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***Early voter support for Proposition 36 to stiffen criminal penalties,
and Proposition 32 to increase the state minimum wage.
-- Divided views about Prop. 33, to expand local authority to enact rent control laws --***

by Mark DiCamillo, Director, *Berkeley IGS Poll*

By a greater than two to one margin, 56% to 23%, California voters are initially lining up in support of Proposition 36, a statewide initiative to stiffen criminal penalties for repeat theft and fentanyl offenses, that will appear on the November general election ballot.

Proposition 36 would override parts of another ballot measure, Proposition 47, approved by voters a decade ago that downgraded some nonviolent property crimes from felonies to misdemeanors in an effort to reduce the state's prison population and give nonviolent offenders a second chance. However, law enforcement officials have blamed Proposition 47 for increasing theft crimes across the state and the growth of so-called "smash and grab" robberies. Another provision of the ballot initiative calls for expanding the authority of judges to sentence drug dealers who traffic hard drugs, including fentanyl, to state prison instead of county jails.

According to the *Berkeley IGS Poll*, Proposition 36 is receiving broad-based voter support, with most major subgroups of the electorate lining up on the Yes side. The voter segments voicing strongest support for the proposition include Republicans, voters ages 50 or older, those living in rural areas of the state, males, as well as conservative and moderate voters. By contrast, voters who identify as strongly liberal in politics are leading the opposition, with 47% intending to vote No and 29% voting Yes.

The same poll also measured initial voter sentiments on two other ballot measures that California voters will be asked to decide in the November election -- Proposition 32, to increase the state's minimum wage, and Proposition 33, to expand local governments' ability to enact rent control laws on residential properties.

According to the poll, voters are initially supportive of Proposition 32, with 52% inclined to increase the state's minimum wage, while 34% are opposed. Democrats, liberals, Blacks, younger voters, and voters with annual household incomes of less than \$40,000 are initially lining up in support of the initiative, while about seven in ten Republicans and conservatives are opposed.

Voters are more divided when asked about Proposition 33, which gives local authorities more power to enact rent control ordinances. The poll finds 40% of likely voters currently backing the initiative,

34% opposed, and 26% are undecided. Democrats, liberals, renters, voters under age 40, and Black voters are the segments most supportive of the initiative. However, the initiative is facing significant opposition from homeowners, Republicans, conservatives, and voters ages 65 or older.

Notes IGS Co-Director G. Cristina Mora, “California voters continue to be politically divided on these issues, with working class segments and liberals more likely than others to support ballot measures designed to help workers and renters deal with the rising cost of living in the state. The findings on Proposition 36 also show that voters can swing back to undo measures that seem to be tied to rising crime.”

Proposition 36, to increase criminal penalties for retail theft and for possession of fentanyl, supported greater than two to one

Proposition 36, a statewide ballot initiative aimed at increasing criminal penalties for repeat offenses involving retail theft and possession of certain drugs, including fentanyl, is favored by a wide margin according to the latest *Berkeley IGS Poll*. The poll finds 56% of likely voters inclined to vote Yes, while 23% initially lining up on the No side. Another 21% are undecided.

The anti-crime initiative, supported by large retailers and the state’s District Attorneys and Sheriffs associations, would alter major sections of Proposition 47, an initiative approved by voters in 2014 that recategorized a number of nonviolent offenses as misdemeanors rather than felonies. In addition, it increases penalties for convicted drug dealers who traffic large quantities of hard drugs, including fentanyl.

There is currently broad-based support for the initiative, with most major subgroups of the electorate inclined to vote Yes. The segments voicing the strongest support for the initiative are Republicans, conservatives and moderates, voters ages 50 or older, males, and voters living in rural areas of the state. Voters who identify as strongly liberal in politics are leading the opposition, with 47% intending to vote No and 29% voting Yes.

Table 1
Voter preferences on Proposition 36, to increase criminal penalties for repeat offenses involving retail theft and possession of certain drugs, including fentanyl (among likely voters)

	Voting Yes %	Voting No %	Undecided %
Total likely voters	56	23	21
<u>Party registration</u>			
Democrats	48	29	23
Republicans	69	17	14
No party preference/other	55	19	26
<u>Political ideology</u>			
Strongly conservative	69	20	11
Somewhat conservative	70	15	15
Moderate	66	12	22
Somewhat liberal	47	27	26
Strongly liberal	29	47	24
<u>Urbanicity</u>			
Urban	52	23	25
Suburban	57	24	19
Rural	64	22	14
<u>Gender</u>			
Female	52	24	24
Male	61	22	17
<u>Age</u>			
18-29	40	33	27
30-39	51	26	23
40-49	47	33	20
50-64	62	19	19
65 or older	65	14	21
<u>Race/ethnicity</u>			
White non-Hispanic	57	22	21
Latino	59	23	17
Asian/Pacific Islander	50	25	25
Black/African American	47	29	24

Proposition 32, to increase the state’s minimum wage, leads 52% to 34% in early polling

California voters will also be asked to decide on Proposition 32, a statewide initiative to increase the state’s minimum wage by \$1 per year until it reaches \$18 and then be adjusted for inflation on an annual basis thereafter. According to the poll, 52% of likely voters are initially inclined to vote Yes on the initiative, while 34% are on the No side.

Large majorities of Democrats, liberals, Blacks, younger voters, and voters with annual household incomes of less than \$40,000 are in support, while about seven in ten Republicans and conservatives are opposed. Independent voters and political moderates are initially supportive, with about half voting Yes and about one in three on the No side.

Table 2
Voter preferences on Proposition 32, to increase the minimum wage in California
(among likely voters)

	Voting Yes %	Voting No %	Undecided %
Total likely voters	52	34	14
<u>Party registration</u>			
Democrats	74	13	13
Republicans	17	71	12
No party preference/other	51	32	17
<u>Political ideology</u>			
Strongly conservative	18	75	7
Somewhat conservative	22	63	15
Moderate	49	32	19
Somewhat liberal	72	13	15
Strongly liberal	87	7	6
<u>Urbanicity</u>			
Urban	57	28	15
Suburban	49	37	11
Rural	45	42	13
<u>Gender</u>			
Female	56	29	15
Male	48	39	13
<u>Age</u>			
18-29	60	27	13
30-39	58	30	13
40-49	45	40	15
50-64	55	32	13
65 or older	47	37	16
<u>Race/ethnicity</u>			
White non-Hispanic	49	38	13
Latino	56	31	13
Asian/Pacific Islander	51	32	17
Black/African American	77	14	9
<u>Annual household income</u>			
Less than \$40,000	65	18	17
\$40,000-\$59,999	62	27	11
\$60,000-\$99,999	51	35	14
\$100,000-\$199,999	44	42	14
\$200,000 or more	49	41	10

Voters hold mixed views of Proposition 33, to expand local governments’ authority to enact rent control laws

Likely voters in California are more divided when asked about Proposition 33, a statewide initiative to expand local governments’ authority to enact rent control laws on residential properties. At present, 40% of likely voters are supporting the initiative, 34% are opposed, and a relatively large proportion of voters (26%) are undecided.

Democrats, liberals, renters, voters under age 40, and Black voters are the voting segments voicing greatest support for the initiative, while homeowners, Republicans, conservatives, and voters ages 65 or older are opposed.

Voters living in urban areas of the state also are somewhat more inclined to support the idea of giving local authorities greater power to enact rent control ordinances in their communities than voters living in rural communities.

	Voting Yes %	Voting No %	Undecided %
Total likely voters	40	34	26
<u>Tenure</u>			
Homeowner	29	45	26
Renter/other	54	19	27
<u>Party registration</u>			
Democrats	51	23	26
Republicans	24	51	25
No party preference/other	37	34	29
<u>Political ideology</u>			
Strongly conservative	30	54	16
Somewhat conservative	26	45	29
Moderate	34	37	29
Somewhat liberal	46	28	26
Strongly liberal	65	14	21
<u>Urbanicity</u>			
Urban	42	32	26
Suburban	39	33	28
Rural	35	44	21
<u>Gender</u>			
Female	41	29	30
Male	39	39	21
<u>Age</u>			
18-29	51	24	25
30-39	55	17	28
40-49	44	30	26
50-64	37	39	24
65 or older	27	46	27
<u>Race/ethnicity</u>			
White non-Hispanic	35	39	26
Latino	48	27	25
Asian/Pacific Islander	38	35	27
Black/African American	56	22	22

About the Survey

The findings in this report are based on a *Berkeley IGS Poll* completed by the Institute of Governmental Studies (IGS) at the University of California, Berkeley. The poll was administered online in English and Spanish July 31-August 11, 2024, among 3,765 Californians considered likely to vote in the 2024 November general election.

The poll was conducted by distributing email invitations to stratified random samples of the state's registered voters. Each email invited voters to participate in a non-partisan survey conducted by the University and provided a link to the IGS website where the survey was housed. Reminder emails were distributed to non-responding voters and an opt out link was provided for voters not wishing to receive further email invitations.

Samples of California registered voters with email addresses were derived from information contained on the official voter registration rolls and provided to IGS by Political Data, Inc., a leading supplier of registered voter lists.

To protect the anonymity of respondents, voters' email addresses and all other personally identifiable information derived from the original voter listing were purged from the data file and replaced with a unique and anonymous identification number during data processing. In addition, after the completion of data collection, post-stratification weights were applied to the survey data file to align the sample of registered voters to population characteristics of the registered voters statewide and within major regions of the state.

The sampling error associated with the survey results is difficult to calculate precisely because of sample stratification and post-stratification weighting. Nevertheless, it is likely that findings based on the overall sample of likely voters are subject to a sampling error of approximately +/-2 percentage points at the 95% confidence level.

Question wording

PROPOSITION 32. RAISES MINIMUM WAGE. INITIATIVE STATUTE: This measure increases the minimum wage in California—currently, \$15 per hour for businesses with 26 or more employees, and \$14 per hour for smaller businesses— by \$1 per year until it reaches \$18 per hour. Thereafter, the minimum wage will annually adjust for inflation. In periods of decreased economic activity, or General Fund deficit, the Governor may suspend annual increases up to two times, thereby extending the timeline for reaching \$18 per hour. Fiscal impact: Unclear change in annual state and local tax revenues. If election were held today, how would you vote on Proposition 32

PROPOSITION 33. EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE: Current state law generally prevents cities and counties from limiting the initial rental rate that landlords may charge to new tenants in all types of housing, and from limiting rent increases for existing tenants in (1) residential properties that were first occupied after February 1, 1995; (2) single-family homes; and (3) condominiums. This measure would repeal that state law and would prohibit the state from limiting the right of cities and counties to maintain, enact or expand residential rent-control ordinances. Fiscal impact: Overall, a potential reduction in state and local revenues in the high tens of millions of dollars per year over time. If the election were held today, how would you vote on Proposition 33?

PROPOSITION 36. ALLOWS FELONY CHARGES AND INCREASES SENTENCES FOR CERTAIN DRUG AND THEFT CRIMES. INITIATIVE STATUTE. Allows felony charges for possessing certain drugs, including fentanyl, and for thefts under \$950—both currently chargeable only as misdemeanors—with two prior drug or two prior theft convictions, as applicable. Defendants who plead guilty to felony drug possession and complete treatment can have charges dismissed. Increases sentences for other specified drug and theft crimes. Increased prison sentences may reduce

savings that currently fund mental health and drug treatment programs, K-12 schools, and crime victims; any remaining savings may be used for new felony treatment program. Fiscal impact: Increased local criminal justice system costs potentially in the tens of millions of dollars annually. If the election were held today, how would you vote on Proposition 36?

About the Institute of Governmental Studies

The Institute of Governmental studies (IGS) is an interdisciplinary organized research unit that pursues a vigorous program of research, education, publication and public service. A component of the University of California system's flagship Berkeley campus, IGS is the oldest organized research unit in the UC system and the oldest public policy research center in the state. IGS's co-directors are Professor Eric Schickler and Associate Professor G. Cristina Mora.

IGS conducted periodic surveys of California public opinion on matters of politics and public policy through its *Berkeley IGS Poll*. The poll seeks to provide broad measures of contemporary public opinion and generate data for scholarly analysis. Veteran pollster Mark DiCamillo serves as director of the *Berkeley IGS Poll*. For a complete listing of reports issued by the poll, please visit <https://www.igs.berkeley.edu/research/berkeley-igs-poll>.