORNIA

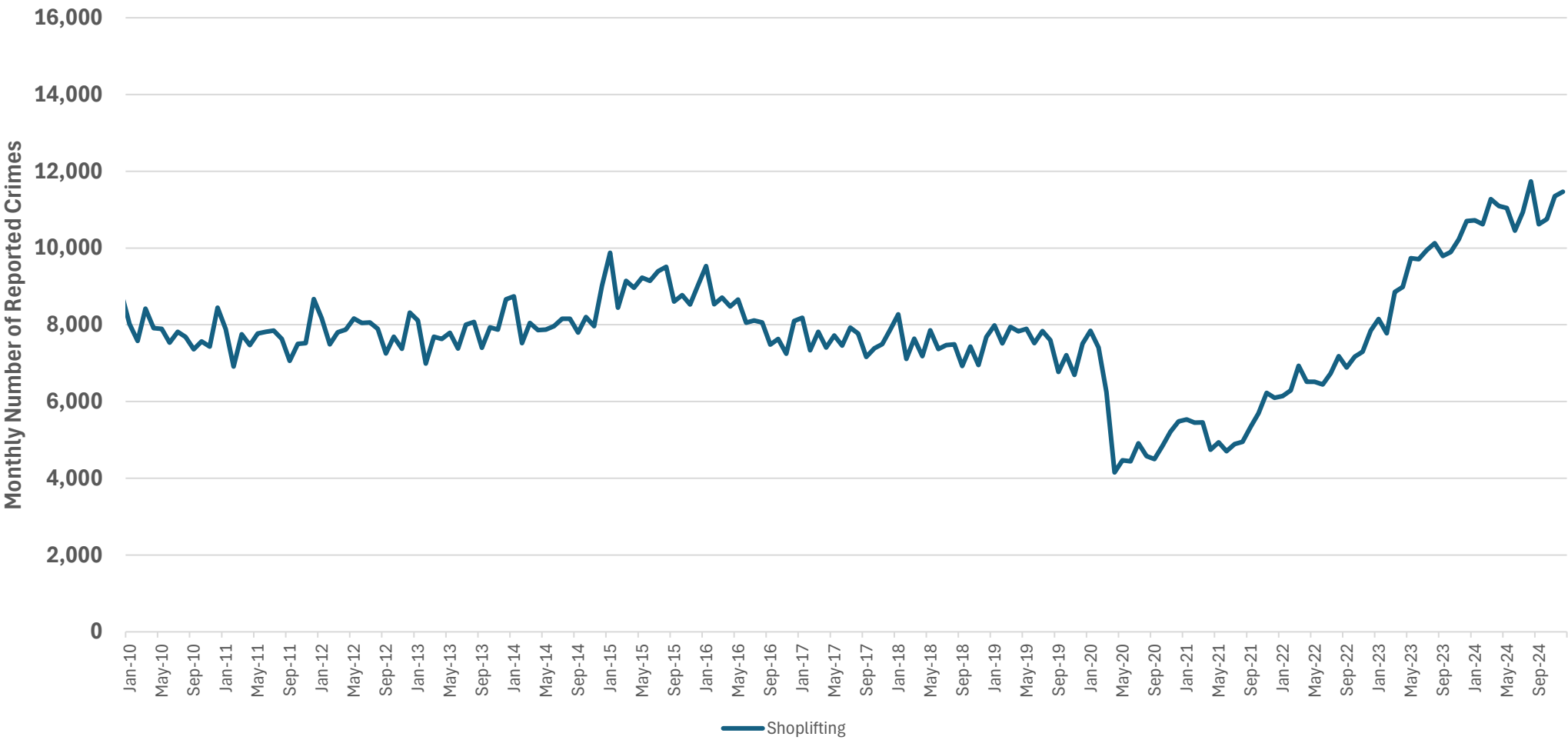
California has seen substantial changes to its criminal justice systems over the last decades

- Prompted by a 2009 federal court order to address prison overcrowding, California has been leading the nation in efforts to reduce incarceration
 - Also, broad impacts from criminal justice responses to pandemic
 - Prison population has dropped by 47% since 2007, jails by 30%
- Pendulum appears swinging back as Californians express concerns about rising crime
 - Passage of Prop 36 fueled by these concerns, and that criminal justice reforms contributed to increases in crime, drug addiction and homelessness
 - Especially Prop 47 (2014), which reclassified a number of drug and property offenses from felonies to misdemeanors

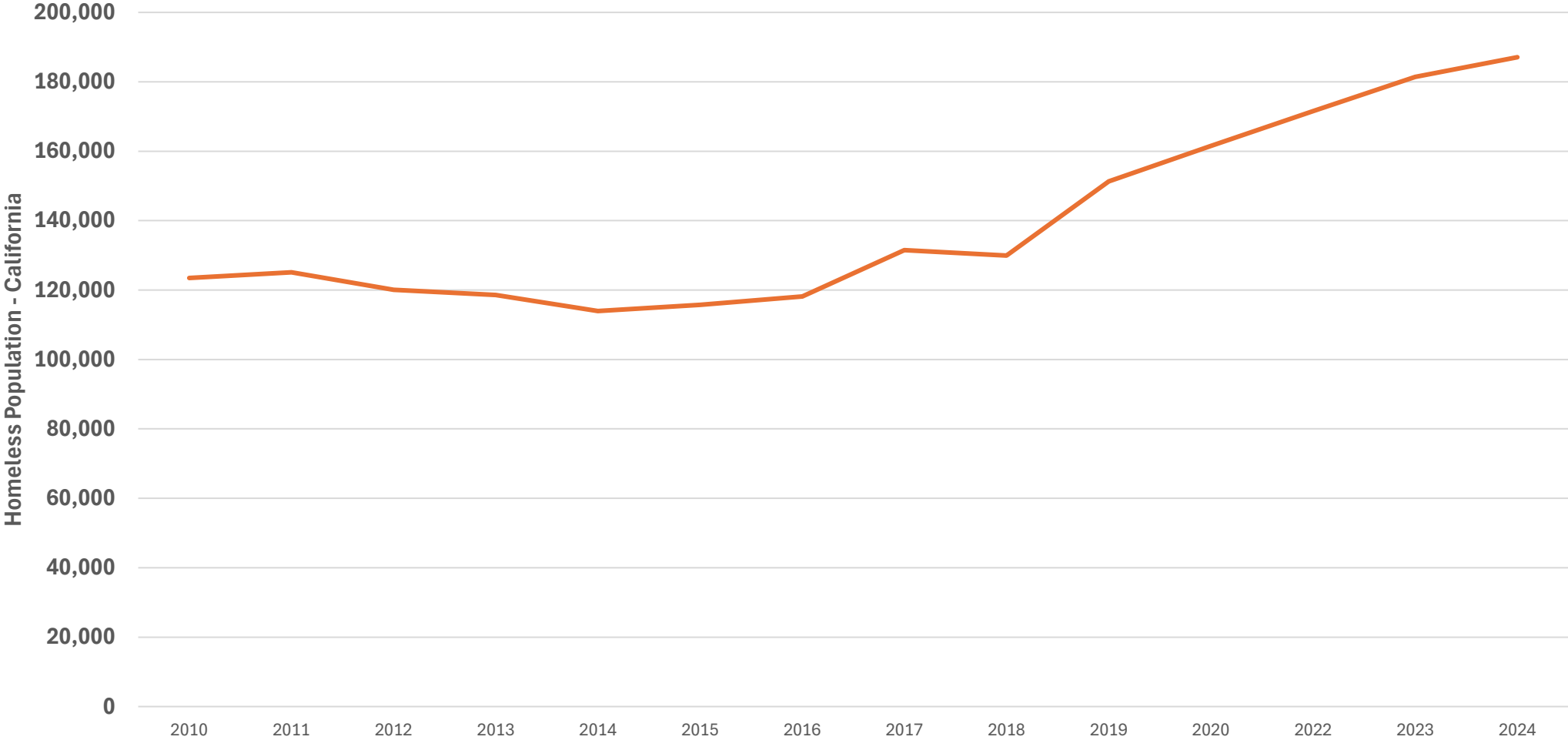
Crime decreased broadly in California in 2024, but some crime rates are still above pre-pandemic levels



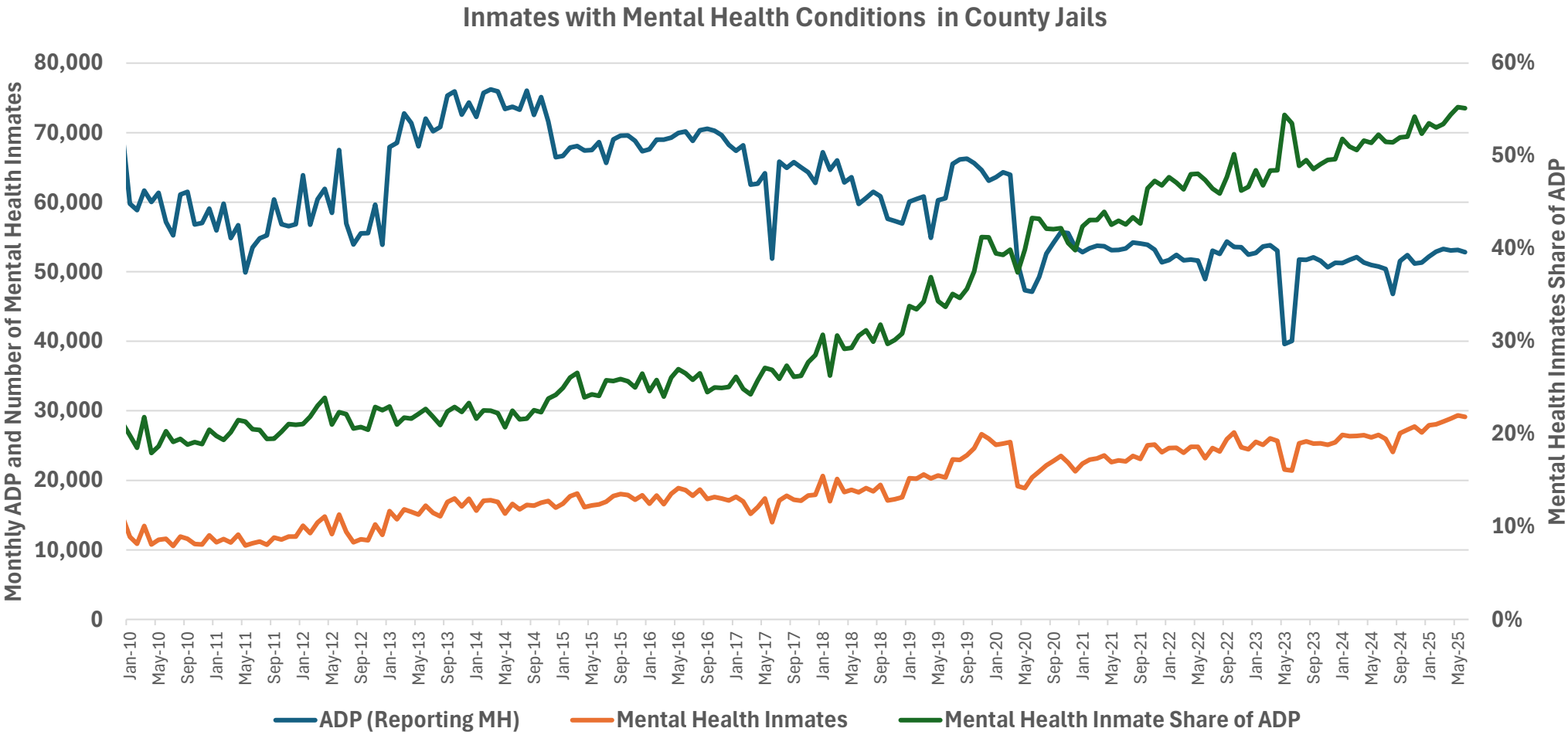
The reported number of shoplifting incidents have been on the rise since mid-2021



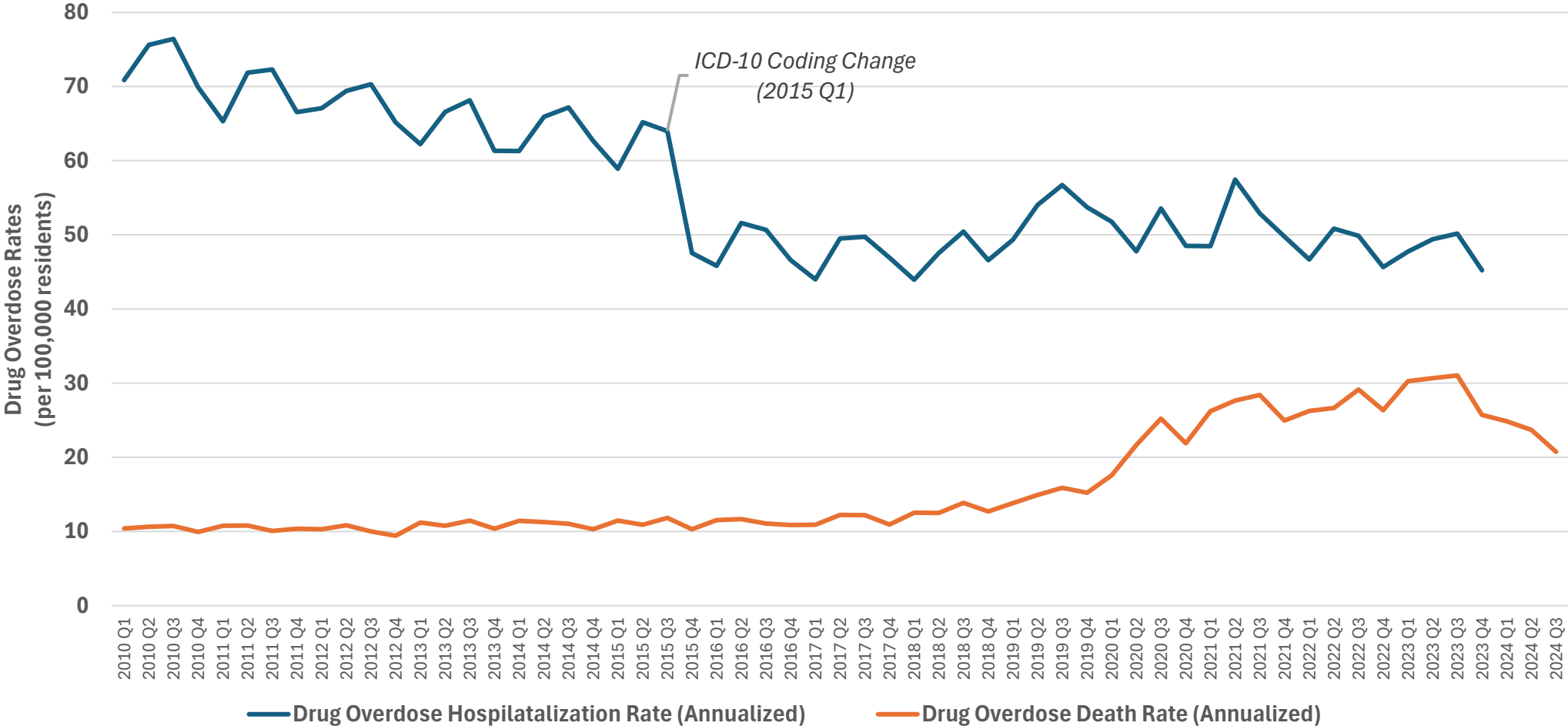
California's homeless population is growing



Also see evidence of more inmates with mental health needs in county jails



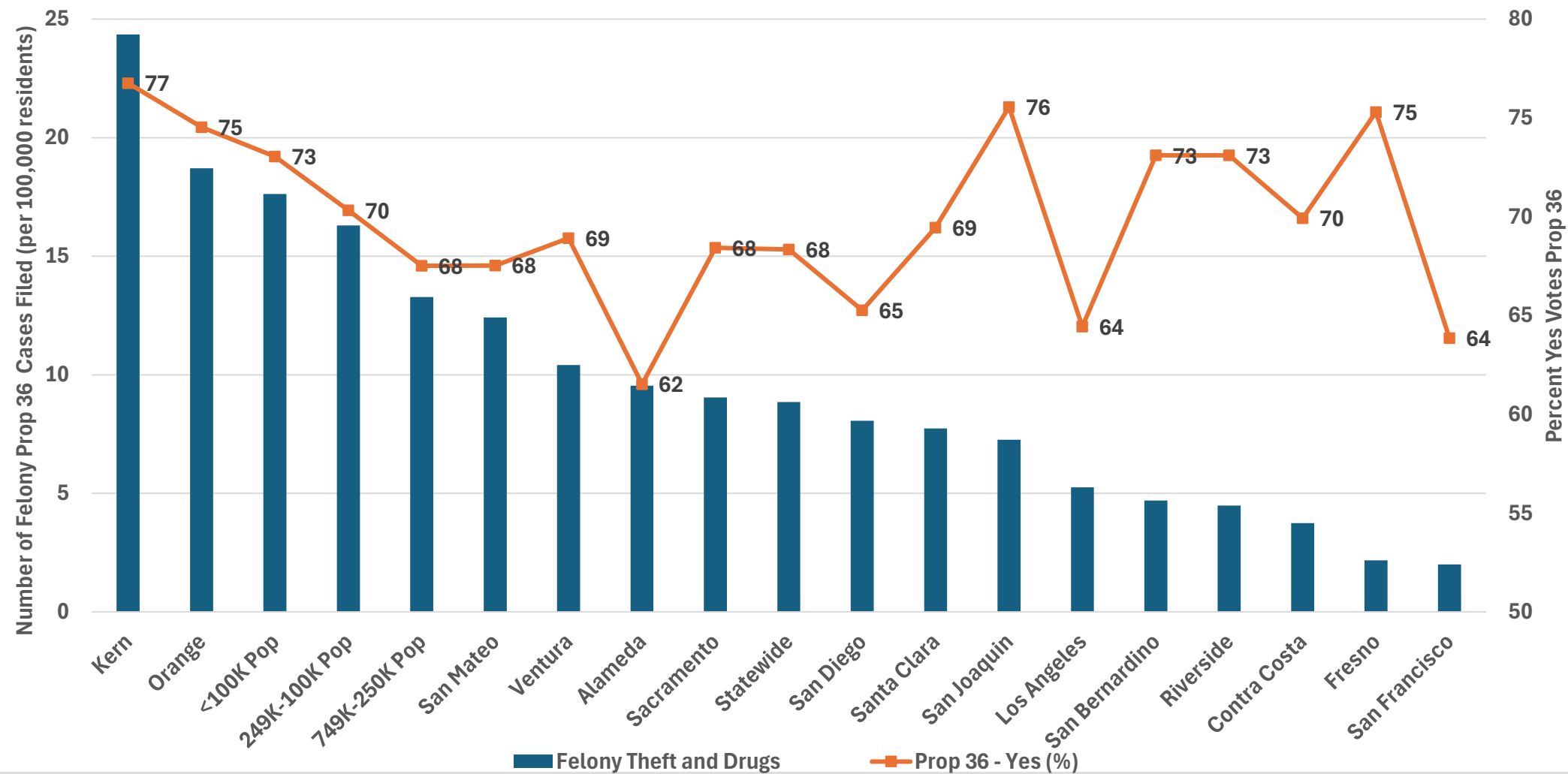
Drug overdose hospitalization rates relatively stable, while mortality rates are higher, but declining



Prop 36 aims to reduce retail theft, drug addiction and homelessness

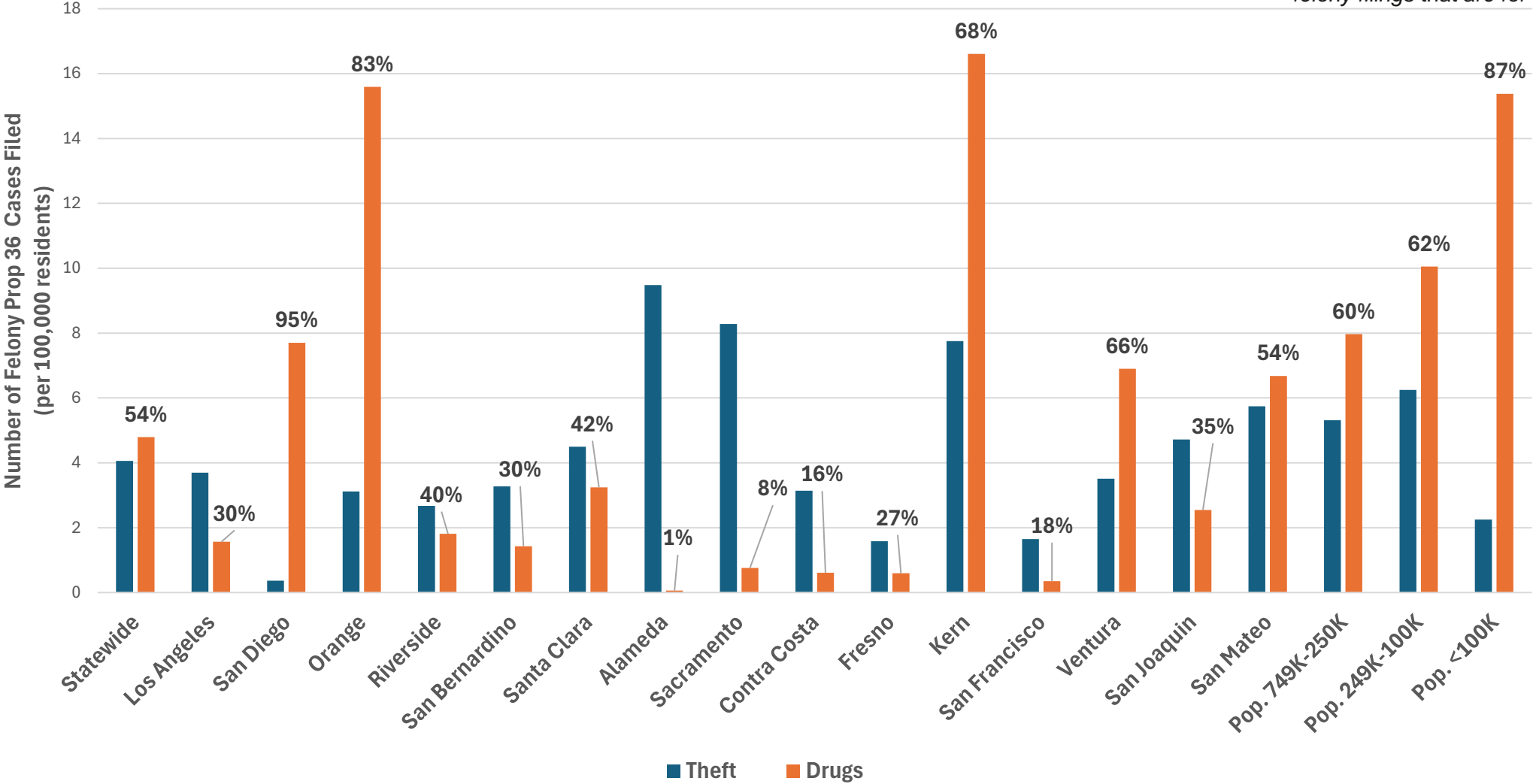
- *Partially* reverses Prop 47, focusing on repeat offenders
- Prop 36 provides prosecutors discretion to charge some drug and property offenses as felonies
 - Can charge individuals with *two or more prior convictions* for certain theft offenses with a felony, even if the value of the stolen items is below the felony threshold of \$950
 - Allows for aggregation of the value of items stolen during different acts of theft to reach the \$950 threshold
 - Introduced *treatment-mandated felony option* for individuals with *two or more previous convictions* for various drug offenses
- Counties decide on specific implementation

Filing rates of Prop 36 felony cases vary notably across counties, not along voter support lines



Prop 36 felony filings for drug offenses especially vary across counties

% represents the share of total Prop 36 felony filings that are for drug offenses



Impacts of Prop 36 will depend on a range of factors

- Enforcement and sentencing of the drug and theft offenses that were reclassified
 - How will law enforcement, prosecutors and courts implement the reform
 - Will defendants accept mandated treatment felonies or plea?
- Do counties have the behavioral health capacity for the new treatment-mandated felony?
 - State is providing \$100 million (behavioral health agencies, courts, public defenders, pre-trial services and probation departments)
- Essential to monitor and understand implementation of Prop 36
 - Data and evaluations needed to identify effective approaches, unintended consequences, and ongoing challenges

Notes on the use of these slides

These slides were created to accompany a presentation. They do not include full documentation of sources, data samples, methods, and interpretations. To avoid misinterpretations, please contact:

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Thank you for your interest in this work.



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2025 Convening - Los Angeles, CA