

RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, SUPPORTING PROPOSITION 36, WHICH MODIFIES EXISTING LAW RELATED TO PUNISHMENT FOR THEFT AND DRUG CRIMES BY CREATING INCENTIVES FOR ADDICTION TREATMENT, TREATING FENTANYL LIKE OTHER DANGEROUS DRUGS, AND DISCOURAGING RETAIL THEFT

WHEREAS, Proposition 47, approved by California voters in 2014, reduced the penalties for certain theft and drug crimes, classifying them as misdemeanors, which led to a decrease in the severity of punishments for these offenses; and

WHEREAS, Proposition 36 seeks to reverse some of the changes made by Proposition 47 by reclassifying certain theft and drug crimes as felonies, particularly in cases involving repeated offenses or the sale of highly dangerous drugs like fentanyl, heroin, cocaine, or methamphetamine; and

WHEREAS, Proposition 36 creates a new court process for some drug possession crimes, introducing the concept of a “treatment-mandated felony,” where individuals with multiple prior convictions for drug-related offenses may receive treatment options instead of incarceration, with the possibility of charges being dismissed upon successful completion of treatment; and

WHEREAS, the proposed legislation would increase the punishment for theft crimes involving organized groups or individuals with prior convictions, thereby aiming to address the growing issue of retail theft, which has negatively impacted businesses across the state, including those in our own community; and

WHEREAS, Proposition 36 includes provisions to treat fentanyl as a highly dangerous drug, similar to heroin or cocaine, and mandates that courts warn individuals convicted of dealing in such drugs that they could face murder charges if someone dies as a result of their actions, thereby potentially reducing the risk of fatal drug overdoses in our community; and

WHEREAS, the City of Palm Desert strives to protect the safety, health, and property of its residents and businesses, and the passage of Proposition 36 aligns with these goals by strengthening the penalties for dangerous criminal activities while providing opportunities for rehabilitation through treatment; and

WHEREAS, the Legislative Analyst’s Office projects that Proposition 36 may increase state and local criminal justice costs, primarily due to an expected rise in prison populations and the workload for local courts and public defenders, but acknowledges that these costs could be offset by the potential reduction in crime rates as a result of the proposition's stricter penalties and treatment options; and

WHEREAS, endorsing Proposition 36 supports the City's broader commitment to ensuring public safety, addressing substance abuse, and promoting justice within the community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Palm Desert, California, that the City officially endorses Proposition 36 and encourages its passage in the upcoming statewide election on November 5, 2024.

ADOPTED ON \_\_\_\_\_, 2024.

\_\_\_\_\_  
KARINA QUINTANILLA  
MAYOR

ATTEST:

\_\_\_\_\_  
ANTHONY J. MEJIA  
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2024-\_\_ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on \_\_\_\_\_, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on \_\_\_\_\_.

\_\_\_\_\_  
ANTHONY J. MEJIA  
CITY CLERK