



NEWS FOR IMMEDIATE RELEASE  
OC Sheriff Public Affairs, 714-904-7042

## Sheriff's Message on Commencement of Proposition 36

**SANTA ANA, Ca. (Dec. 18, 2024):** Please see the message below from Sheriff Don Barnes regarding the commencement of Proposition 36.

"Last month Californians passed Proposition 36, the Homeless, Drug Addiction and Theft Reduction Act, with nearly 70% of the vote. The ballot measure received a strong majority of the vote in all 58 counties and takes effect today, December 18th.

"Proposition 36 focuses on rampant theft, the fentanyl epidemic, and addiction-related homelessness. This provides law enforcement with an opportunity to further protect our community against the impact of poor public policy. Key provisions eligible for enforcement include:

### Theft

- Offenders with two prior convictions for theft can be charged with a felony, regardless of the value of the stolen property.
- Law enforcement can now combine the value of stolen property across multiple thefts to meet the \$950 felony threshold.
- "Smash and Grabs" are addressed with enhanced penalties for theft, damage, or destruction exceeding \$50,000 and enhanced penalties for theft or damage of property when two or more are acting together.

### Fentanyl Trafficking

- Trafficking of fentanyl in high quantities results in state prison and enhanced penalties.
- Known as "Alexandra's Law," convicted hard drug dealers are advised that if their trafficking leads to death, they could face murder charges.
- Fentanyl is added to an existing list of hard drugs for which it is illegal to possess the drug while armed with a loaded firearm.

### Mandated Treatment

- Creates a "treatment-mandated felony" that provides prosecutors with the discretion to charge a felony for hard drug possession after two previous drug convictions.
- Those charged with a "treatment-mandated felony" are given the option of participating in drug and mental health treatment.
- Successful completion of treatment results in charges being fully expunged.
- Offenders who refuse drug and mental health treatment would serve jail time.



“Many of the solutions included in Proposition 36 were attempted repeatedly over the last ten years through bipartisan legislation. However, the proposals were regularly blocked by the Assembly and Senate Public Safety Committees. This inaction on emerging problems like fentanyl has had tragic consequences. Now, where state leaders have failed, the people have acted. As Sheriff, I look forward to working with our criminal justice partners to honor the people’s choice for a balanced public safety system.

“Ultimately the decision to engage in criminal behavior is always the choice of each individual. For too long those who made the wrong choice faced minimal consequences for their actions. Now, Proposition 36 makes clear that making the decision to commit crime will be met with accountability. This proven approach uses both compassion and commonsense to a make our state safer and a more just place for all Californians.”

###