

RESOLUTION NO. 20 - _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY,
CALIFORNIA SUPPORTING PROPOSITION 36 THE ALLOWS FELONY CHARGES AND
INCREASES SENTENCES FOR CERTAIN DRUG AND THEFT CRIMES INITIATIVE (2024)**

On Tuesday _____, 20____, on motion of Supervisor _____, duly seconded by Supervisor _____ and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, the San Bernardino County Board of Supervisors recognizes the critical need to address the escalating public health and safety concerns related to drug-related crimes and repeat theft offenses within our community;

WHEREAS, California Proposition 36, the Allows Felony Charges and Increases Sentence for Certain Drug and Theft Crimes Initiative (2024) introduces a new court process for certain drug offenses by establishing treatment-mandated felonies, which would provide individuals with two or more prior drug-related convictions the opportunity to undergo substance use and mental health treatment, with the potential for dismissal of their felony charge upon successful completion of the treatment program;

WHEREAS, the initiative would add fentanyl to the list of drugs that, when possessed alongside a loaded firearm, warrant a felony charge, addressing the grave risks associated with the combination of deadly drugs and firearms;

WHEREAS, the initiative seeks to increase penalties for certain drug crimes by enhancing sentence lengths and allowing felony charges for some offenses involving dangerous substances such as fentanyl, heroin, cocaine, and methamphetamine;

WHEREAS, the initiative would ensure individuals engaging in large-scale drug distribution face appropriate consequences and are required to serve their sentences in state prison;

WHEREAS, the initiative requires courts to provide warnings to individuals convicted of distributing illegal drugs, informing them of their potential future criminal liability if they continue to distribute deadly substances like fentanyl, heroin, cocaine, and methamphetamine, especially in cases where their actions result in the death of another person;

WHEREAS, California Proposition 36 introduces new laws to combat the increasing problem of "smash and grab" thefts that result in significant losses and damage, particularly those committed by multiple thieves working together, thereby protecting businesses and communities from organized criminal activities;

WHEREAS, the initiative seeks to address the issue of repeat theft offenses by authorizing certain misdemeanor theft crimes to be charged as felonies for individuals with two or more prior theft-related convictions; and

WHEREAS, the San Bernardino County Board of Supervisors believes that Proposition 36 aligns with our commitment to reducing the impact of dangerous drugs and theft-related crimes while offering pathways to rehabilitation and recovery for individuals struggling with substance use disorders.

NOW, THEREFORE, BE IT RESOLVED that the San Bernardino County Board of Supervisors hereby expresses its strong support for California Proposition 36, the Allows Felony Charges and Increases Sentences for Certain Drug and Theft Crimes Initiative (2024).

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

AYES: SUPERVISORS:

NOES: SUPERVISORS:

ABSENT: SUPERVISORS:

* * * * *

STATE OF CALIFORNIA)
) ss.
SAN BERNARDINO COUNTY)

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of _____, 20 .

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy