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**California's Drug Policies:
Its implications and disparities in low-income communities**

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California's Criminal Justice system has always faced controversies, especially when it often shows reforms on paper but fails to actively implement them, contributing to the socioeconomic disparities that persist. Low-income counties have always faced high incarceration rates, along with higher racial disparities, due to policies not being made to serve where California needs them most. In 2014, Proposition 47 was presented as a criminal justice reform to reduce prison overcrowding by reclassifying certain crimes from felonies to misdemeanors, in hopes of lessening the number of inmates in state prisons and lessening racial disparities within the justice system. This prop received much anticipation from the public as it was able to target a major issue that plagued California's public policy; however, it may also have challenged the capability of this prop, whether it truly lessened crime, promoted equity, or if it only relabeled crime, reshaping patterns of criminalization. This raises the question of how much this proposition helped lower crime, specifically drug offenses, before and after it was implemented, as research has overlooked this.

The topic of this research paper will broadly address "how California's major drug reform policies, specifically Proposition 47, affected incarceration rates and trends in low-income counties?" More specifically, "before the overturning of Proposition 47, to what extent did it impact drug possession incarceration rates in low-income counties between 2014 to 2024, compared to 2004 to 2014, before the proposition was introduced?" To answer this question, I intend to compare pre- and post-Proposition 47, measuring 10 years before the proposition was introduced, 2004 - 2014, and during the proposition, 2014 - 2024, to see if there is a significant difference in drug offences because of prop 47. I will also conduct a county-level difference-in-difference (DiD) analysis, taking into account low-income counties that are below 25% of the Median Household Income (MHI) in 2014, as it is the year in the middle. The theory

that I will use for my theoretical framework will be the deterrence theory, which suggests that people are less likely to commit crimes if punishment is more severe. I will also take into account Rehabilitation Centered Models, which believe that crime is best reduced by targeting the root cause of offenders, such as mental health. I found that Proposition 47 had a strong negative relationship with time, as the years increased (2004-2024), felony incarceration rates strongly decreased ($r = -0.654$), and I conclude that this narrowed socioeconomic gaps in low-income areas, but not proportionally across all counties.

Context and Significance

For decades, California's prison population has been an ongoing issue, affecting public policy due to poor prison conditions. In 2011, *Brown v. Plata* was presented to the U.S. Supreme Court, which claimed that California's prison overcrowding violated the 8th Amendment, banning the "cruel and unusual punishment due to inadequate medical and mental health care." (Oyez, 2010). The Court ruled that its conditions were unconstitutional, upholding the previous statement, and validating the current issue. This was followed by a direct response, presenting Proposition 47 on the 2014 ballots, in an effort to tackle the prison population. (PPIC, 2023) Also known as the Safe Neighborhoods and School Act, this proposal's main goal was to reclassify certain non-violent crimes from felonies to misdemeanors as long as the value of the crime remained below \$950. Because this reform created lighter sentencing, it cut back on incarceration costs, allowing these funds to be redistributed to mental health and substance abuse treatment centers, overall improving public safety, and taking a new step towards emphasizing rehabilitation over incarceration ("Proposition 47 FAQs").

According to the Public Policy Institute of California (PPIC), there was an immediate 9% reduction in prison population, the year following the enactment of Prop 47 (Tafoya et al.). Scholars have also found that recidivism rates declined after its implementation, along with drug offense rates, which were at 32.3% pre-Prop and 21% post-Prop (Bird et al, 2018). This data shows that this policy had an impact statewide, but the intensity on an individual level remains unclear. California's diverse counties allow me to take into consideration variables such as racial demographics and how intensely counties implemented this policy. An example would be with the Los Angeles County, because of its size, its poverty rate, and police intensity, the outcomes may differ when compared to a smaller/affluent county such as Alpine County or Santa Clara, which is why it's important to measure this research on a smaller/local scale in order to get a more concise response to how proposition 47 impacted low income counties in regards to equity.

This is particularly significant to California's public policy because of how much it specifically targets those counties with more prominent Black and Hispanic communities. Over policing, punitive sentencing, and economic marginalization are all factors that contribute to high arrest rates within these communities. Although some argue that Prop 47 did reduce racial disparities in arrests and bookings, critics have said that it did not remedy broader structural inequalities that can be related to policing biases or a lack of resources. My research aims to investigate whether the reduction of incarceration rates declined more in low-income neighborhoods or affluent neighborhoods.

There have also been notable overlapping policies that have been implemented on a statewide level, including AB 109 (2011), known as the California Public Safety Realignment, which shifts supervision responsibility for felonies that are non-violent, non-sex offenders, and non-serious felonies from state prisons to local county prisons. This policy complicates the data

that I am assessing since this policy also reduced incarceration rates in prisons. This also applies to the COVID-19 pandemic, which drastically reduced prison populations through emergency and statewide health releases, potentially exaggerating the effectiveness of the prop and distorting the data.

The understanding of Proposition 47 is significant because it fundamentally changed California's criminal justice system, allowing the state as a whole to take a new step towards rehabilitation rather than incarceration, by reducing the prison population and redistributing those funds to mental health programs and substance abuse treatment. Because California acknowledged the importance of these programs, it was able to create a policy that focused on the root of the problem, providing long-term solutions. This concept relates to the Rehabilitation Centered models theory of targeting offenders' underlying issues. Highlighting the impact this Prop had on low-income counties allows policymakers to consider future reforms that can help attain equitable justice and reinvest in these communities. It would also allow us to see how this prop's impact varied based on income levels, giving us insight into the complexities of who this prop really benefited and how that system deepens disparities.

Literature Review

For the Literature Review section, I will categorize the academic journals into sections that will consist of Drug Incarceration Rates, Racial and Ethnic Disparities, and Community Level Crime Patterns. These factors will provide further insight into what existing research can tell us about my research question.

Drug Incarceration Rates

Significant evidence has been collected that suggests that Proposition 47 did contribute to a decrease in drug incarceration rates, along with other crimes that were reclassified. At the Public Policy Institute of California, Mia Bird (2018), a policy analyst and researcher focused on criminal justice reforms, along with other scholars, found that with the implementation of Prop 47, there was a decrease in prison admissions and recidivism, with no surge of violent crimes following (Bird et al. 2018). Bartos and Kurbin (2018), professors at the Department of Criminology, UC Irvine, use a synthetic control group to envision a California that had never implemented the reform. Through this, they found that there were no serious effects on violent crimes, and that the reform had successfully reduced the jail/prison population due to the light sentencing the Prop had implemented (Bartos and Kubrin 2018). These studies point towards the effectiveness of the policy, concluding that it did have success in lowering prison population as well as crime rates. While these academic journals focus on a statewide level, they still present how prison population changes after Prop 47, information I can use, but observing on a county level, relating it back to drug offenses and low-income counties, building on this idea, on a more narrow scope, to close these gaps.

Racial and Ethnic Disparities

Another topic I would like to talk about is the Racial and Ethnic Disparities related to Proposition 47. Mooney et al. (2018), a professor at UC Berkeley, along with other scholars, analyze the racial and ethnic disparities on a statewide level for drug possession arrests in the years 2011 and 2016 to evaluate the effects of Prop 47 and how its reclassification changed arrest patterns among Black, White, and Hispanic communities. They found that there was an immediate decline in drug arrest rates after Prop 47 was established, but more specifically, they found that there was a shift in racial and ethnic disparities, revealing that the gap for black and

white individuals narrowed by 45.68% almost immediately because of the decrease in felony drug arrests (Mooney et al. 2018). Similarly, in MacDonald & Raphael (2020), professors at the University of Pennsylvania and UC Berkeley, specialists in criminal justice, focus on how Prop 47 influences racial/ethnic disparities in court rulings, centering their research on San Francisco between 2010 and 2016. They found that after the prop was implemented, disparities in case outcomes between black and white individuals significantly lessened, meaning that the policy helped reduce racial disparities compared to before the prop was introduced, which resulted in the gap between the two being much larger, with black individuals receiving harsher penalties (incarceration sentences) than their counterparts (MacDonald and Raphael 2020).

These works contribute to my research paper because one provides empirical evidence on how the reform changed the enforcement of drug arrests across California and how it impacted White, Black and Hispanic communities differently, while the other highlights equity concerns in the criminal justice system, especially how racial groups are punished differently, emphasizing how this prop could've potentially lessened the racial and ethnic disparity gap or how it attained equitable justice on sentencing for racial groups impacting low income counties. However, I would like to note that these academic journals only seem to consider race and are limited to either a statewide or city overview. Considering that in California, there is a strong overlap between income and race, with lower-income communities historically being made up of Black or Hispanic individuals, understanding socioeconomic and criminal justice disparities is crucial and requires analysis that goes beyond race. I plan to emphasize in my research that although this reform did lessen the disparities between races, this does not mean that it eliminated them completely, and its impact could've varied among counties. I would also like to find a correlation between race and income, if those factors impact the effectiveness of Prop 47.

Community Level Crime Patterns

Finally, for my literature review, I will touch upon academic journals that view the impact of Proposition 47 from a more community-based perspective. Crodelle et al. (2021), assistant professor at Middlebury College, studied monthly crime rates in Santa Monica neighborhoods from 2006 to 2019, with the purpose of examining whether Prop 47 caused any changes in certain crimes that were reclassified by the prop. They found a statistically significant increase of 14.7% in reclassified crimes, with some neighborhoods experiencing more changes than others (Crodelle et al. 2021). However, this community-based increase does not counter the decrease in crime on a statewide level. This increase can be because of different factors such as the policing environment, demographics, and local resources. Similarly to Groff, Ward, and Wartell's (2021) Professors in Criminal Justice, they analyze Proposition 47 (2014) in Los Angeles using an interrupted-time-series design to observe whether or not there was a significant change in crime or prosecution rates before and after the reforms. They found that there were no significant changes in the amount of property or financial offenses committed over time, indicating that there was no increase in crimes committed, as critics had thought (Groff, Ward, and Wartell 2021).

When reading Crodelle et al. (2021), I began to compare it to Mooney et al. (2018), and I noticed that although crime may have increased in this particular neighborhood in Santa Monica, I also must take into consideration that this is just one neighborhood, looking at this in a broader lens with Mooney's research, drug related crime decreased overall in Black and Latino communities (Crodelle et al. 2021). This journal was thought-provoking, making me want to compare this micro perspective with a macro perspective. Instead of neighborhoods, I will analyze the props impact across all 58 counties in California, with an emphasis on low-income

counties and how much the impact could differ. With Groff, Ward, and Wartell (2021), using an interrupted-time-series can help me see how prop 47's impact differed based on one's income level, whether it reduced incarceration on wealthier or poorer areas allowing me to connect it back to my theoretical framework "deterrence theory", which suggests that people are less likely to commit crimes if punishment is more severe, however, since this study showed there to be no significant rise in crimes based on financial or property offenses, then when I apply this method to my own research paper, I can infer that prop 47 will not lead to an increase in drug related arrests in low income communities, but instead lessen crime which can potentially support my hypothesis (Groff, Ward, and Wartell 2021).

Addressing Gaps

Gaps within these studies that I have observed are that income-based disparities are understudied, county-level research is understudied, and long-term effects (2004-2024) are understudied and rarely analyzed. With my study, I intend to address all three gaps by observing how Prop 47 impacted lower-income counties in regards to drug-related arrests, which I will measure by looking at all 58 counties in California over a 20-year period, 10 years before the prop and 10 years after the prop. By combining county-level drug incarceration rates, poverty threshold (below 25% of the Median Household Income in 2014), and expanding the time period, this project aims to provide insight into whether this reform attained equitable justice for the low-income population or deepened disparities through a macro policy reform analysis.

A theory, hypotheses (conceptual and operational), and a causal mechanism section

The theory that I will use for my theoretical framework will be the deterrence theory, which suggests that people are less likely to commit crimes if punishment is more severe. Since

Proposition 47 reduced the punishment for drug-related crimes, under this theory, it will mean that because of the reduction in punishment, theoretically, that would mean that there would be an increase in drug-related arrests; however, there have been some critics regarding this theory, with some arguing that it seems to oversimplify human behavior. It assumes that humans will think out their actions thoroughly and logically, not accounting for how complex human behavior is, such as impulsivity, emotions, mental health, as well as drug addiction, which can alter how someone may normally act and oftentimes impair their ability to think rationally. Another theoretical framework that applies to my research is the rehabilitation-centered models, which suggests that if we reduce penalties and reallocate those funds to treatment institutions, then this will create a long-term solution and decrease criminal arrests altogether. This is exactly what Proposition 47 does, as it creates lighter sentences, reduces the costs of incarceration arrests, and is therefore able to redirect that money to fund mental health programs and substance abuse programs. This will ultimately decrease drug-related arrests in lower-income communities, as they are more likely to face higher structural disadvantages.

My conceptual hypothesis is that the implementation of Prop 47 led to a decrease in drug-related arrests in low-income communities between 2014-2024 compared to 2004-2014. My operational hypothesis is that counties with a greater implementation of Prop 47 and funding will experience a greater decline in drug-related arrests among low-income communities than counties with lower implementation efforts. And finally, my null hypothesis is that Prop 47 had no statistically significant effect on drug-related arrests in low-income communities. To test my hypothesis, I will use observational, quantitative, and publicly available data from the California Department of Corrections and Rehabilitation (CDCR), the Public Policy Institute of California (PPIC), and the Department of Justice (DOJ), which is where I've gotten most of my data

regarding drug-related felonies. The proposed causal mechanism is that by Prop 47, reclassifying certain crimes from felonies to misdemeanors, it reduced the severity of certain crimes, creating lighter sentencing, and therefore reducing drug-related arrests. Because this reform also redirects funds from incarceration arrests to rehabilitation programs, over time, this will also reduce incarceration rates. With these mechanisms, it will predict that Prop 47 will lower drug arrests in lower-income counties, specifically those that have historically faced higher rates of incarceration and drug arrests.

Research Design

The implementation of Proposition 47 is my independent variable, which will be measured by the years from when the prop was implemented, 2014-2024, and before it was introduced, 2004-2014. Since it is operational, I will be using a Binary Time Variable (0 = Pre-Prop 47 (2004-2014), 1 = Post-Prop 47 (2014-2024)) to simplify the data when comparing two different time periods, and also to make it suitable for DiD and time series analysis. The data sources that I will be using for this variable will be the California Department of Corrections and Rehabilitation (CDCR) and the Public Policy Institute of California (PPIC). Possible proxies to take into account are the % of felonies turned to misdemeanors, which will tell us how strongly this policy was implemented by counties. According to the California Department of Corrections and Rehabilitation, about 7.5% of convictions for drug or property offenses were noted as misdemeanors for the fiscal year 2013-2014, which would have been felonies before Prop 47's enactment (CDCR, 2023). They also noted that in the FY 2012-2013 and 2013-2014, felony convictions decreased by 8.4% (CDCR, 2023).

The dependent variable (operational) will be drug incarceration rates in low-income counties, which will be measured through incarceration rates across all 58 counties in California, focusing on lower-income counties, those that are below 25% of the average Median Household Income (MHI) for the year 2014. I chose this year because it's in the middle of the timeline I'm focusing on. I will also be looking at multiple cases over time (counties).

Data sources I will use will be the PPIC and the DOJ, from which is where I will derive the felony drug incarceration rates for each county and year. According to the Public Policy Institute of California, there was an overall decline in jail population of 9% the year following Prop 47's implementation (Tafoya et al.). A possible proxy could be the total number of drug offenses admitted to state prisons/county jails. These proxies will help me detect changes in incarceration rates, giving me insight into the policing environment and how their behavior alters. I will also note the control variables, which are the demographics of each county (race/ethnicity, % of Black, White, Hispanic), since existing racial inequalities tend to contribute to the probability that people of color are more likely to be arrested (Mooney et al. 2018). Another control variable is the population per county, since counties with more population will tend to have more arrests than a county with fewer people residing in it. Confounding variables would be overlapping policies like AB 109 (2011), which I will control using a dummy variable, and the COVID-19 pandemic (2020), which I will control using a dummy variable for the pandemic years (COVID_Dummy = 1 affected years, COVID_Dummy = 0 non-affected years).

Research Methods

For my research methods, I used Pearson's R in order to find a correlation between income and drug-related felony changes as well as time and drug-related felony changes. For

median household income and felonies, there was a negative moderate correlation ($r = -0.236$), meaning that as income increases, drug-related felonies decrease, vice versa. Although the relationship between the two variables isn't strong enough to be significant, the pattern is consistent enough to show some correlation between the two variables. This shows why the impact of Prop 47 varied across counties, as low-income counties experienced greater declines in felonies due to the number of felonies being more concentrated in these counties before the prop was introduced, shrinking socioeconomic gaps. For time and incarceration, I found there to be a strong negative relationship ($r = -0.654$ meaning that as years increase, the number of felonies decreases, which correlates with the passage of Prop 47. To support this, I ran a t-test ($t = -195.18$), which guarantees that there is a highly statistically significant relationship between time and drug felonies. I also used a difference-in-differences model to compare the median household income bottom 25% to the rest of the counties. I found that the biggest felony decline happened in California's lower-income counties, the places that needed it the most.

Results Section: Three Figures

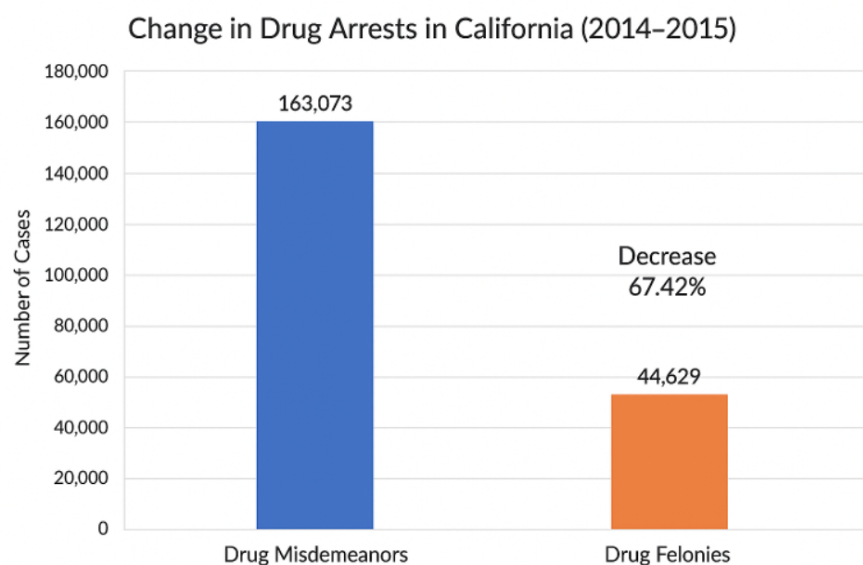


Figure 1. Source: Department of Justice, Open Justice

The boxplot above it shows the total number of drug misdemeanors and drug felonies across all 58 counties in California between the years 2014-2015, 1 year after the implementation of Proposition 47. The x-axis represents drug misdemeanors/felonies, and the y-axis represents the number of cases. We can see that there was a 67.42% decrease in drug-related felonies right after Prop 47 was implemented, which shows the effectiveness of the prop statewide.

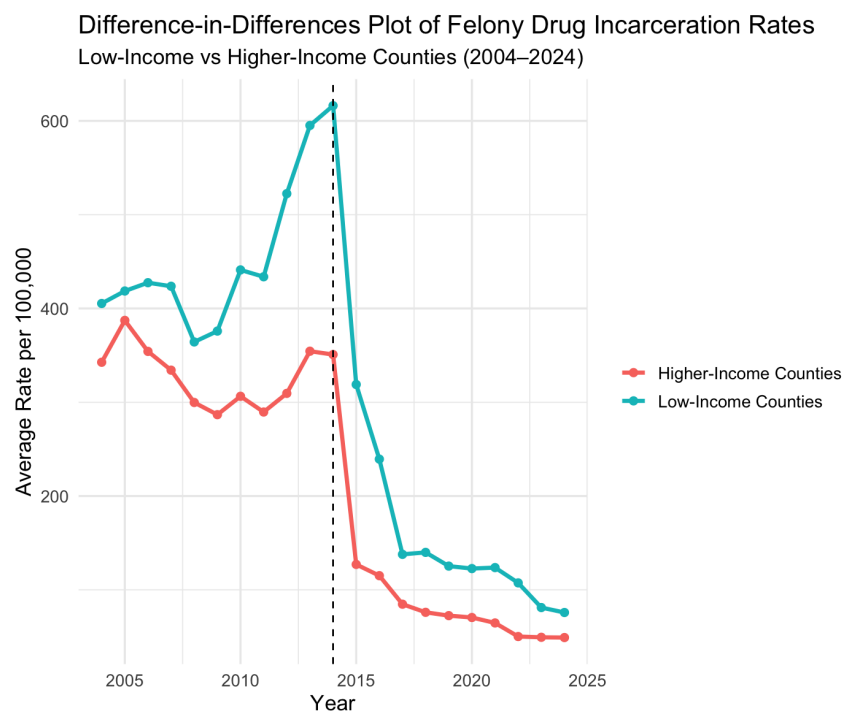


Figure 2. Source: Department of Justice, Open Justice and Public Policy Institute of California

In the difference-in-differences plot above, the y-axis represents the average number of drug arrests per 100,000, and the x-axis represents the years, with the blue line signifying low-income counties and the red line signifying high-income counties. If we focus on low-income counties, we see that before Prop 47 was implemented, which is represented by the dotted line at the year 2014, we see that low-income counties had higher drug-related felonies than higher-income counties, but after the prop, there was an immediate decrease in felonies. The

same happens with higher-income counties; however, their decrease wasn't as dramatic as it was for low-income counties. This means that Prop 47 impacted low-income counties the most, as they experienced a greater decrease.

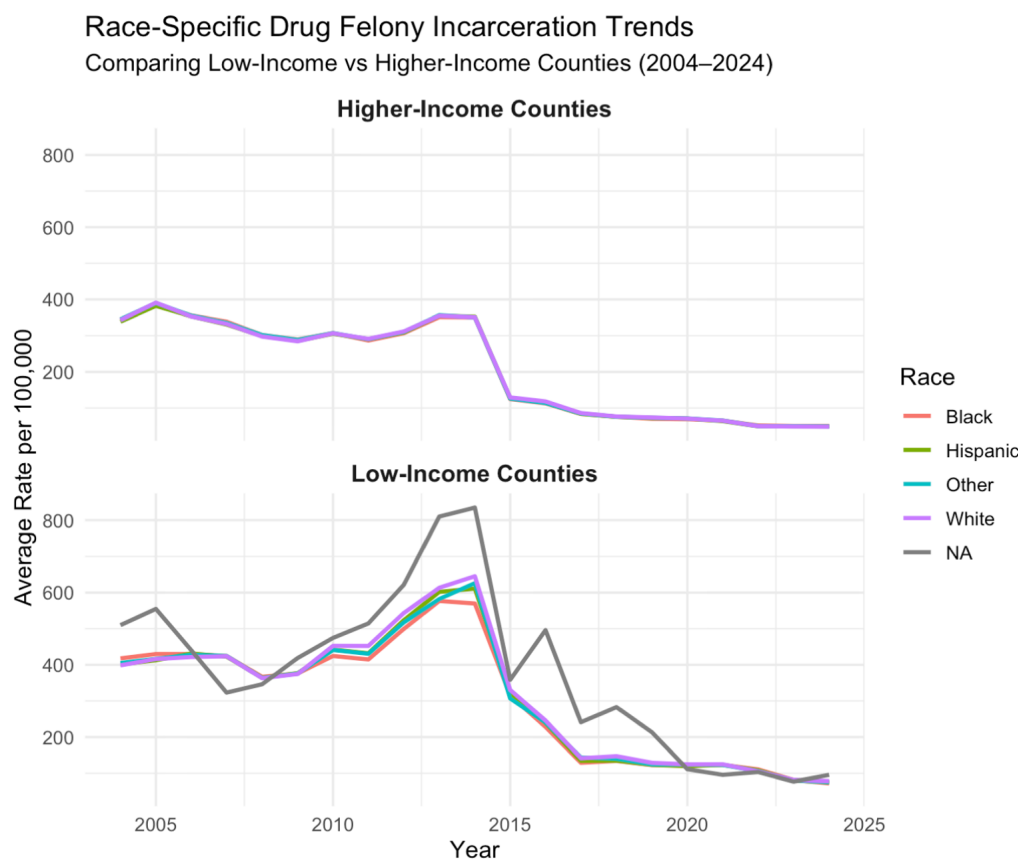


Figure 3. Source: Department of Justice, Open Justice

The graph above shows drug-related felonies, taking into account race. With the x and y axes being the same as the previous graph, this graph reveals the racial disparities within counties when taking into consideration income. When looking at the higher-income counties, it's hard to differentiate racial lines within the plot, meaning that racial disparities were less than those that exist in low-income counties. We can also see that throughout the years, Prop 47 didn't really impact race as they all seem to flow evenly; however, with low-income counties, this is where we see the impact. Before Prop 47, we could see that races were much clearer to

differentiate, but after Prop 47, we see that the gap seems to be closing. This means that Prop 47 was able to lessen racial disparities within low-income counties, but not evenly among all counties.

Discussion and Research Implications Section

My research asked, “Before the overturning of Proposition 47, to what extent did it impact drug possession incarceration rates in low-income counties between 2014 to 2024, compared to 2004 to 2014, before the proposition was introduced?” My hypothesis was that “The implementation of Prop 47 led to a decrease in drug-related arrests in low-income communities between 2014-2024 compared to 2004-2014.” From my research, I was able to find that my findings strongly support my hypothesis. In the first year, after Prop 47 was implemented, there was a drop in felonies of 67% which is more than half of the existing felonies. Through Pearson's R and a t-test, I found there to be a highly statistically significant correlation with time and incarceration ($r=-0.654$) ($t = -195.18$), meaning that as years passed, felonies decreased, aligning with Proposition 47's implementation. However, focusing on low-income counties, there is a moderate negative correlation ($r=-0.236$), which means that low-income counties had a greater decrease in felonies, as they began with more felonies pre-reform, causing them to benefit more. My DiD analysis also supports that low-income counties experienced larger declines, with lower-income counties experiencing higher drug-related arrests than higher-income counties pre-Prop 47, and then post-Prop 47, low-income counties experienced the steepest declines, with higher-income counties' declines being less drastic. This shows that Prop 47 disproportionately affected areas that have historically had higher arrest rates. Racial disparities also narrowed after the implementation of Prop 47, as in

higher-income counties, race lines overlap, meaning minimal disparities, but in low-income counties, race lines significantly narrowed after Prop 47, proving that the policy impacted equity and helped where California needed it most.

Through this, I've learned the importance of creating criminal justice policy reforms that serve counties where they are most needed. Although the findings are not proportional across all counties, we must take into consideration that some counties need more help than others, which is where policy comes into play. Creating reforms that benefit low-income counties can contribute to a system that will eventually eliminate disparities, whether it's caused by income or race.

Research Limitations and Research Extensions Section

One of the biggest issues that I stumbled upon in my research was data transparency. While doing my research, I had the intention of also measuring misdemeanors on a county level; however, as I was collecting data, I realized that the Department of Justice did not provide drug-related misdemeanors on a county level, but instead on a statewide level. Many counties also lacked certain years and had incomplete data on misdemeanors, which was a challenge, ultimately causing me to have to focus only on felonies. With my confounding variables, although I accounted for them, they still impact the effectiveness of Prop 47, especially with AB 109, another criminal justice reform policy that influences incarceration rates.

For research extensions, one variable that could've strengthened my research was examining policing intensity and its relation to incarceration rates. Each county's policing intensity varies, which could have impacted the outcome of Prop 47. Accounting for police funding/budget, as well as officer per capita rates, would have also shown whether counties with

heavier police presence saw a difference in incarceration rates. Just like Bartos & Kubrin (2018), running a synthetic control group and constructing a California that never passed Prop 47 could've strengthened my argument in estimating what incarceration rates could've looked like without the reform. I would've loved to account for every single variable that could have skewed my results, as well as focus on recidivism, how well this prop works long term, in creating lighter sentencing, redistributing funds from prisons to mental health programs. However, due to time, resources, and data constraints, I was not able to account for everything, but I am confident that my findings are adequate enough to support the validity of my hypothesis.

Conclusion

Overall, through this research, I was able to find that Proposition 47 did impact low-income communities, when comparing timelines pre- and post prop. These effects were most prominent in low-income communities where disparities were more concentrated. The immediate decline in drug-related felony arrests, the strong negative correlation between incarceration and time, and the results from the DiD analysis indicate that Proposition 47 succeeded in reshaping drug felony patterns. The narrowing of racial and socioeconomic disparities also suggests that this policy played a role in providing equity within California's criminal justice system. While limitations do exist, my findings show that the emphasis on rehabilitation and reduction of penalties can create meaningful changes in incarceration rates as well as serve a community that has historically faced disproportionate drug enforcement. Whether Prop 47 is redesigned or reinstituted, we must create a policy that continues to serve California's underserved communities, especially when longstanding inequality gaps just began to close due to Proposition 47.

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