

INVESTING IN FAILURE

PROPOSITION 20 WOULD COME AT A
HIGH COST TO CALIFORNIANS

Mike Males, PhD. | Maureen Washburn | June 2020



Center on Juvenile
and Criminal Justice

INTRODUCTION

In November 2020, Californians will vote on Proposition 20 (“Prop 20”),¹ a ballot initiative that would roll back key elements of the state’s recent justice reforms, including Public Safety Realignment, Proposition 47, and Proposition 57 (AB 109, 2011; Prop 47, 2014; Prop 57; 2016; SOS, 2018). In recent years, the Center on Juvenile and Criminal Justice (CJCJ) has analyzed the effects of other major reform initiatives, including the “Three Strikes” law reform, Proposition 47, and Proposition 57 (CJCJ, 2008; 2011; 2014; 2014a; 2014b; Ridolfi et al., 2016; 2016a). This report considers Prop 20’s effects on budgets, jail and prison populations, and crime rates. Our analysis suggests that the initiative’s passage could siphon scarce state resources and increase populations in jails and prisons to critical levels.

BACKGROUND

Over the past decade, California voters and lawmakers have passed a number of substantial criminal justice reforms. In 2011, the Legislature enacted Public Safety Realignment (“Realignment”), which transferred responsibility for those imprisoned on nonviolent, non-serious, and non-sexual charges from the state to the counties. Proposition 47 (“Prop 47”), a measure on the November 2014 ballot, reclassified several drug and property offenses from felonies and wobblers² to misdemeanors. In 2016, Proposition 57 (“Prop 57”) increased opportunities for individuals in prison to earn credit towards earlier parole by participating in rehabilitative programs.

Crime in California has declined steadily over the past decade and now stands at record low levels (Figure 1). Research has shown no direct connection between crime and the release of individuals from jails and prisons under Realignment or Prop 47 (CJCJ, 2013; 2014c; 2015; 2016; 2016a; 2017; Romano, 2015).

Rather, California’s era of criminal justice reform has allowed the state to address the critical issue of prison and jail overcrowding. In 2011, after decades of steeply rising populations and widespread neglect, the U.S. Supreme Court upheld a three-judge District Court decision to impose a population maximum on California prisons (Brown v. Plata, 2011). Previously, the state’s prison population had hovered at nearly twice its maximum capacity, resulting in dangerous and unhealthy conditions. Prison officials stacked beds in open gymnasiums and placed individuals in “telephone-booth-sized cages without toilets” (Brown v. Plata, 2011). Approximately every week, an incarcerated person died as a direct result of the overcrowding crisis (Brown v. Plata, 2011). The combined effects of Realignment, Prop 47, and Prop 57 helped to bring California into compliance with the court-mandated prison population cap of 137.5 percent of the prisons’ design capacity. However, just prior to the COVID-19 pandemic, on February 29, 2020, the state’s prisons were operating just below the cap at 134.3 percent—only 2,681 individuals under the threshold (CDCR, 2020a). Even a small population increase places California at risk of violating the cap. This threatens the health and safety of incarcerated people and could result in large-scale, indiscriminate releases.

Prop 20 could affect California in the following ways:

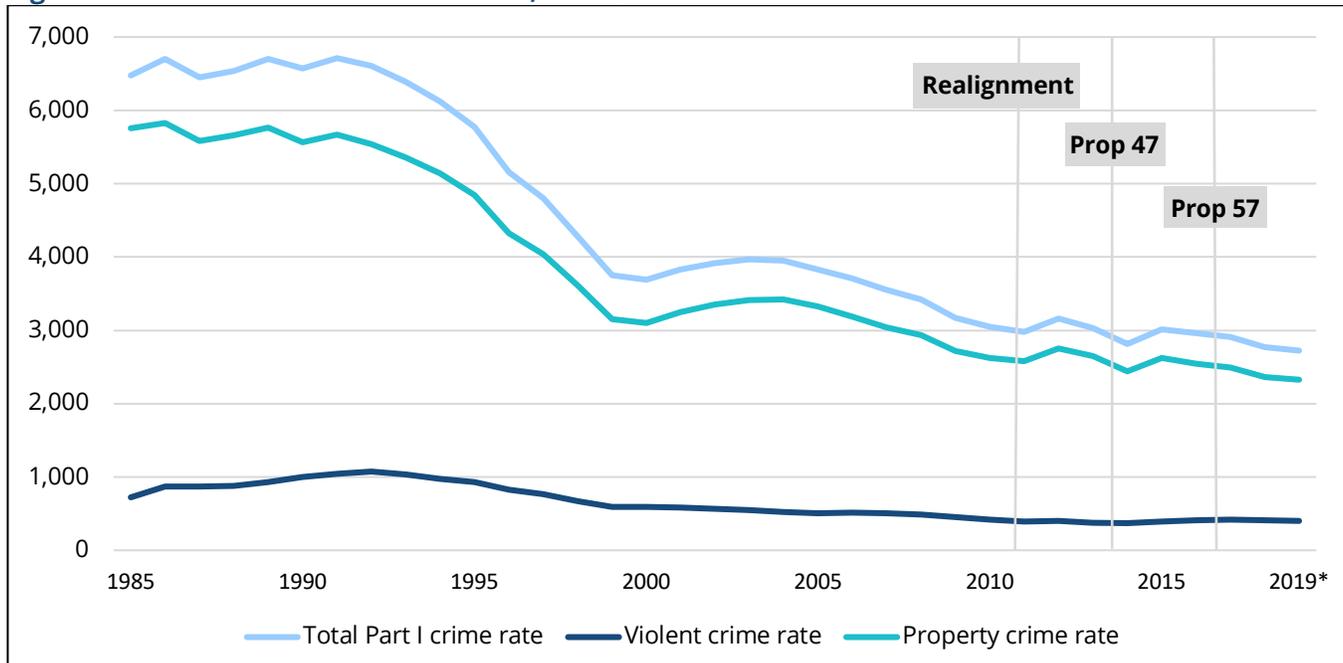
1. Impose hundreds of millions of dollars in new annual costs on state taxpayers and local communities.
2. Crowd the state’s prisons and jails, resulting in unsafe living conditions, litigation, and/or renewed court interventions.
3. Interrupt California’s record-low rates of crime by increasing recidivism and potentially diverting resources from social programs and community-based services.
4. Devastate families and communities, particularly communities of color, by incarcerating more Californians and saddling them with a felony record.

¹ This publication was updated in July 2020 to include the proposition number assigned by the California Secretary of State.

² Wobblers are offenses that can be charged as either misdemeanors or felonies.

Local correctional systems also show little room for increased populations. As of February 2020, California counties maintained jails with 10 percent available capacity or 7,698 empty beds. This vacancy rate, though limited, was achieved as a result of falling crime and criminal justice reform (BSCC, 2020; 2020a). Prop 47, in particular, is responsible for significant reductions in jail populations (Bird et al., 2016). The measure helped to mitigate the serious health and safety effects of overcrowding.

Figure 1. Crime rate trends in California, 1985-2019



Sources: DOJ (2020); DOF (2019); FBI (2020); SAPD (2020). * Full-year statewide figures for 2019 are based on statistics for large cities (cities with populations of 100,000 or more) for January-June 2019 that have been prorated according to the share of urban crimes that occurred in the first half of 2018 compared to full-year 2018 statewide. Note: Statistics include only those offenses reported to law enforcement. Law enforcement agencies then report data on Part I crimes (homicide, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson) to the FBI. We exclude rape from violent and total crime rates because the FBI broadened its definition in 2013. Violent crime rates in this figure are adjusted upward by 7.1% for the City of Los Angeles to account for the substantial underreporting of Part I offenses, especially aggravated assault and robbery, that occurred during the 2005-14 period (Poston & Rubin, 2014; Poston et al., 2015).

Realignment, Prop 47, and Prop 57 have also generated substantial savings for state and local governments. As a result of Realignment, California reduced its prison population by tens of thousands and began investing billions of dollars in counties. Realignment funds are used to support local community corrections, juvenile justice programs, courts, and mental health services (LAO, 2012; Lofstrum & Martin, 2015). Prop 47 was designed to channel cost savings from reduced prison populations directly into community-based organizations serving justice-involved individuals. In the five years since it took effect, the state will have allocated approximately \$350 million in savings to community resources (Fiscal Year 2016-17 – Fiscal Year 2020-21) (DOF, 2018; 2020). Prop 57 is further reducing the population of state prisons by offering opportunities for early parole. It is estimated to save the state several hundreds of millions of dollars in incarceration costs through the release of approximately 8,600 individuals in Fiscal Year 2020-21 (DOF, 2017; 2020a). Amid the COVID-19 financial crisis and California’s resulting multibillion-dollar budget shortfall, the annual savings generated by criminal justice reform has become even more vital to the fiscal health of the state (Office of Governor Gavin Newsom, 2020).

OVERVIEW OF THE INITIATIVE

Despite the considerable achievements of the past decade, recent justice reform has been met with opposition. Challengers include law enforcement groups, several state and local officials, and retail interest groups (SOS, 2020). These special interests, among others, have contributed more than \$4 million in support of Prop 20 (SOS, 2020). They contend that changes to California’s criminal justice infrastructure have made communities less safe. For years, the opposition has waged a campaign to influence public opinion on Realignment, Prop 47, and Prop 57. In some cases, they have attributed specific violent crimes and other negative incidents to statewide reform.³ In 2017, opponents drafted initiative language and collected signatures, qualifying Prop 20 for the 2020 statewide ballot.⁴

Prop 20 would make the following patchwork of changes to current law:

- Reduce the threshold for felony theft, which transforms a number of theft offenses from misdemeanors to potential felonies.
- Prevent some incarcerated people from earning credit for good behavior or for their participation in rehabilitative programs.
- Potentially return people to jail for their third violation of probation.

ANTICIPATED EFFECTS

Prop 20 could impose hundreds of millions of dollars in new annual costs on state taxpayers and local communities.

Prop 20 could cost California hundreds of millions of dollars annually, though the exact cost is difficult to estimate due to the initiative’s broad, often unclear parameters. Only ranges of costs can be estimated, and these only roughly. We calculate that between 4,900 and 9,900 arrests for theft-related offenses could be charged as felonies rather than misdemeanors (see Methods). This would result in an increase in court costs associated with new felony convictions (\$15 million to \$31 million), an increase in the cost of serving a larger population on probation with longer probation terms (\$70 million to \$232 million), and an increase in local jail and state prison costs resulting from additional incarceration (\$69 million to \$194 million) (Table 1). Simply put, it is more expensive to convict and punish felonies than misdemeanors.

As California grapples with the economic crisis stemming from COVID-19, an increase in spending on the correctional system would further strain state and local budgets, diverting funds away from other critical areas, such as the social safety net or public health services. Historically, investments in incarceration and divestment from community services have disparately affected communities of color (Delaney et al., 2018).

Counties will bear the largest share of Prop 20’s cost. While state-funded prisons and courts could see tens of millions of dollars in new annual costs, county spending on probation departments and jails could increase by hundreds of millions. The Appendix provides an estimate of the cost to California’s 58 counties. County costs range from several thousand dollars per year in the state’s smallest counties to

³ See, for example, Chakraborty, B. (2019), Chang, C. et al. (2017), and Habegger, B. (2019).

⁴ This analysis does not include a discussion of the initiative’s effects on DNA collection because it is not expected to significantly affect statewide arrest levels, felony convictions, probation caseloads, or incarceration, which is the focus of this report.

\$98 million in Los Angeles County. In total, Prop 20 could increase costs to counties by \$132 to \$413 million depending on how its broad changes are applied.

Table 1. Overview of annual cost estimates⁵ of Prop 20 based on number of 2018 misdemeanor theft-related arrests

	Estimated Increase	Estimated Cost
Affected arrests ⁶	4,900 to 9,900	N/A
Felony convictions ⁷	3,600 to 7,300	\$15 million to \$31 million
Probation population ⁸	2,500 to 5,000	\$70 million to \$232 million
Jail population ⁹	2,700 to 5,400	\$63 million to \$181 million
Prison population ¹⁰	600 to 1,200	\$6 million to \$12 million
Total Estimated Cost		\$154 million to \$457 million

Prop 20’s substantial costs will affect budgets for years and compound the state’s already high cost of incarceration.¹¹ For example, over a five-year period, total costs related to the initiative’s implementation could reach \$2.3 billion. This funding could instead have provided stable funding for programs that address the root causes of crime or simply helped to address budget deficits.

⁵ All costs are in inflation-adjusted 2020 dollars using the California Consumer Price Index (CCPI).

⁶ We estimate that there were 27,821 petty theft misdemeanor arrests in 2018 in criminal codes that Prop 20 might affect (DOJ, 2020). Using specific arrest codes from the City of Los Angeles for 2010 through April 2020, an estimated 35.5 percent of misdemeanor arrests for petty theft offenses pertain to code sections affected by the initiative (City of Los Angeles, 2020). Note that City of Los Angeles data are used for this estimate because they include specific offense codes that are not available in the statewide data. Applying this percentage to the statewide data, we estimate that 9,874 total arrests could be affected. However, not all affected arrests would be charged as felonies as prosecutors have charging discretion. To account for this uncertainty, we establish a range of potential felony arrests from 50 percent (the approximate share of theft offenses typically charged as felonies in California) to 100 percent (DOJ, 2019). This yields an estimate of 4,937 to 9,874 arrests.

⁷ In 2018, 74 percent of felony property crime arrests resulted in convictions (DOJ, 2019). We assume an average courtroom cost per felony theft arrest of \$4,271 (\$3,353 in 2010, converted to 2020 dollars using the CCPI) (Hunt et al., 2016; DOJ, 2020a). To estimate the courtroom cost per larceny-theft arrest, we divide the courtroom cost per larceny-theft crime (\$560) by the larceny-theft clearance rate in California for 2010 (16.7%). This approach may under- or over-estimate the true cost per larceny-theft arrest given that case closures are linked to crimes, not individuals, and, therefore, a single crime could be closed with multiple arrests or a single arrest could close multiple crimes.

⁸ In 2018, 69 percent of felony property crime convictions resulted in a probation or probation with jail sentence (DOJ, 2019). We assume an average probation cost of \$9,246 (\$8,719 in 2018 dollars) per year for three to five years, determined by dividing total county probation costs in Fiscal Year 2017-18 (\$1.8 billion) by the active probation caseload in 2018 (209,763) (SCO, 2019; DOJ, 2019; Root & Rebound, 2020).

⁹ In 2018, 75 percent of felony property crime convictions resulted in a probation with jail or jail sentence (DOJ, 2019). There are no data on jail sentence lengths for individuals serving “probation with jail” sentences, although it is not more than one year (California Penal Code § 19.2). For those convicted of felony grand theft under the initiative, the straight jail sentence could be a maximum of 16 months, two years, or three years, compared to a maximum of six months for petty theft (California Penal Code § 489; California Penal Code § 490). Conservatively, accounting for the substantial number of “probation with jail sentences,” we assume an increase in jail incarceration time of an additional six months. County jail costs and estimated county jail population increases, as outlined in the Appendix, are used to determine statewide jail costs (BSCC, 2018). In addition to this estimate, an increase in probation revocations due to the initiative could result in about \$32,000 per person in new jail costs based on a 180-day jail term per revocation and an estimated \$175.83 average daily cost (\$159.89 in 2017 dollars) (BSCC, 2018; SOS, 2018).

¹⁰ In 2018, 16 percent of felony property crime convictions resulted in a state prison sentence (DOJ, 2019). We assume an average annual marginal cost of \$10,475 (\$9,253 in 2016 dollars) and an average length of stay of 1.3 years for those imprisoned for theft offenses (CDCR, 2010; Graves, 2016). In addition to this estimate, the initiative would reduce opportunities for credit earning and early release for some individuals in state prison, extending average imprisonment time and increasing prison costs.

¹¹ In Fiscal Year 2019-20, the state is spending more than \$13 billion dollars on its prisons (DOF, 2020b).

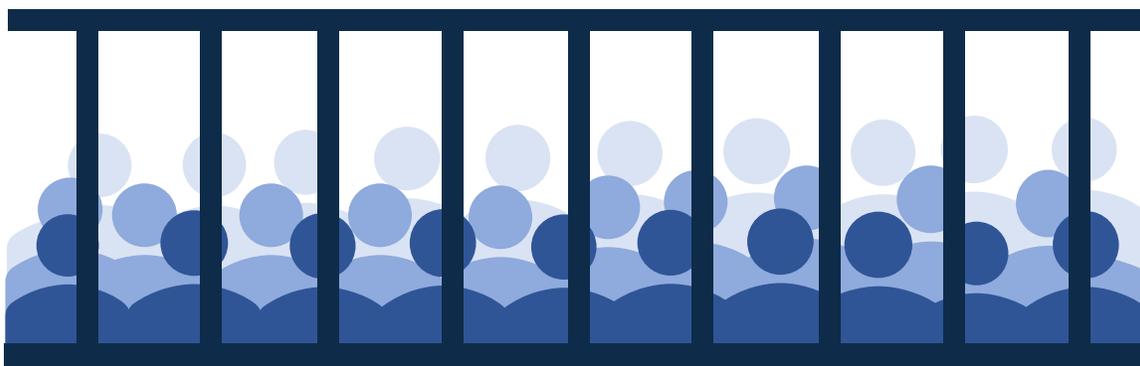
Prop 20 will increase the number of Californians arrested, convicted, or incarcerated for a felony offense, while exacerbating the difficult-to-escape cycle of criminal justice system involvement. By prioritizing punishment over treatment, the initiative could result in more people trapped in a pattern of low-level crime. These patterns, repeated over thousands of Californians, would expand the initiative's anticipated long-term cost.

Prop 20 could crowd the state's prisons and jails, resulting in unsafe living conditions, litigation, and/or renewed court interventions.

Jails are operating at 90 percent of their capacity and prisons are at 134 percent of capacity (BSCC, 2020; 2020a; CDCR, 2020a).¹² Prop 20 could increase the populations of jails and prisons, putting some facilities at risk of exceeding their building capacity¹³ or court-ordered population maximums (Figure 2). The consequences could be increasingly dangerous living conditions, indiscriminate releases, increased vulnerability to lawsuits, and reduced availability and effectiveness of rehabilitative programs. Overcrowding in jails and prisons has been a major concern amid the COVID-19 pandemic, bringing public attention to the vulnerability of people held in correctional facilities (Williams et al., 2020).

In local jails, an increase in population beyond the facilities' design capacity could require sheriffs to implement early releases, a tool used frequently prior to reform. Early releases declined by 65 percent after the passage of Prop 47 in counties with a court-mandated population cap (Bird et al., 2016). In 2019, approximately 3,300 sentenced individuals were released each month due to capacity constraints in county jails (BSCC, 2020). By our estimates, jail populations could increase by several thousand under Prop 20 (2,700 to 5,400), crowding facilities and further taxing local systems.

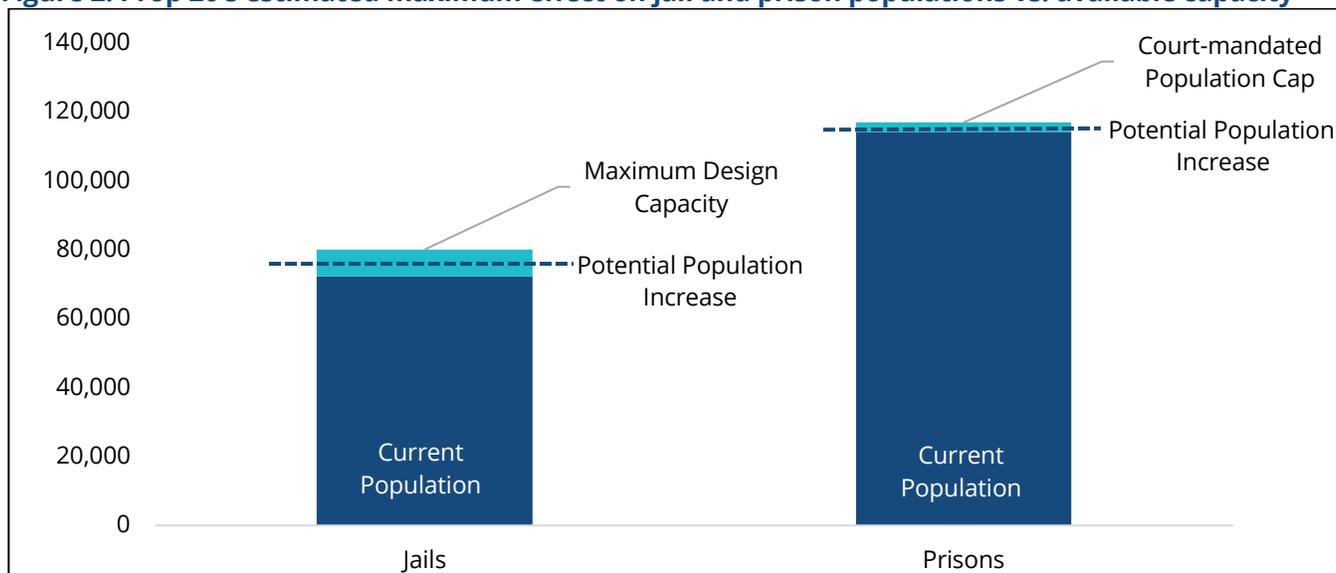
California's prison population is required by a U.S. Supreme Court mandate to operate at or below 137.5 percent of capacity, a standard that already exceeds prisons' design specifications. Our analysis predicts a slight increase in prison populations (600 to 1,200). This could place the state at risk of violating the population cap and interrupt measures planned for the coming years, including efforts to close state prisons (DOF, 2020a, 2020c). Most importantly, overcrowding our prisons puts incarcerated people at heightened risk of physical injury, psychological harm, disease, or death (Dye, 2010; Gaes & McGuire, 1985; Haney, 2006; Specter, 2010).



¹² This analysis uses jail and prison populations from February 2020, just prior to the presumed outbreak of COVID-19 in California. Since then, incarcerated populations have fallen substantially. From February 2020 to May 2020, jail populations declined by 30 percent, and from February 29, 2020 to May 20, 2020, prison populations have fallen by 5 percent (BSCC, 2020b; CDCR, 2020; 2020a). Though the pandemic will permanently alter some aspects of California's criminal justice system, other recent changes, such as reduced crime, arrests, jail bookings, and prison admissions may return to pre-pandemic levels in the coming months and years. For example, Part I violent and property crime fell by 21 percent from February to late April in the cities of Los Angeles, Oakland, San Diego, and San Francisco amid the COVID-19 crisis, likely sending ripple effects through local and state justice systems (Lofstrom, 2020). Yet, once public health precautions are lifted, much of the state's vast criminal justice system could rebound.

¹³ Prisons and jails are designed to accommodate a limited number of people. Exceeding this limit, also known as "bed space," results in crowded conditions that risk the health and safety of incarcerated people.

Figure 2. Prop 20's estimated maximum effect on jail and prison populations vs. available capacity



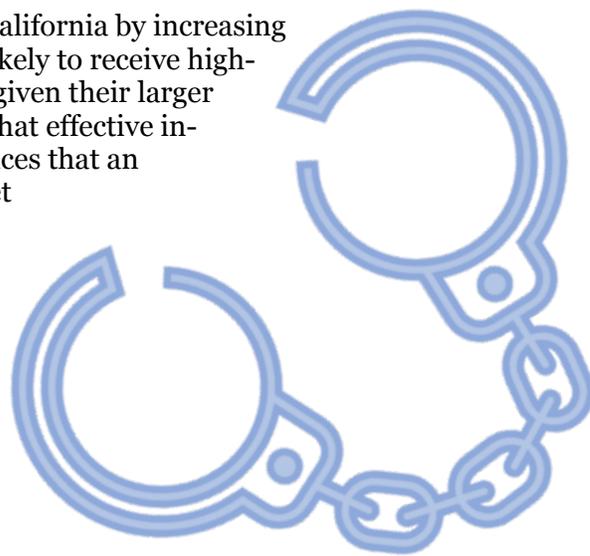
Sources: BSCC (2020; 2020a); CDCR (2020). Note: Jail population is from February 2020 and prison population is from February 29, 2020, prior to the presumed outbreak of COVID-19 in California.

Prop 20 could interrupt California's record-low rates of crime by increasing recidivism and potentially diverting resources from social programs and community-based services.

As incarceration has fallen due to Realignment, Prop 47, and Prop 57, so has crime. Part I crime rates¹⁴ declined statewide by approximately 10 percent from 2010 through 2019 (projected), including declines of 13 percent in violent crime and 10 percent in property crime (CJCJ, 2020). During the same period, jail and prison incarceration rates fell by approximately 26 percent (Figure 3) (BSCC, 2020; CDCR, 2019; CASI, 2020). While crime declined overall during the justice reform era, local jurisdictions experienced widely varying crime trends. Most cities saw decreases in crime, while others reported increases, indicating that local policies, not statewide reforms, are driving trends (CJCJ, 2016; 2017; 2017a; 2018; 2019; 2020a).

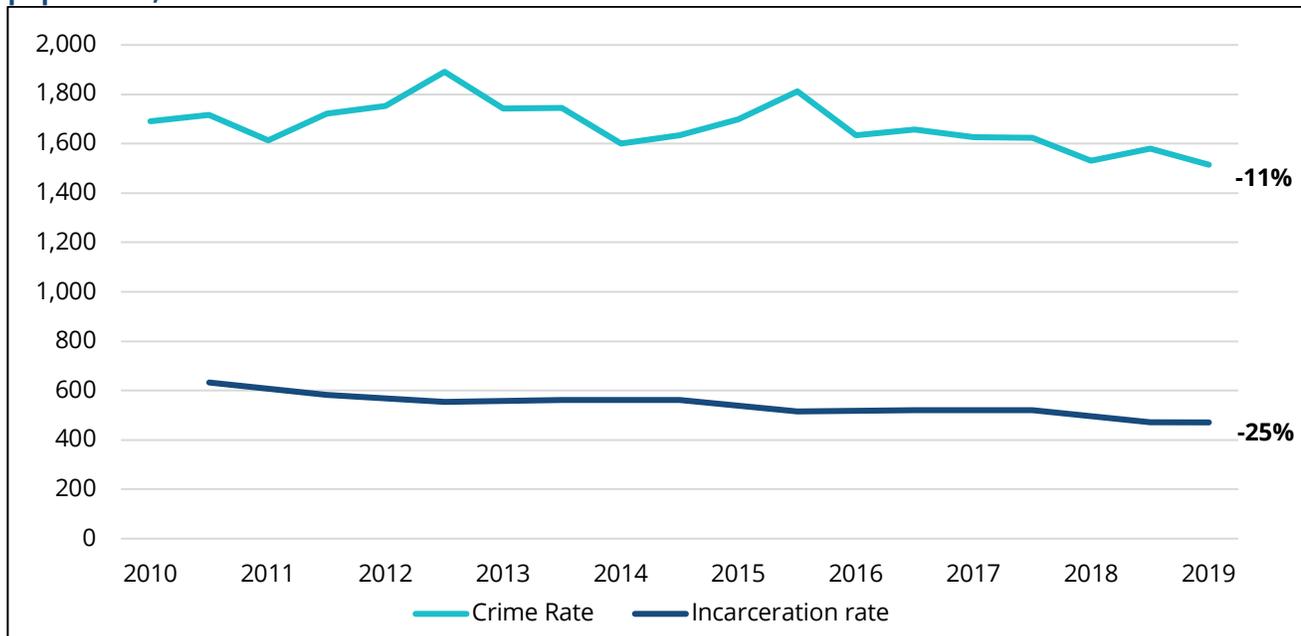
Passage of Prop 20 could negatively affect crime in California by increasing recidivism. Individuals in prison and jail would be less likely to receive high-quality rehabilitative programming in jails and prisons, given their larger populations and strained budgets. Research has shown that effective in-prison or -jail programs can measurably reduce the chances that an individual returns to the criminal justice system (Davis et al., 2013; Landenberger & Lipsey, 2005; Mitchell et al., 2012).

At a cost of several hundreds of millions of dollars, Prop 20 may also divert scarce state and local resources away from vital community-based services for justice-involved people. These programs, including those that address substance use, mental health needs, and housing insecurity, are critical to maintaining low levels of crime.



¹⁴ Part I crimes include homicide, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.

Figure 3. Incarceration rate per 100,000 population vs. half-year Part I crime rate per 100,000 population, 2010-2019



Sources: BSCC (2020); CDCR (2019); CJCJ (2020); CJCJ (2020a); DOJ (2020); DOF (2019); FBI (2020); SAPD (2020). Note: Half-year crime rates are reported offenses in California cities with populations of 100,000 or more divided by the total population in those cities. Crime rates exclude rape because the definition was broadened in 2013, hindering comparisons across this period. The City of Los Angeles is excluded because of substantial underreporting of Part I offenses prior to 2016 (Poston & Rubin, 2014; Poston et al., 2015). The City of Santa Ana is excluded from January-June 2019 crime rates as it did not appear in the FBI's Uniform Crime Report. The incarceration rate combines jail populations in July of each year with prison populations on December 31 of that year.

Prop 20 would devastate families and communities, particularly communities of color, by incarcerating more Californians and saddling them with a felony record.

Prop 20 will incarcerate more Californians, separating them from their communities and families. It will simultaneously erect lifelong barriers after release. By saddling thousands of people with a felony conviction, the initiative will profoundly affect access to stable housing, education, or employment, which in turn will harm families and communities (CSJ, 2018).

Black, Indigenous, and Latino Californians are already arrested, convicted, and incarcerated at far higher rates than white Californians (CASI, 2020; CJCJ, 2012; Lofstrom et al., 2019; SAMHSA, 2009; Schlesinger, 2007). By expanding the punitive reach of the justice system, the initiative will impose even greater harm on individuals, families, and communities of color.

The social costs of incarceration exceed even the high cost of housing an individual in prison or jail (McLaughlin, 2016). These social costs include lost wages and reduced lifetime earnings, health impacts on incarcerated individuals, and the emotional trauma experienced by children with an incarcerated parent. A felony arrest, conviction, or incarceration reverberates through communities, with harm that extends for generations to come.

CONCLUSION

California is currently experiencing an unprecedented period of low crime, as well as future uncertainties regarding the effects of coronavirus on crime and the justice system. In November, voters will consider an initiative that repeals elements of recent criminal justice reforms in an attempt to make communities safer. Yet, if passed, Prop 20 could have the opposite effect. Our analysis finds that repealing reforms, such as Realignment, Prop 47, and Prop 57, is likely to increase state and local spending on the corrections system by hundreds of millions of dollars. More significant is the initiative's expected effects on the safety and well-being of Californians: reversing positive crime trends, placing people in jails and prisons that are at risk of overcrowding, and burdening communities with significant social costs.

METHODS

This analysis relies on publicly available data to estimate the potential costs associated with charging certain theft-related misdemeanors as felonies, as proposed under Prop 20. We begin by approximating the initiative's effect on statewide arrests. Although the California Department of Justice (DOJ) reports broad categories of misdemeanor offenses, the data are not broken out by specific section of the California Penal Code (DOJ, 2020). To narrow our estimate, we incorporated data on misdemeanor petty theft offenses from the City of Los Angeles, which composes approximately 10 percent of the state's population and reports arrests by code section over a ten-year period (City of Los Angeles, 2020). These data provide insight into the share of misdemeanor thefts in that jurisdiction that could be affected by Prop 20 and potentially charged as felonies. We then applied the City of Los Angeles' percentage to 2018 statewide data on misdemeanor petty theft arrests from DOJ that are in criminal codes the initiative might affect (a broader category) to derive the number of future arrests that could be reclassified by the initiative. We also undertook a county-specific analysis that applies the percentage of petty theft misdemeanors gleaned from the City of Los Angeles to DOJ arrest statistics for each county (Appendix). Although the City of Los Angeles is California's largest city, its theft arrest patterns are not a perfect substitute for those in the rest of the state, which is a limitation of this study. We omit the City of Los Angeles from crime analyses due to its history of underreporting violent offenses to the FBI; however, those data differ substantively from the misdemeanor theft arrest statistics used in this analysis. We are not aware of any inconsistencies in the LAPD's reporting of misdemeanor arrests.

The estimate provided in this analysis may significantly understate Prop 20's full cost, particularly in the areas of prison and jail spending. We focus this analysis on the initiative's reclassification of certain theft offenses and its effect on arrests and criminal justice system costs. Although we make note of the additional costs that could be expected due to the initiative's proposed restrictions on credit earning in prison and jail time for repeated probation violations, those elements are not directly factored into the cost total reported in Table 1.

Our review of City of Los Angeles and DOJ statistics allows us to estimate the number of arrests that could be affected by Prop 20, but not the number that could be transformed into felonies. The initiative reclassifies certain theft arrests into wobblers, which are chargeable as either felonies or misdemeanors. Determining how many additional felonies will enter California's criminal justice system requires accounting for this uncertainty. Therefore, our analysis provides a range of affected cases: from 50 percent to 100 percent of arrests. The minimum (50 percent) reflects statewide data on charging decisions for theft offenses, which are felonies roughly half of the time (DOJ, 2019). The maximum (100 percent) reflects both the potential for all affected petty theft offenses to be charged as felonies as well as the fact that this analysis does not include several small, but difficult-to-quantify offenses that would be

newly classified as wobblers under Prop 20, such as theft of non-retail goods in a retail establishment (SOS, 2018).

The analysis then uses this range of arrests to predict Prop 20's effects on convictions, probation caseloads, jail populations, and prison populations. We draw from DOJ's Crime in California: 2018 publication for the share of felony property crime arrests that result in a conviction and the share of felony property crime convictions that result in prison, jail, probation with jail, or jail (DOJ, 2019). To determine expected costs, we incorporate estimates from national literature (court costs), data from the California State Controller (probation costs), county reporting to the Board of State and Community Corrections (jail costs), and an analysis of the state budget by the California Budget and Policy Center (prison costs) (BSCC, 2018; SCO, 2019; Graves, 2016; Hunt, 2016). Jail costs are available for nearly every county and are computed using each jurisdiction's presumed jail population increase (Appendix). All costs are converted to 2020 dollars using the California Consumer Price Index.

This report also draws on publicly available data from the Board of State and Community Corrections, the California Department of Corrections and Rehabilitation, and the California Department of Justice to plot crime trends over time and compare jail and prison populations to facility capacity.

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Please note: Jurisdictions submit their data to the official statewide or national databases maintained by appointed governmental bodies. While every effort is made to review data for accuracy and to correct information upon revision, CJCJ cannot be responsible for data reporting errors made at the county, state, or national level.

APPENDIX

Annual cost estimates of Prop 20 by county

County	Probation Cost Range ¹⁵	Jail Cost Range ¹⁶	Total County Cost Range
Alameda	\$4,002,596 to \$13,341,986	\$6,750,313 to \$13,500,626	\$10,752,909 to \$26,842,611
Alpine	\$0	\$0	\$0
Amador	\$25,001 to \$83,335	\$20,410 to \$61,229	\$45,411 to \$144,565
Butte	\$1,007,524 to \$3,358,414	\$537,749 to \$1,613,202	\$1,545,273 to \$4,971,615
Calaveras	\$17,500 to \$58,335	\$10,630 to \$31,889	\$28,130 to \$90,224
Colusa	\$12,500 to \$41,668	\$11,039 to \$33,117	\$23,540 to \$74,785
Contra Costa	\$1,785,043 to \$5,950,142	\$1,421,850 to \$4,265,434	\$3,206,893 to \$10,215,577
Del Norte	\$107,503 to \$358,342	\$48,172 to \$144,513	\$155,675 to \$502,855
El Dorado	\$165,004 to \$550,013	\$138,039 to \$414,105	\$303,043 to \$964,118
Fresno	\$2,497,560 to \$8,325,199	\$1,243,238 to \$3,729,612	\$3,740,798 to \$12,054,811
Glenn	\$87,502 to \$291,674	\$49,448 to \$148,341	\$136,950 to \$440,014
Humboldt	\$470,011 to \$1,566,704	\$261,232 to \$783,674	\$731,243 to \$2,350,378
Imperial	\$242,506 to \$808,353	\$208,879 to \$626,619	\$451,385 to \$1,434,972
Inyo	\$27,501 to \$91,669	\$22,601 to \$67,801	\$50,102 to \$159,470
Kern	\$1,127,527 to \$3,758,423	\$579,345 to \$1,737,988	\$1,706,872 to \$5,496,411
Kings	\$292,507 to \$975,023	\$171,312 to \$513,923	\$463,819 to \$1,488,946
Lake	\$130,003 to \$433,344	\$62,971 to \$188,907	\$192,974 to \$622,251
Lassen	\$42,501 to \$141,670	\$41,173 to \$123,516	\$83,674 to \$265,186
Los Angeles	\$15,720,376 to \$52,401,253	\$15,062,592 to \$45,186,537	\$30,782,968 to \$97,587,790
Madera	\$170,004 to \$566,680	\$89,666 to \$268,991	\$259,670 to \$835,672
Marin	\$305,007 to \$1,016,691	\$318,460 to \$955,355	\$623,468 to \$1,972,046
Mariposa	\$7,500 - \$25,001	\$7,657 - \$22,969	\$15,157 - \$47,970
Mendocino	\$7,500 to \$25,001	\$7,657 to \$22,969	\$15,157 to \$47,970
Merced	\$177,504 to \$591,681	\$109,863 to \$329,579	\$287,367 to \$921,260
Modoc	\$335,008 to \$1,116,693	\$295,730 to \$887,166	\$630,738 to \$2,003,859
Mono	\$2,500 to \$8,334	\$1,130 to \$3,391	\$3,630 to \$11,724
Monterey	\$5,000 to \$16,667	\$6,997 to \$20,990	\$11,997 to \$37,657
Napa	\$345,008 to \$1,150,028	\$252,195 to \$756,565	\$597,203 to \$1,906,592
Nevada	\$460,011 to \$1,533,370	\$510,010 to \$1,529,989	\$970,021 to \$3,063,359

¹⁵ In 2018, 69 percent of felony property crime convictions resulted in a probation or probation with jail sentence (DOJ, 2019). Assumes an average probation cost of \$9,355 (\$8,719 in 2018 dollars) per year for three to five years, determined by dividing total county probation costs in Fiscal Year 2017-18 (\$1.8 billion) by the active probation caseload in 2018 (209,763) (SCO, 2019; DOJ, 2019; Root & Rebound, 2020).

¹⁶ In 2018, 75 percent of felony property crime convictions resulted in a probation with jail or jail sentence (DOJ, 2019). There are no data on jail sentence lengths for individuals serving “probation with jail” sentences, although it is not more than one year (California Penal Code § 19.2). For those convicted of felony grand theft under the initiative, the straight jail sentence could be a maximum of 16 months, two years, or three years, compared to a maximum of six months for petty theft (California Penal Code § 489; California Penal Code § 490). Conservatively, accounting for the substantial number of “probation with jail sentences,” we assume an increase in jail incarceration time of an additional six months.

County	Probation Cost Range	Jail Cost Range	Total County Cost Range
Orange	\$5,925,142 to \$19,750,472	\$4,634,444 to \$13,902,950	\$10,559,585 to \$33,653,422
Placer	\$435,010 to \$1,450,035	\$449,515 to \$1,348,509	\$884,526 to \$2,798,544
Plumas	\$17,500 to \$58,335	\$11,720 to \$35,158	\$29,220 to \$93,493
Riverside	\$3,320,079 to \$11,066,931	\$2,074,552 to \$6,223,485	\$5,394,631 to \$17,290,416
Sacramento	\$2,115,051 to \$7,050,169	\$1,434,966 to \$4,304,780	\$3,550,017 to \$11,354,949
San Benito	\$10,000 to \$33,334	\$8,614 to \$25,840	\$18,614 to \$59,174
San Bernardino	\$4,090,098 to \$13,633,659	\$3,423,006 to \$10,268,737	\$7,513,104 to \$23,902,396
San Diego	\$8,830,211 to \$29,434,037	\$8,440,295 to \$25,320,192	\$17,270,506 to \$54,754,229
San Francisco	\$1,005,024 to \$3,350,080	\$1,352,854 to \$4,058,452	\$2,357,879 to \$7,408,532
San Joaquin	\$975,023 to \$3,250,078	\$751,558 to \$2,254,611	\$1,726,581 to \$5,504,689
San Luis Obispo	\$450,011 to \$1,500,036	\$342,562 to \$1,027,657	\$792,572 to \$2,527,693
San Mateo	\$1,260,030 to \$4,200,100	\$1,769,966 to \$5,309,754	\$3,029,997 to \$9,509,854
Santa Barbara	\$742,518 to \$2,475,059	\$591,922 to \$1,775,716	\$1,334,439 to \$4,250,775
Santa Clara	\$2,342,556 to \$7,808,520	\$3,039,953 to \$9,119,608	\$5,382,509 to \$16,928,128
Santa Cruz	\$695,017 to \$2,316,722	\$657,968 to \$1,973,849	\$1,352,984 to \$4,290,571
Shasta	\$355,008 to \$1,183,362	\$218,311 to \$654,916	\$573,320 to \$1,838,278
Sierra	\$0	\$0	\$0
Siskiyou	\$115,003 to \$383,343	\$83,372 to \$250,109	\$198,375 to \$633,451
Solano	\$842,520 to \$2,808,400	\$764,507 to \$2,293,458	\$1,607,027 to \$5,101,859
Sonoma	\$635,015 to \$2,116,717	\$592,962 to \$1,778,839	\$1,227,978 to \$3,895,556
Stanislaus	\$1,120,027 to \$3,733,423	\$746,807 to \$2,240,359	\$1,866,834 to \$5,973,782
Sutter	\$800,019 to \$2,666,730	\$420,667 to \$1,261,967	\$1,220,686 to \$3,928,697
Tehama	\$230,006 to \$766,685	\$169,529 to \$508,573	\$399,534 to \$1,275,258
Trinity	\$7,500 to \$25,001	\$5,092 to \$15,276	\$12,592 to \$40,277
Tulare	\$605,014 to \$2,016,715	\$521,120 to \$1,563,318	\$1,126,135 to \$3,580,033
Tuolumne	\$132,503 to \$441,677	\$96,686 to \$290,051	\$229,190 to \$731,729
Ventura	\$2,130,051 to \$7,100,170	\$1,280,063 to \$3,840,082	\$3,410,113 to \$10,940,252
Yolo	\$552,513 to \$1,841,711	\$442,892 to \$1,328,639	\$995,405 to \$3,170,350
Yuba	\$95,002 to \$316,674	\$40,061 to \$120,178	\$135,063 to \$436,853
Total	\$69,554,163 to \$231,847,211	\$62,750,729 to \$181,497,272	\$132,304,893 to \$413,344,483

Source: BSCC, 2018, City of Los Angeles, 2020; SCO, 2019; DOJ, 2019; 2020. Note: All costs are in inflation-adjusted 2020 dollars using the California Consumer Price Index (CCPI). This analysis determines county costs by, first, extrapolating specific petty theft data from the City of Los Angeles to broader, county-level arrest data from DOJ (see Methods for more details) (City of Los Angeles, 2020; DOJ 2020). Second, we apply the range of 50 percent to 100 percent to estimate the number of arrests that could be charged as felonies under the initiative. Third, we translate arrests into expected convictions, and convictions into expected probation caseloads and jail populations using DOJ statistics on property offense convictions and dispositions. Finally, we use estimates, in 2020 dollars, of average probation costs and county-specific jail costs to produce a range of possible costs for each county (BSCC, 2018; SCO, 2019, DOJ, 2019).

For more information about this topic or to schedule an interview, please contact CJCJ Communications at (415) 621-5661 x 103 or cjcjmedia@cjca.org.