

# Proposition 36 Implementation

CSAC Administration of Justice Meeting

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# Proposition 36 Implementation

Background

Findings

Treatment Mandated Felony Options

Looking Ahead

## Background: Legislation

- Proposition 36, “The Homelessness, Drug Addiction, and Theft Reduction Act,” went into effect on December 18, 2024.
  - Increases punishment for some drug and theft crimes.
  - Allows prosecutors, under certain three-strike conditions, to charge those drug and theft cases as felonies.
  - It makes changes to the Health and Safety Code and Penal Code

# Background: Funding

- \$19 mil to the courts in 9/2025
  - Must be spent by June 30, 2027
- \$50 mil. for County Behavioral Health
  - Administered by DCHS/Sierra Health
  - March 1, 2026- March 30, 2028
- No state funding provided to other justice system partners including Probation, Prosecutors & Defense

# Annual Report

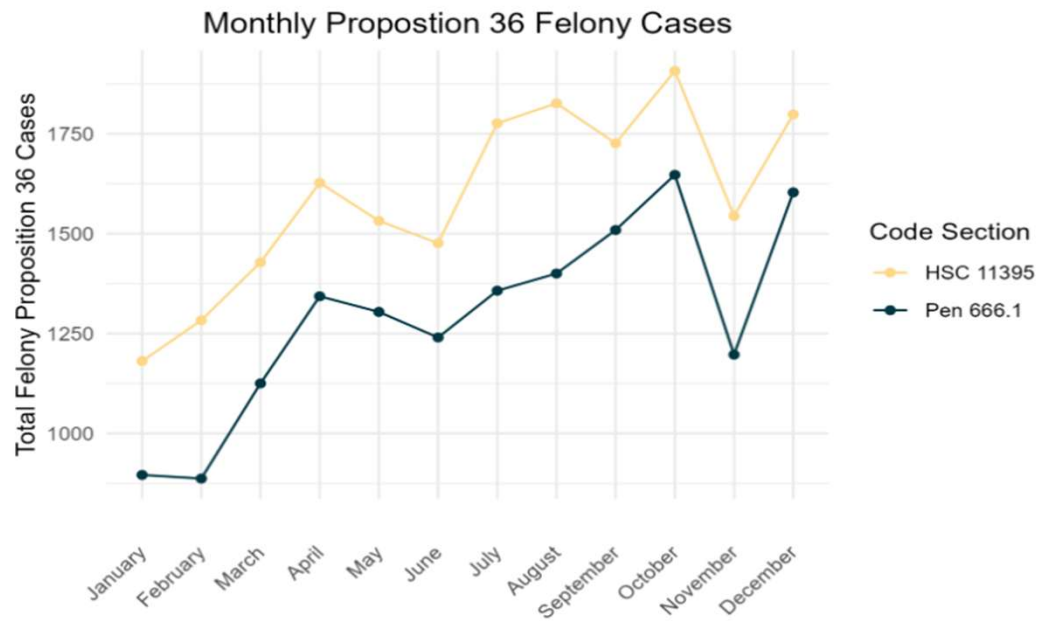
- The Judicial Council must submit a report to the Legislature annually on March 1 for duration of funding (3 years)
- 2025 report posted on Judicial Council website under legislative reports
- Tracking outcomes
  - Data aggregated by county; no ability to link
  - Many of the data elements must come from county behavioral health.
    - Demographic data
    - Treatment outcomes

# 2025 Annual Report Findings

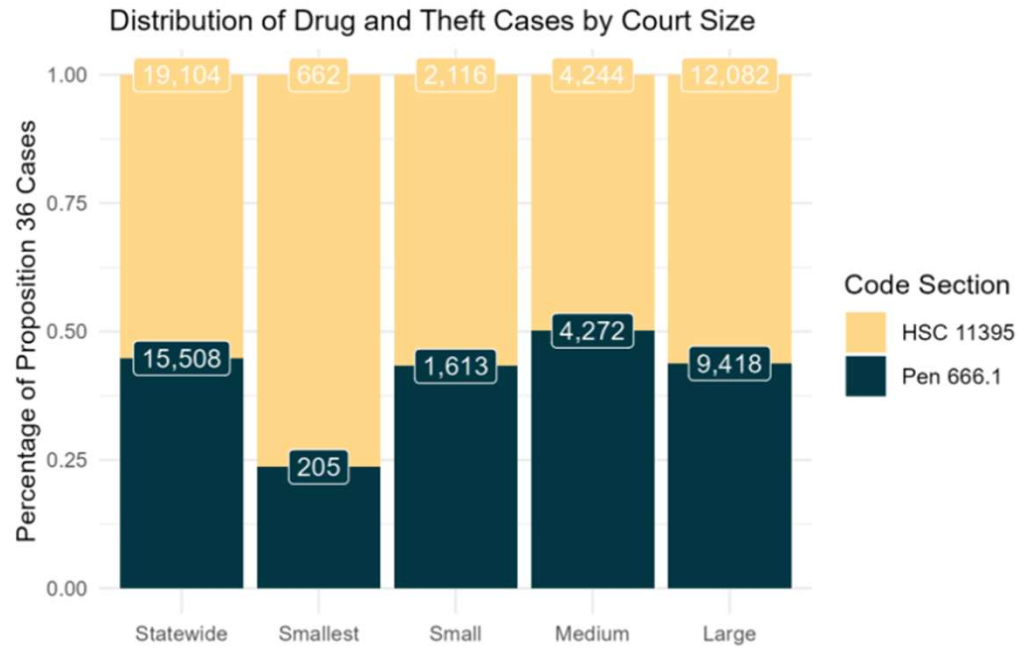
## Total filings

34,612 felony Prop. 36 cases

- 55% Drug
- 45% Theft



# Variations in filings types



# Treatment Mandated Felonies

Outcome	Case Count
Health and Safety Code section 11395 felony drug cases	10,937
Cases in which defendant elected treatment	1,305
Treatment cases resulting in dismissal of charge(s)	36
Treatment cases in which judgement was imposed	92
Treatment cases in progress at time of reporting	879

## Looking Ahead

- Unlikely additional funding is coming out this year.
- Next Report due March 1, 2027
- Treatment data to be included

**Questions?**