



Proposition 36: A Misleading Bipartisan Push with No Real Public Safety Benefit

Joint Statement by Human Rights Watch, Disability Rights California, Silicon Valley De-Bug, Los Angeles Community Action Network, Community Advocates for Just and Moral Governance, Stop LAPD Spying Coalition, and Civil Rights Corps.

We have come together as one against [Proposition 36](#), an insidious effort, backed by law enforcement and corporate retail funding, to resurrect the long-discredited 'war on drugs', funnel money away from evidence-based approaches, and impose harsher penalties for an expansive range of low-level offenses. We reject their scheme to dismantle Proposition 47.

Prop 47 was a community-led effort to correct some of the harms of the worst era of mass incarceration. Passed by a nearly 60 to 40 percent margin in 2014, it reclassified non-violent drug possession and low-level theft crimes from felonies to misdemeanors, while directing [money saved](#) from these reductions to help people leaving prison to re-enter their communities. This community-led initiative significantly improved the lives of thousands by removing or avoiding felony convictions, resulting in lasting effects for public safety and family togetherness. These reforms garnered a broad base of support, which is why, when law enforcement targeted Proposition 47 with a [ballot initiative](#) in 2020, communities mobilized to successfully protect it.

Proposition 36, also known as the "[Homelessness, Drug Addiction, and Theft Reduction Act](#)," does none of the things it claims to address. Proposition 36 will not help house anyone, improve access to mental health or substance use treatment, or reduce retail theft. Instead, it will impose longer prison sentences for petty thefts by making it a felony, rather than a misdemeanor, for individuals convicted of two or more petty thefts, regardless of the amount taken; or by allowing thefts to be combined to exceed the \$950 misdemeanor threshold. Mandating drug treatment for individuals convicted of a [drug-related offense](#) is not only [not effective in reducing drug use](#), but it also risks re-traumatization and deters people from seeking help in the future. Proposition 36 expands existing mechanisms of state control and will ultimately funnel more people into carceral facilities.

Proposition 36 would allow them to weaponize the harsher penalties to coerce people into plea deals and pressure them into drug court programs that require a treatment a person may not need and punish relapses with incarceration. Meanwhile, major corporations like Home Depot, Walmart, and Target have invested millions to support Proposition 36, relying on incomplete and often inaccurate generalizations about rising crime to deflect from their own outdated practices and protect their bottom line.

We are equally opposed to efforts to repackage the failed approaches of Proposition 36 in the state legislature with misleading assurances they are “less punitive” alternative solutions. Governor Newsom and the state Legislature, especially California’s Democratic leadership, are pretending to offer alternatives to Proposition 36 by endorsing a public safety package with punitive measures for retail theft and misleading harm reduction solutions. These measures will only expand law enforcement’s power, and serve as a catch all, neglecting specific solutions we need now in health, housing, and employment. Instead of addressing the false claims of Proposition 36, they push forward with cruel and ineffective solutions that undermine genuine public safety.

We refuse to double down on punishment as a response to poverty and poor health. We feel unsafe and vulnerable in stores, on the streets, and in our communities not because we lack harsh penalties for drug use and low-level theft but because accessible, voluntary, quality drug treatment does not exist, and the state fails to provide communities with what they need to thrive. We reject solutions from large corporations that claim to address issues for small businesses, knowing that these corporations have the resources to exploit any changes for their benefit while small businesses remain burdened. We refuse to bail out large corporations and subsidize the retail industry as they automate, eliminate jobs, and make shopping an increasingly frustrating experience.

While Proposition 47 still validates punishment as a response to crime rooted in poverty, we acknowledge it as an important tool to mitigate against the harm of mass incarceration that destroys so many individuals, families, and communities. Legislation like Prop 47 should not be rolled back but expanded.

As politicians, law enforcement, and the corporate retail lobby continue to push disingenuous solutions to public safety, we will continue to fight against any political or corporate agendas that promote incarceration as the response to poverty and health problems, whether through Proposition 36 or the look-a-like public safety package.

Our demand is clear: more housing, better access to community-based, voluntary, and culturally appropriate health care, and increased investment in our communities—not in the prison and prosecution systems.



About Our Coalition

Civil Rights Corps (CRC) • civilrightscorps.org

CRC is a non-profit organization dedicated to challenging systemic injustice in the American legal system through innovative civil rights litigation. CRC works with individuals accused and convicted of crimes, their families and communities, people currently and formerly incarcerated, activists, organizers, judges, and government officials to challenge mass human caging and to create a legal system that promotes equality and human freedom.

Community Advocates for Just and Moral Governance (MoGo) • moralgovernance.org

MoGo promotes good governance. They are committed to engaging in litigation and various forms of advocacy that will make government more just and fully accountable to all people, particularly those who have been marginalized from society.

Disability Rights California (DRC) • disabilityrightsca.org

DRC is the agency designated under federal law to protect and advocate for the rights of Californians with disabilities. The mission of drc is to defend, advance, and strengthen the rights and opportunities of people with disabilities.

Human Rights Watch (HRW) • hrw.org

HRW investigates and reports on abuses happening in all corners of the world. We are roughly 550 plus people of 70-plus nationalities who are country experts, lawyers, journalists, and others who work to protect the most at risk, from vulnerable minorities and civilians in wartime, to refugees and children in need. We direct our advocacy towards governments, armed groups and businesses, pushing them to change or enforce their laws, policies and practices. To ensure our independence, we refuse government funding and carefully review all donations to ensure that they are consistent with our policies, mission, and values. We partner with organizations large and small across the globe to protect embattled activists and to help hold abusers to account and bring justice to victims.

Los Angeles Community Action Network (LA CAN) • cangress.org

The mission of the Los Angeles Community Action Network (LA CAN) is to help people dealing with poverty create and discover opportunities, while serving as a vehicle to ensure we have voice, power and opinion in the decisions that are directly affecting us.

Stop LAPD Spying Coalition • stoplapdspying.org

Stop LAPD Spying Coalition is a community organization founded in 2011. We work to build community power toward abolishing police surveillance. We are rooted in the Skid Row neighborhood of downtown Los Angeles, based out of the Los Angeles Community Action Network.

Silicon Valley De-Bug (SV De-Bug) • siliconvalleydebug.org

SV De-Bug is a community organizing, advocacy, and a multimedia storytelling organization based out of San José, California. Since its inception in 2001, De-Bug has been a platform for Silicon Valley's diverse communities to impact the political, cultural, and social landscape of the region, while also becoming a nationally recognized model for community-based justice work.