



SB 319 – Public Safety Transparency Act

Ensuring transparent and effective implementation of Proposition 36 funding.

SUMMARY

SB 319 creates funding transparency and ensures the successful and accurate implementation of Proposition 36 (2024) statewide. By centralizing and standardizing data collection, the Legislature can better assess program outcomes and ensure resources are allocated appropriately.

BACKGROUND

In November 2024, voters passed Proposition 36, which classified some misdemeanors as felonies and required courts to develop mental health and drug treatment programs for individuals charged with new “treatment-mandated felony” drug offenses. As a result, Proposition 36 is expected to significantly increase the number of individuals in our criminal justice system.

No statewide evaluation framework exists for our future public safety investments. The State of California spends billions of dollars on law enforcement and incarceration each year. Despite significant investments through realignment, grant programs, and reimbursements, the state has not documented outcomes.

Public policy evaluation and successful implementation are essential to achieving ambitious policy goals. Spending and outcome data can be used to identify funding and program gaps, promote the development of evidence-based best practices, and ensure continuous quality improvement that maximizes state investments.

THE PROBLEM

The share of inmates in California county jails with mental health needs has steadily increased in recent decades. Today more than 50 percent of county inmates have mental health needs. Similarly, 35 percent of the state prison population have mental health needs.^{1 2}

While state-level data on substance use disorder prevalence is limited, national estimates suggest that

over 60 percent of incarcerated individuals have a substance use disorder.³ Proposition 36 did not, however, include any additional funding for treatment programs or provide guidelines for program design. Voters have given California a mandate to improve public safety through treatment. SB 319 will ensure transparency as the State implements Proposition 36.

As treatment needs continue to rise, local resources will be stretched. Proposition 36 eliminates the Proposition 47 investment program, a voter approved initiative on the November 2014 ballot that reduced low-level drug property crimes. The elimination of Proposition 47 will result in the loss of tens of millions of local public safety dollars designated for mental health and substance use treatment.⁴ Those resources were not replaced by Prop 36 which means the added requirements of the new law will need to be achieved through other funding sources. Additionally, the Legislative Analyst’s Office estimates that Proposition 36 will increase local public safety costs in the tens of millions of dollars.⁵

THE SOLUTION

The California Legislature has a critical role in monitoring and evaluating the implementation of Proposition 36 to ensure that court interventions are both effective and efficient. Targeted data collection on existing funding, treatment options, and Proposition 36 implementation will give state and local implementation partners the information needed to deliver on the promise made to voters.

SB 319 will accomplish this by requiring Superior Courts and the Department of Justice to collect and report key data beginning January 1, 2026, including:

- Expenses associated with operating mandated felony programs;

¹ [California Budget & Policy Center](#)

² [Public Policy Institute of California](#)

³ [U.S. Department of Justice, Bureau of Justice Statistics](#)

⁴ [Legislative Analyst’s Office](#)

⁵ [Legislative Analyst’s Office](#)

- The number of individuals referred to and enrolled in mandated felony programs;
- Measurable outcomes of program success, such as recidivism rates, improvements in substance use disorders, and program completion rates;
- Funding source and spending data to ensure the state and local governments leverage all available existing financial resources to implement Proposition 36.

SUPPORT

- Californians for Safety and Justice (Sponsor)
- Steinberg Institute (Sponsor)
- ACLU
- All of Us or None
- CA Consortium of Addiction Programs and Professionals
- CA Council of Community Behavioral Health Agencies
- California Pan - Ethnic Health Network
- Californians United for a Responsible Budget
- Cal Voices
- Courage California
- Drug Policy Alliance
- Ella Baker Center for Human Rights
- Initiate Justice
- La Defensa
- Legal Services for Prisoners With Children
- National Alliance on Mental Illness (NAMI) Contra Costa
- Prosecutors Alliance Action
- Rubicon Programs
- Sister Warriors Freedom Coalition
- Smart Justice California
- The Kennedy Forum
- Vera Institute of Justice

FOR MORE INFORMATION

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