

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

*** * * * ***

RESOLUTION OPPOSING PROPOSITION 47 ON THE CALIFORNIA GENERAL ELECTION BALLOT ON NOVEMBER 4, 2014.

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the “Safe Communities and Schools Act” (Proposition 47), which has qualified for the November 2014 ballot, purports to make neighborhoods safer, reduce prison and jail populations, make schools safer, reduce government waste, help find jobs and housing for offenders and protect public safety; and

WHEREAS, the primary intended effect of Proposition 47 is to convert a number of criminal offenses from felonies to misdemeanors; and

WHEREAS, Proposition 47 will allow most inmates who have already been sentenced, and who might have benefitted from Proposition 47 had it been enacted at the time of their sentence, to seek a resentencing and release (if still in custody) or a “re-designation” of their crime as a misdemeanor (if not still in custody); and

WHEREAS, Proposition 47 also creates a fund with the savings to the State resulting from implementation of Proposition 47 and a spending allocation with the majority of funding to mental health and substance abuse treatment; and

WHEREAS, however, there are many unintended consequences of Proposition

47; and

WHEREAS, Proposition 47 prohibits the District Attorney from charging grand theft and receipt of stolen property as a felony if the value at issue is less than \$950 and would apply to most violent felons regardless of the number of prior offenses, taking from the District Attorney an invaluable tool—the ability to stop gun crimes before they happen by allowing serious charges for those found with stolen guns as most guns have a value of less than \$950; and

WHEREAS, Proposition 47 applies to possession of “date rape” drugs and if a person were found with those drugs on multiple occasions in situations where a reasonable person would believe that there was an intention to commit rape, the person could still only be charged with a misdemeanor; and

WHEREAS, the resentencing component of the Proposition is not unlikely to result in a flood of petitions to the court all at once into a court system that is already over-burdened and under-funded; and

WHEREAS, Proposition 47 does not provide any reimbursement to the counties for the additional costs of misdemeanor inmates being housed in the County jail rather than in State prison; and

WHEREAS, there may be some positive aspects to Proposition 47 but as a whole, it is too flawed and will create serious public safety threats.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors of the County of San Mateo hereby oppose Proposition 47 as it will create new and serious public safety threats that are significantly greater than any benefits Proposition 47 will provide.

* * * * *