



*Eniko Gold, Mayor*  
*Larry G. Weber, Mayor Pro Tem*  
*Laura McCorkindale, Council Member*  
*Joe Loggia, Council Member*

**TO:** Honorable Mayor and City Council

**FROM:** Marcella Marlowe, Ph.D., Interim City Manager

**BY:** Aaron Williams, Administrative Analyst

**DATE:** February 26, 2024

**SUBJECT:** ADOPTION OF RESOLUTION NO. 1023, SUPPORTING THE HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT, A PENDING CALIFORNIA BALLOT INITIATIVE

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## BACKGROUND

Proposition 47, a referendum by voters in the state of California, was passed on November 4, 2014, with the goal of reducing the prison population and reallocating resources to education and mental health programs. While the proposition has achieved some success in achieving these objectives, it has become apparent that certain modifications are necessary to address unintended consequences and improve public safety. A proposed ballot initiative is currently collecting signatures to be eligible for the November 2024 ballot. The law requires 546,651 valid signatures to qualify.

## DISCUSSION

Prop 47 reclassified certain crimes, like illegal drug possession and nonviolent theft of less than \$950, as misdemeanors, rather than felonies as they had previously been categorized. Since its passage, California has experienced increases in drug addiction, mental illness, and property crimes, reversing the decades long statewide trend of decreasing crime.

According to a study conducted by the National Retail Federation (NDF), there was \$112 billion dollars in lost merchandise and theft in 2023. Law enforcement officials and others have blamed Prop 47 for massive increases in crime by allowing repeat offenders to continue breaking the law with little consequence. With the acknowledgement of Prop 47's unintended consequences throughout the State, California Democrat and Republican parties are currently working on legislation to revise it.

Such legislation, however, would bypass California voters and according to many, would not create the meaningful revisions needed to reverse the trend of rising recidivism, homelessness, and drug addiction. The proposed HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT ballot initiative would amend Prop 47 by holding repeat offenders accountable, thus improving community safety.

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According to the summary provided for inclusion on signature petition sheets, the proposed ballot measure will:

- Hold those who are committing repeated retail theft and fentanyl sales crimes accountable for the safety and health of our communities, no longer allowing them to escape consequences.
- Allow felony charges for possessing certain drugs, including fentanyl, and for thefts under \$950.
- Create accountability for repeat smash and grab offenders who are costing all Californians more and chasing retailers out of the state.
- Bring back incentives and accountability that are needed for individuals to get into necessary drug treatment and job training programs, helping them begin new lives. Currently, those arrested multiple times for hard drug use currently have no incentive to choose treatment. The proposed measure increases sentences for fentanyl and other specified drug and theft crimes, but allows those who plead guilty to felony drug possession to complete drug treatment and have the charges dismissed.

Needing 546,651 valid signatures to qualify for the November 2024 ballot, signature gathering for the Homelessness, Drug Addiction, and Theft Reduction Act will continue to take place across California for the coming weeks. With the adoption of Resolution No. 1023, the City of Hidden Hills City Council becomes the first city in California to officially support the proposed ballot measure, and joins a growing number of cities across California who believe this measure would make communities, businesses, and streets safer by restoring the rule of law, holding repeat retail thieves and fentanyl dealers more accountable, and incentivizing individuals who are addicted and homeless to accept life-saving treatment.

#### **FISCAL IMPACT**

There is no fiscal impact in supporting the adoption of Resolution No. 1023.

#### **RECOMMENDATION**

Considering the concerns raised and the potential benefits of reforming Proposition 47, staff recommends adopting Resolution No. 1023. If the Council concurs, an appropriate motion would be:

"I move to approve Resolution No. 1023, which supports the proposed ballot initiative currently named THE HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT that amends California's Proposition 47."

#### **ATTACHMENT**

1. Resolution No. 1023
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RESOLUTION NO. 1023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS, CALIFORNIA,  
SUPPORTING THE HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT, A  
PENDING CALIFORNIA BALLOT INITIATIVE

THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS HEREBY FINDS, RESOLVES, AND ORDERS  
AS FOLLOWS:

**WHEREAS**, the City of Hidden Hills places the utmost priority on public safety and protecting its community; and

**WHEREAS**, the City of Hidden Hills has a history of supporting legislation and ballot initiatives that increase public safety and protect the community; and

**WHEREAS**, the City of Hidden Hills emphasizes supporting public safety policies to prevent and reduce criminal activities in its adopted 2021 Legislative Platform; and

**WHEREAS**, Proposition 47 reclassified certain crimes, like illegal drug possession and nonviolent theft of less than \$950, as misdemeanors, rather than felonies as they had previously been categorized, resulting in an upsurge of property crimes, reversing the decades long statewide trend of decreasing crime; and

**WHEREAS**, the City Council recognizes the positive intentions of Proposition 47 in addressing criminal justice issues with the commendable goal of reducing the prison population and reallocating resources to education and mental health programs; and

**WHEREAS**, passage of Proposition 47 resulted in an increase of recidivism due to reduced penalties, reversing the decades long statewide trend of decreasing crime and leading to a surge in homelessness, drug addiction, mental illness, and a strain on community safety; and

**WHEREAS**, the City Council has thoroughly reviewed and considered the proposed HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT ballot initiative seeking to amend California Proposition 47 and refine the reclassification of certain offenses, implement graduated penalties for repeat offenders, and allocate additional resources for drug treatment programs and community policing, thus improving community safety; and

**WHEREAS**, the proposed ballot initiative will hold those who are committing repeated retail theft and fentanyl sales crimes accountable, for the safety and health of our communities, no longer allowing them to escape consequences; and

WHEREAS, the proposed ballot initiative will bring back incentives and accountability that are needed for individuals to get into necessary drug treatment and job training programs, helping them begin new lives; and

WHEREAS, the proposed ballot initiative is currently collecting signatures to be eligible for the November 2024 ballot, needing 546,651 valid signatures to legally qualify.

NOW, THEREFORE, the City Council of the City of Hidden Hills resolves as follows:

Section 1. The City Council of the City of Hidden Hills supports the proposed ballot initiative to amend California Proposition 47, recognizing the need for targeted modifications to address challenges and enhance the effectiveness of criminal justice policies.

Section 2. The City Council of the City of Hidden Hills endorses the refinement of the reclassification of certain offenses, the implementation of graduated penalties for repeat offenders, and the allocation of additional resources for drug treatment programs and community policing initiatives outlined in the proposed amendment.

Section 3. The City Council of the City of Hidden Hills encourages residents to participate in the democratic process by supporting the ballot initiative in question, as it aligns with the City's commitment to public safety, rehabilitation, and community well-being.

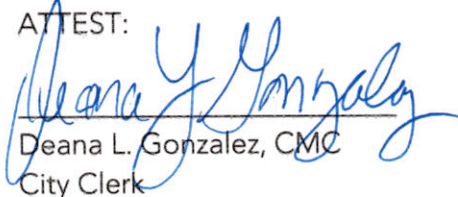
Section 4. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 26<sup>th</sup> day of February, 2024.



Eniko Gold, Mayor

ATTEST:



Deana L. Gonzalez, CMC  
City Clerk