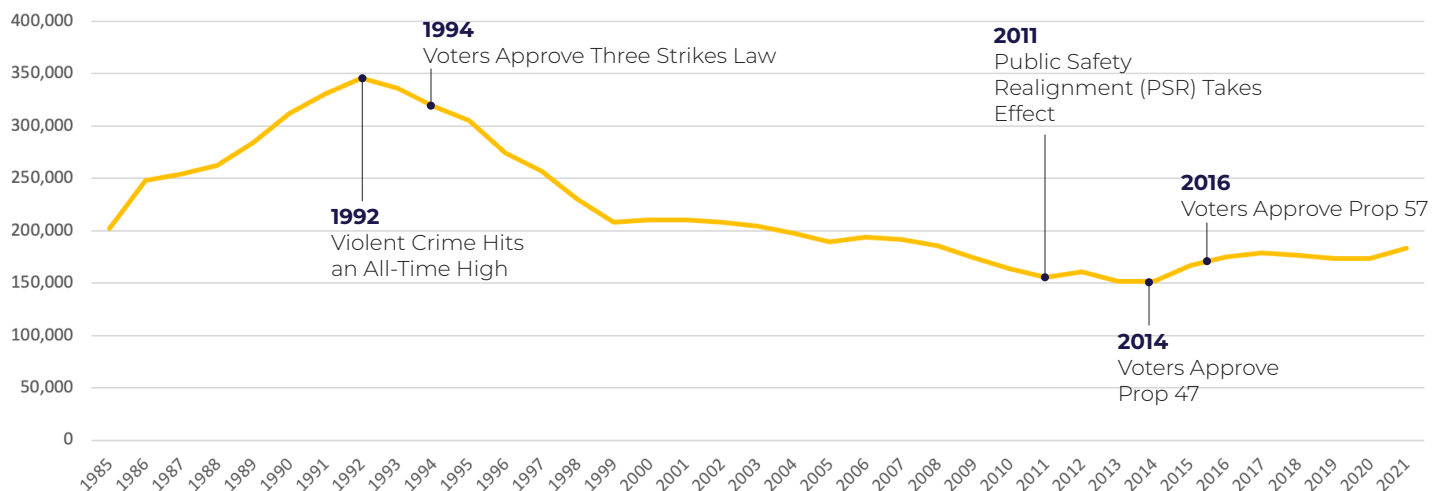




California's Decriminalization Timeline: 1985 – 2021

The decriminalization of California didn't happen overnight, it has been decades in the making. This timeline draws on violent crime data from the Bureau of Justice Statistics (BJS) – the nation's primary source for criminal justice statistics – to demonstrate the correlation between violent crime and the major laws, court decisions, and ballot measures that took place over 36 years. While there are many factors that influence violent crime rates (economic, social, education, location, etc.), the history and trends demonstrated by the data evidence the fact that crime also increases and decreases in response to public policy conditions set by our elected leaders. **The data shows that when our state prioritizes putting and keeping violent criminals behind bars, Californians are safer. Conversely, when California focuses on reducing our prison population, reclassifying felonies as misdemeanors, and treating violent criminals as the “victims” of law enforcement, Californians are at greater risk of harm.** It would be easy to look at this timeline and think that overall, violent crime has gone down, but that would be a mistake. Such an assumption ignores the fact that violent crime is on the rise and runs contrary to the lived experiences of so many Californians, who are victimized by violent criminals on the streets of our major cities each and every day.

All Violent Crime:



*In this analysis, we have taken a volumetric approach to presenting the violent crime data because the volumes, as opposed to rates, are more indicative of real people – real criminals committing crimes and real victims whose lives have been lost or forever changed as a result. Violent crimes include homicide, rape, aggravated assault and more.

Key Dates Breakdown

1985-1993: The Crime Wave

In the late 80's and early 90's, California experienced a violent crime wave on a scale never seen before. **Between 1985 and 1993, all violent crime increased 66% from 202,066 to 336,100 annual incidents.**

1994-2010: Three Strikes Works

California's Three Strikes Law is both inherently flawed and objectively successful as a crime reduction strategy. The Three Strikes Law was California's way of saying, "We've had enough of the violent crime." The law significantly increased prison sentences for people convicted of felonies who had previously been convicted of a violent or otherwise serious felony. The law also limited judicial sentencing discretion, diminishing the ability of judges to take extenuating circumstances into account, which in turn resulted in unnecessary and severe over-incarceration. The law was also successful in removing a sufficient number of violent criminals from the general population and/or deterring those criminals from committing violent crime, saving thousands of lives and preventing thousands from becoming victims. **Between 1994 and 2010, all violent crime decreased 49% from 318,946 to 163,957 annual incidents.**

2010-2021: California Over-Corrects with Public Safety Re-alignment, Prop 47 & Prop 57

California's 2010/2011 public safety realignment (PSR) policy was an untested, hastily implemented, but necessary shift in sentencing practices. The policy both successfully reduced our state prison population while sending our state down a very slippery decriminalization slope.

The passage of Prop 47 in 2014 was essentially a doubling-down on the state's PSR policy. By downgrading many felonies to misdemeanors such that they no longer qualify as a strike under California's Three Strikes Law, Prop 47 had an incentivizing effect on criminals who would no longer fear tough sentencing for crimes like grand theft, possession of stolen property, or commercial burglary.

With the passage of Prop 57, the state slid right off a decriminalization cliff that served to increase crime and victimization while reducing quality of life and public safety. The landing hasn't been soft for Californians. In 2016, Californians were sold the equivalent of a public safety lemon with Prop 57. Prop 57 was billed to the voters as a way to make it easier for non-violent and non-serious offenders to be released conditionally to parole, but the law was so broadly written, and California had already downgraded many serious felonies to misdemeanors through Prop 47, that the law ultimately just made it even harder to sentence and keep criminals behind bars. Californians deserve to know that Prop 57 defines the following as "non-violent" felonies:

Rape by intoxication · Rape of an unconscious person · Human trafficking involving sex act with minors · Drive-by shooting · Assault with a deadly weapon · Hostage taking · Attempting to explode a bomb at a hospital or school · Domestic violence involving trauma · Supplying a firearm to a gang member · Hate crime causing physical injury · Failing to register as a sex offender · Arson · Discharging a firearm on school grounds · Lewd acts against a child 14 or 15 · False imprisonment of an elder through violence

Between 2010-2021, all violent crime increased 12% from 163,957 to 183,546 annual incidents. If California had not significantly limited what qualifies as a "violent" crime, it is safe to say that increase would be steeper. While the numbers might be artificially deflated, the impacts on victims and communities are not.