



Joseph M. Nicchitta
Interim Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF
CONSUMER AND BUSINESS AFFAIRS**

Members of the Board

Hilda L. Solis
Mark Ridley-Thomas
Sheila Kuehl
Janice Hahn
Kathryn Barger

"To Enrich Lives Through Effective and Caring Service"

August 15, 2018

To: Supervisor Sheila Kuehl, Chair
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Janice Hahn
Supervisor Kathryn Barger

From: 
Joseph M. Nicchitta
Interim Director

**REPORT REGARDING RESENTENCING AND OTHER CRIMINAL JUSTICE
REFORM EFFORTS UNDER PROPOSITION 64 (ADULT USE OF MARIJUANA ACT)
(ITEM NO. 12, AGENDA OF FEBRUARY 13, 2018)**

On February 13, 2018, your Board adopted a motion authored by Supervisors Ridley-Thomas and Solis instructing the Countywide Coordinator of the County Office of Cannabis Management (OCM),¹ in collaboration with the Interim Public Defender, Alternate Public Defender, Directing Attorney of the Los Angeles County Bar Association's Independent Juvenile Defender Program, District Attorney, Chief Probation Officer, Sheriff, County Counsel, Director of the Office of Diversion and Re-Entry, the courts and any other relevant government agencies and community stakeholders, to develop Countywide recommendations around cannabis-related decriminalization and disparities, and provide a report that includes, at a minimum:

- An estimate of the number of individuals (youth and adults) eligible for legal relief as well as those who have already received legal relief;
- Strategies to remove barriers to legal relief and provide resentencing services in a timely, cost-effective and accessible manner to these individuals, including youth with convictions eligible for expungement;

¹ As of May 1, 2018, the OCM reports to the Interim Director of the Department of Consumer and Business Affairs.

- Alignment with and expansion of other decriminalization and resentencing efforts underway, including Countywide work on Proposition 47 resentencing;
- Strategies to complement cannabis-related legal relief with other needed support and reentry services (e.g., housing and employment) to mitigate the social and economic impact caused by over-criminalization, and methods to track outcomes;
- A general assessment or estimate of the potential economic benefit to both County and the individuals that are eligible for expungement;
- Resource and staffing needs to implement these resentencing recommendations, with short and long-term funding recommendations;
- A general assessment of best practices implemented by other jurisdictions on these issues;
- Tracking of and recommendations regarding related legislation; and
- Assessment of data tracking mechanisms to measure and prevent disproportionate enforcement of cannabis related offenses.

A Proactive Resentencing and Redesignation Plan is Needed to Provide Maximum Relief to Individuals with Prior Cannabis Convictions

California voters approved Proposition 64 (Adult Use of Marijuana Act) on November 8, 2016. The passage of Proposition 64 immediately legalized cannabis for adult (21+) recreational personal use in certain quantities and at certain locations and directed the State to establish a regulatory framework for the cultivation, manufacturing, distribution, testing, and sale of commercial cannabis by January 1, 2018.

Proposition 64 also reduced or eliminated the criminal penalties for most cannabis crimes and allows for the “resentencing” or “redesignation” of those past crimes. According to *Proposition 64, “Adult Use of Marijuana Act” Resentencing Procedures and Other Selected Provisions (Resentencing Procedures)*, published by the California Courts in May 2017, the “resentencing” provisions under Proposition 64 apply to individuals currently serving a sentence, including probation, for a cannabis-related conviction, and allow the individual to petition the court to dismiss or reduce charges and adjust the sentence accordingly. The “redesignation” provisions apply to persons who have completed their sentence, including probation, and allow the person to apply to have the

prior conviction dismissed and sealed if it is legally invalid after Proposition 64, or re-designated to a lesser crime (e.g., from a felony to a misdemeanor, from a felony to an infraction or from a misdemeanor to an infraction).

As explained in the *Resentencing Procedures*, the resentencing or redesignation process is initiated by the filing of a petition or application, respectively, by the person seeking to have his or her past convictions addressed – “nothing in the Act suggests the court has any *sua sponte* obligation to act on any case without the request of the petitioner [or applicant].” It can be expected that placing the onus on individuals to come forward to petition or apply for relief under Proposition 64 is likely to result in relatively few individuals having eligible cannabis crimes reduced or dismissed, especially those who have already completed their sentence.

The Public Defender reports that it is not aware of any individuals currently incarcerated for a cannabis conviction that is potentially eligible for Proposition 64 relief, and a maximum of 700 individuals on probation that potentially qualify. The Public Defender, in cooperation with the Probation Department, has identified all potentially eligible probationers, and the Public Defender is actively preparing resentencing or dismissal petitions for these individuals. To date, the Public Defender has filed 299 petitions. The Public Defender anticipates petitions for all potentially qualified felony probationers will be filed and decided by the Court by November 1, 2018.

The pool of potentially eligible individuals who have already completed their sentence and probation is far larger. In consultation with District Attorney and Public Defender staff, the OCM estimates that 60,000 to 100,000 individuals with eligible convictions have already completed their sentence and probation. This wide-ranging estimate depends on a legal question as to whether an individual is eligible for redesignation only for the specific crimes called out in Proposition 64 (e.g., cultivation, possession, sale, or transportation for sale), or whether resentencing or redesignation extends to additional crimes not identified in Proposition 64 but which are factually related to a cannabis crime (e.g., conspiracy to sell cannabis). District Attorney and Public Defender attorneys assert differing positions with respect to the issue. In addition, because of record keeping limitations, records were analyzed only as far back as 1993. Thus, the pool of eligible individuals may be larger than 100,000.

Prompting individuals who have already completed their sentence to apply for redesignation has proved challenging. The Public Defender reports it has processed only 10 petitions per month on average since Proposition 64 passed in November 2016. The Drug Policy Alliance offers several reasons why this might be the case, including a lack of access to necessary paperwork and concerns over how much applying for redesignation will cost, among others. The Public Defender also cites a lack of awareness by those with eligible cannabis convictions that they may be entitled to relief, and a lack of understanding about how to start the process and who can help.

Approaches by Other Jurisdictions Establish Proactive Resentencing and Redesignation as a Best Practice

At least three other large California counties have established some form of proactive resentencing and redesignation of cannabis-related crimes. These proactive efforts have resulted in many more individuals receiving relief under Proposition 64.

San Francisco. In January 2018, the San Francisco District Attorney, George Gascón, announced that he would proactively dismiss approximately 3,038 cannabis misdemeanors and review and redesignate another 4,940 cannabis felony convictions in hopes of reducing them to misdemeanors.

San Diego County. The San Diego District Attorney, Summer Stephan, also announced in early 2018 that she would partner with the San Diego County Public Defender to identify and process individuals who qualify for resentencing or redesignation under Proposition 64. The agencies cooperated to identify 55 people who were incarcerated or on formal probation for crimes that were no longer illegal under Proposition 64, and another 625 people with Proposition 64 eligible convictions that were restricting their employment, housing, or government benefits. The agencies also planned to proactively address an additional 4,000 cases.

Alameda County. Alameda County prosecutors and public defenders have also agreed on a cooperative approach for processing individuals seeking relief under Proposition 64. The cooperative approach involves establishing agreed-upon criteria for priority processing under Proposition 64, and the review of up to 100 individuals with potentially qualifying convictions each week to determine which cases meet the criteria. For all qualifying cases, the Alameda County District Attorney and Public Defender will jointly apply to the Court for relief.

Components of a Proactive Resentencing and Redesignation Plan

At your Board's direction, the OCM has engaged the District Attorney and the Public Defender, along with other affected departments and agencies, to discuss the feasibility of implementing a proactive plan to provide resentencing or redesignation services to persons eligible for relief under Proposition 64's decriminalization provisions. The key features of the proactive plan as discussed among these departments and agencies include:

- An agreement between the District Attorney and Public Defender as to which individuals will be eligible for proactive processing based on their rap sheets, and the facts of the crime (s);

- For those individuals eligible for proactive processing as agreed to between the District Attorney and Public Defender, the District Attorney and Public Defender will process petitions for dismissal or redesignation of Proposition 64 eligible convictions without requiring individuals to come forward;
- The use of technology to automate case review to minimize attorney and paralegal hours needed to process applications for redesignation or dismissal of Proposition 64 eligible convictions;
- Discussion and agreement with the Los Angeles Superior Court regarding how applications will be filed and processed; and
- A method for notifying individuals that their records have been reduced or dismissed pursuant to the proactive plan.

All other individuals who are not included in the proactive plan as agreed to by the District Attorney and Public Defender would have to come forward and apply to have their cannabis convictions reclassified or dismissed. Such individuals could include, for example, those whose past cannabis convictions involved the sale of cannabis on or near school property, or who have violent felony convictions.

Efforts to Establish a Proactive Resentencing and Redesignation Plan Are Ongoing

Discussions to establish a proactive resentencing and redesignation plan are active and ongoing. OCM, District Attorney, and Public Defender staff, as well as staff from other affected departments, have been working through challenges in an effort to create a workable plan. These challenges include:

- Determining a complete list of crimes which are eligible for proactive relief under Proposition 64. As described above, the District Attorney's office and the Public Defender's office do not necessarily agree on the scope of crimes eligible for relief under Proposition 64. However, the Public Defender has acknowledged that limiting the scope of the proactive plan in its early stages is acceptable in order to provide relief for some individuals without placing the onus on them to come forward.
- Determining whether a crime is eligible for dismissal, as opposed to redesignation to a lesser crime. This determination may require a close review of the factual circumstances of the conviction.
- Identifying technology capable of automating the case review process. The District Attorney's office reports that each potentially eligible case file takes a deputy

district attorney approximately 30 minutes to one hour to review, not including time to identify and pull records and other staff support time. With up to 100,000 potentially eligible cases, a proactive plan could take the District Attorney's office anywhere from 50,000 to 100,000 hours, or 25 to 50 attorneys working fulltime for one year. The OCM, District Attorney, and Public Defender have been evaluating technology resources, including a program created by the nonprofit Code for America, which is working with the San Francisco District Attorney's Office on a pilot to identify and process eligible cannabis convictions automatically.

- Determining a cost-effective way to notify individuals that their records have been addressed proactively. If individuals are not aware that their past cannabis convictions have been dismissed or re-designated, they may not know they are eligible for employment, government benefits, or other opportunities. These individuals can be notified by mail, but mailers are relatively expensive and may not be as effective as other messaging. The Public Defender's office is evaluating new ways of reaching its clients, as detailed in Attachment I and described below. These outreach efforts can be used to notify individuals of benefits they receive through proactive resentencing and redesignation.

Once a proactive plan is established, the OCM, District Attorney, Public Defender, and other departments and agencies will engage the Los Angeles Superior Court to determine the timing and phasing of the filing of applications. Because of the potential scale of this effort, it is expected that a special agreement with the Court will be necessary to ensure that the applications are timely filed and ruled upon by the Court, without unduly impacting Court resources.

The OCM will provide your Board with a supplemental report describing the terms of a proactive plan for resentencing and redesignation within 90 days. The supplemental report will describe any resource needs identified to implement the proactive plan.

The Proactive Plan Could Establish a Best Practice for Other Criminal Justice Reform Efforts, Including Proposition 47

Those seeking relief under Proposition 47 face barriers similar to those faced by Proposition 64. These barriers have been detailed at length in prior reports provided to your Board, including those filed on April 5, 2016, September 14, 2016, and the RAND report on the impact of Proposition 47 on June 12, 2017. Efforts are underway to automate the review process for Proposition 47 and other criminal justice reform statutes, including tools in development by Code for America. This automation technology and cooperation between the District Attorney and Public Defender could boost the number of individuals who receive resentencing or reclassification benefits.

Juveniles Do Not Benefit from Resentencing or Redesignation Under Proposition 64 and Are Not Included in the Proactive Plan

As directed by your Board, the OCM consulted with the Los Angeles County Bar Association's Independent Juvenile Defender Program (IJDP) to determine the impact of Proposition 64's criminal justice reform provision on juvenile offenders in the County and how best to increase resentencing or redesignation services to juveniles. According to the IJDP, juvenile offenses are not considered convictions and records may be sealed once the juvenile reaches 18 years of age. However, the IJDP raised concerns about juvenile offenses appearing during routine background checks and causing former juvenile offenders to lose employment and educational opportunities, especially if a juvenile's record had not been sealed.

The OCM researched the laws regarding background checks and consulted with staff from the State Department of Justice who oversee criminal background check requests. Department of Justice staff reported that the rules for what is disclosed during a criminal background check are established by statute. According to Department of Justice staff, routine background check requests for employment will not return juvenile records, even if those records had not been sealed. Some background checks, however, will return juvenile records and all past convictions, including those that have been re-designated or dismissed. These include, for example, background check requests by law enforcement agencies for potential employees. Only those records which have been ordered destroyed will not appear on a background check.

Public Defender staff concurs that applying for redesignation or dismissal of juvenile records under Proposition 64 is unnecessary because of the protections that already exist for juveniles with respect to background checks, unless the juvenile is currently detained or under supervision as a result of a Proposition 64 eligible offense. According to Public Defender staff, in consultation with the Probation Department, no juveniles in Los Angeles County are currently detained or under supervision for Proposition 64 eligible offenses. For these reasons, juvenile offenders are not included in the proactive resentencing and redesignation plan.

Economic Benefit to the County and Individuals Who Are Provided Relief Through a Proactive Plan

At the request of the OCM, the Department of Public Health prepared an analysis to estimate the economic benefit to the County and individuals whose records are dismissed or re-designated through a proactive plan. The Department of Public Health concludes that a proactive resentencing and redesignation plan that processes 3,100 applications

per year (60 applications per week) could result in net gains to the County of approximately \$2 million by the third year of the plan from increased employment, increased tax revenue, and decreased government benefits, among other factors.

The Department of Public Health's analysis is attached to this report as Attachment II.

Appropriate metrics must be in place at the outset of the County's proactive plan to estimate the actual benefits of implementing the plan. The Department of Public Health relied in part on a study conducted by San Jose State University on resentencing efforts in Santa Clara County. The OCM will work with the Department of Public Health, the District Attorney, and the Public Defender to analyze the San Jose State University study and implement appropriate metrics to evaluate the outcomes of the County's proactive plan. In addition, at your direction, the CEO has developed the "Justice Metrics Framework." OCM recommends that Proposition 64 be included as an activity impacting the Board's request to develop a justice metrics framework. Proposition 64 clients would greatly benefit from being included in comprehensive efforts like those currently in development.

Legislative Efforts Regarding the Resentencing and Redesignation of Cannabis Crimes

The OCM has worked with the CEO's Office of Intergovernmental Affairs (CEO/IGR) to track legislation related to the resentencing or redesignation of cannabis crimes. To date, the only legislation of significant concern is Assembly Bill (AB) 1793 (Bonta).

AB 1793 would implement an automatic cannabis resentencing and redesignation program Statewide. The bill would require the State Department of Justice, before July 1, 2019, to review the records in the State summary criminal history information database and identify convictions that are potentially eligible for resentencing or redesignation under Proposition 64; to notify the prosecution of all cases in their respective jurisdictions that are potentially eligible; and require prosecutors to review all such cases and determine whether to challenge the resentencing or redesignation before July 1, 2020.

The bill would also require the Superior Court to automatically redesignate or dismiss eligible convictions pursuant to Proposition 64 if the prosecutor fails to raise a challenge by July 1, 2020. The State Department of Justice must modify the State summary criminal history information database in conformance with the action by the Superior Court within 30 days and post specified information on its website.

On May 22, 2018, your Board directed CEO/IGR to support AB 1793. The OCM has partnered with CEO/IGR and the Public Defender to support and closely track AB 1793, including providing the author with friendly amendments recommended by the Public

Defender to assure the greatest benefit to affected clients. The author has declined to accept these amendments to date.

On August 6, 2018, the Senate Appropriations Committee placed AB 1793 in the "suspense file," pending a fiscal impact analysis. The OCM, CEO/IGR, and the Public Defender continue to work with the bill's author to provide realistic assessments of the bill's costs and benefits. The Senate Appropriations Committee must take action on the bill by August 16, 2018.

Development by the Public Defender of an Outreach Plan for Resentencing and Enhanced Expungement Services

Consistent with your Board's direction, the OCM engaged the Public Defender to develop enhancements to the Public Defender's outreach and marketing surrounding its resentencing efforts. The Public Defender proposes to implement a multiyear, multimedia branded marketing and education campaign to raise awareness of potential services for those with past cannabis-related convictions and other resentencing opportunities, including those available under Proposition 47. The campaign includes engaging a professional public relations and media firm to develop campaign content, as well as transit and digital ads, mail and text notifications, and advertising in County facilities and buildings. The campaign is estimated to cost \$691,000. As described above, this campaign can also notify individuals that their records have been addressed pursuant to a proactive resentencing and redesignation plan.

The Public Defender also proposes enhanced expungement services at clinics and outreach events, including portable live scan equipment to provide onsite analysis of a person's criminal history. The Public Defender estimates these services will cost approximately \$391,000.

A detailed description of the Public Defender's outreach and marketing proposal is contained in Attachment I.

Concurrently, the Public Defender worked with the Chief Executive Office to secure funding for additional attorneys and paralegal support to staff a unit dedicated to resentencing services. During the budget process, your Board approved the creation of a "record clearing" unit that includes four new attorneys and two new paralegals. The Public Defender anticipates completing the hiring process for these new positions by November 2018. The newly-funded "record clearing" unit will greatly enhance the Public Defender's ability to process resentencing and redesignation petitions and advise and assist new and current clients with expungement requests. As a result, clients will benefit from greater access to employment and other opportunities.

Metrics to Assess and Prevent Disproportionate Arrests and Filings for Cannabis Crimes after Proposition 64

Beginning in early 2017, the OCM has worked closely with the Internal Services Department and a number of other departments to collect cannabis-related data that is expected to provide important information about the effects of cannabis legalization. Data collected to date includes trends about adult and youth cannabis usage, information about public safety impacts before and after Proposition 64, and arrest and filing information related to cannabis crimes pre- and post-Proposition 64.

Because much of the data collected to date existed prior to this effort, data already collected is not yet considered “clean” (e.g., the same data indicator, such as a car accident where cannabis impairment is suspected, may appear in multiple departments’ databases, but may be coded inconsistently resulting in duplication and over-reporting), and its reliability is still being assessed. The OCM is partnering with the Internal Services Department and the Chief Information Officer’s Analytics Center of Excellence (CIO/ACE) to clean and standardize data received, and to dashboard the impacts of cannabis legalization. One dashboard is expected to focus on cannabis and criminal justice and should provide information about arrest and filing trends for cannabis crimes after Proposition 64. The OCM plans to make public data available via online dashboards similar to those on the County’s Open Data portal located at <https://data.lacounty.gov>.

Arrest and filing data collected by OCM is limited to information provided by the District Attorney and Sheriff. Data from other prosecuting and law enforcement agencies like LAPD is not part of the OCM’s data set. The OCM has identified a partnership opportunity with the Ralph J. Bunche Center for African American Studies (the Center) at UCLA to measure in more holistic fashion the disparate impacts to Los Angeles County communities following Proposition 64. The Center developed the “Million Dollar Hoods” project, which quantified the impacts of over-incarceration of inner city residents using a methodology that tracks inmates by zip code and calculates the expenditure to cities and counties for incarcerating these individuals. The Center has already analyzed many of the data sets needed to conduct an analysis under Proposition 64.

In informal discussions with Center Director Dr. Kelly Lytle-Hernandez, Dr. Lytle Hernandez indicated that the Center has the capacity to assume this responsibility at a cost of \$75,000 per year to fund a research associate dedicated to the project. Should your Board wish to evaluate a partnership with the Center, the OCM recommends your Board direct the OCM to engage the Center to develop a detailed scope of work and cost for the project.

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Conclusion

As stated above, the OCM expects to provide your Board with a supplemental report in 90 days on the outcome of efforts to develop a proactive plan for the resentencing and redesignation of cannabis crimes under Proposition 64. Should you have any questions concerning this matter, please contact Joseph M. Nicchitta, Interim Director, at (213) 974-9750 or jnicchitta@dcbalacounty.gov, or Julia Orozco, Acting Manager over the Office of Cannabis Management, at (213) 974-1151 or jorozco@ceolacounty.gov.

JMN:JO:rld

Attachments

c: Executive Office, Board of Supervisors
District Attorney
Sheriff
Chief Executive Office
Chief Information Officer
County Counsel
Alternate Public Defender
Independent Juvenile Defender Program
Office of Diversion and Reentry
Probation
Public Defender
Public Health

**LA County Office of the Public Defender
STRATEGIC PLAN FOR PROPOSITION 64
PUBLIC ENGAGEMENT**

Purpose

The purpose of this plan is to outline the Public Defender's strategic communications and outreach efforts for Proposition 64 (Prop. 64) throughout the Los Angeles County region.

Background

Prop. 64 has added significant reclassification and resentencing options to the previously offered services of expungement and certificates of rehabilitations. Estimates of the numbers of individuals eligible for legal relief under Prop. 64 differ, due in part to the general language of Prop. 64 and the acknowledgement that some individuals have more than one eligible conviction. OCM has preliminarily identified from 40,000 to over 100,000 individuals who could be eligible for relief under Prop. 64. This wide-ranging estimate depends on whether an individual is eligible for resentencing only for the specific crimes outlined in Prop. 64, or whether resentencing extends to additional crimes not identified in Prop. 64 but factually related to a cannabis crime (e.g., aiding and abetting the sale of cannabis). The County has experienced an average of ten applications per month since the proposition became effective. In addition, utilizing the lessons learned during the implementation of Proposition 47, we have determined that populations impacted by criminal convictions are hard to reach and traditional outreach strategies have proved ineffective. Therefore, a strategic outreach plan is necessary to effectively target Prop. 64 eligible clients.

Goals

1. Efficiently manage and respond to ongoing legal mandates under Prop. 64.
2. Effectively and creatively reach populations eligible for legal relief under Prop. 64 through public outreach, stakeholder engagement, and the media.
3. Design public outreach efforts with Behavioral Economics techniques to maximize response rates. These techniques take into account the psychological, cognitive, emotional, cultural, and social factors that influence how an individual makes decisions.
4. Align Prop. 64 resentencing efforts with other Countywide resentencing efforts (e.g. Prop. 47) so as to streamline and maximize service delivery.

Strategies and Objectives-*Public Outreach, Stakeholder Partners, Media, Technology, Data, Wraparound Services*

Strategy 1: Actively engage in **public outreach** across the County to identify individuals eligible for the Public Defender's Prop. 64 services and deliver these services.

Objective 1.1: Conduct public outreach presentations to County departments for help identifying eligible individuals and for linkage to services as a result of record reductions or dismissals.

Objective 1.2: Present at public commissions, seminars, symposiums, and government bodies, including, but not limited to, councils of governments, to inform local government officials of the County's available resources and information on Prop. 64 legal relief.

Objective 1.3: Create collateral and communications materials for Board Offices to share at constituent service events and to display in District Offices (i.e. Toolkits, flyers, posters, factsheets) designed with behavioral techniques to maximize response.

Strategy 2: Actively seek out and build relationships with **stakeholder partners** to identify individuals eligible for the Public Defender's Prop. 64 services and deliver these services.

Objective 2.1: Enhance partnering with CBOs, faith-based organizations, labor, bar associations, nonprofit, and philanthropic organizations for participating in record clearing and service linkages.

Objective 2.2: Develop and design content (i.e. signage and collateral) with integrated behavioral techniques for display and distribution in legal cannabis stores in partnership with cannabis industry associations.

Strategy 3: Actively utilize both paid and earned **media** to identify and inform individuals eligible for the Public Defender's Prop. 64 services.

Objective 3.1: Contract with communications consultants both internal (i.e. Countywide Communications) and external to advise and execute a comprehensive communications plan and public awareness campaign.(See Exhibit I)

Objective 3.2: Develop Public Service Announcements that can be used across media platforms for both paid and earned media, including social media and digital.

Objective 3.3: Develop a comprehensive earned media strategy, targeting a diverse cross-section of audiences with a focus on the Los Angeles County media market.

Objective 3.4: Identify and develop campaign content for sporting and entertainment events and work with community relations representatives from both the sports and entertainment industries to identify additional opportunities.

Objective 3.5: Enhance the use of existing media tools such as GovDelivery and the County television channel

Strategy 4: Utilize the latest web **technology** to identify, reach, and process individuals eligible for the Public Defender's Prop. 64 services.

Objective 4.1: Work with Code for America to develop and use technology to better connect Prop. 64 eligible individuals with legal relief service and to efficiently process their cases.

Objective 4.2: Retool the Public Defender's public facing website to be more client friendly and facilitate client contact and intake. Also ensure mobile device functionality.

Objective 4.3: In addition to mobile device functionality, utilize a digital text message based campaign with behavioral economics strategies to "nudge" eligible individuals to connect with the Public Defender's services.

Objective 4.3: Link with the Office of Cannabis Management's website to alert the public to available Prop. 64 services and the Public Defender's outreach events calendar.

Strategy 5: Actively track outcomes and **data** gathering to better inform ongoing outreach strategies.

Objective 5.1: Work with OCM to include a resentencing data in the OCM data dashboard.

Objective 5.2: Identify appropriate data indicators to track outcomes of the above outlined outcomes, such as the number of petitions filed or whether or not an individual is aware of the outreach and service provided but chose not to file.

Strategy 6: Include resentencing services in the suite of **wraparound services** offered by the County. In addition to standalone expungement clinics, the Public Defender's services should be offered with general intake services that are performed across County Departments.

Objective 6.1: Identify and meet with County Departments to identify and understand where the Public Defender's services should be offered. (e.g. Homeless services, DPSS, etc.)

Objective 6.2: Develop an internal communications toolkit targeted at County employees to encourage them to amplify the Public Defender's services.

Ongoing Evaluation

The Prop. 64 and resentencing landscape is changing rapidly, both at the state and local levels. This plan will be reevaluated annually and revised as needed to ensure that existing objectives remain current, and that new issues are addressed.

**Proposition 64 Record Clearing Marketing Campaign
Los Angeles County Public Defender**

| Marketing and Outreach Activity | Projected Cost |
|--|-----------------------|
| Branded Marketing Campaign | |
| Campaign Development | \$180,000 |
| Public Transit Ads | \$340,000 |
| Google FB Ads | \$62,000 |
| Mail & Text Campaign | \$95,000 |
| Interoffice Dept. Outreach | \$14,000 |
| Events | |
| Event Staffing, Supplies and Logistics | \$330,000 |
| Portable Live Scan | \$61,000 |
| Total Budget | \$1,082,000 |

BACKGROUND

The Public Defender’s (PD) Proposition 64 (Prop 64) impacted population includes individuals from traditionally difficult to reach urban, indigent, and transient populations. Additionally, many Prop 64 eligible cases are old and the clients have either been outside the criminal justice system for years or have moved from the last known address in the PD’s databases. Consequently, many clients are unaware of the passage of Prop 64 and the impact it could have on their lives. Because of the identified caseload (60,000 to 100,000 cases) and have only received an average of 10 petitions per month since the passage of Prop 64, developing and conducting a robust and aggressive marketing campaign is imperative to reaching our clients.

BRANDED MARKETING CAMPAIGN

Central to the success of effectively and efficiently reaching a traditionally difficult to reach population is the development of a branded messaging campaign. The Public Defender’s office has utilized traditional outreach strategies with previous decriminalization efforts with not much success. Brand awareness is simply how aware consumers, in our case, clients, are with the services we provide. Some benefits of increased (positive) brand awareness may include:

- o Increased customer loyalty
- o Increased word of mouth marketing
- o Keeping your brand top of mind
- o Building your brand equity
- o Increased customers

Campaigns with no targets are campaigns that fail. Business as usual outreach does not consider who we should be talking to in the first place in a targeted and strategic manner. Studies show that only 44% of marketers develop buyer personas before they begin their brand campaigns. Therefore, we plan to sit down and map out exactly who we are trying

Proposition 64 Record Clearing Marketing Campaign

Los Angeles County Public Defender

to reach with a professional firm. We will develop "client personas" that include age, gender, location, salary, disposable income, industry, and job title. Then develop our brand accordingly and execute the campaign by utilizing the advertising and outreach strategies outlined in this proposal.

1. Campaign Development

To do so, it is recommended that professional consulting services be solicited and contracted to develop a single Prop. 64 education and record clearing advertisement, the design of which would be displayed at events and on all record clearing materials. The development process of this branded ad should include the use of focus groups to increase the success of the campaign. The ad must allow the audience to quickly and easily know where to seek record clearing information and assistance. It is estimated that the cost for the solicitation and consultation services, including the use of focus groups, is up to \$180,000. The branded message would be dispersed through public transit ads, internet ads, direct mail, text messaging and inter departmental outreach and ads.

2. Public Transit

Using income levels as a tool to map our client locations, the PD determined that advertising on various public transit routes would be an impactful way to reach a sizeable number of clients. Transit data indicates that as poverty increases, the reliance of public transit systems increase; many of our clients utilize public transportation to commute. For clients that use personal vehicles for transportation, the public transit ads are still an effective method to reach them through street-viewership, as Los Angeles Department of Transportation and Metropolitan Transit Authority routes reach throughout the County. Consultation with the MTA and LADOT transportation agencies have revealed the cost to reach 25% of the demographic on bus and rail systems would cost up to approximately \$340,000 for a 10-month campaign.

3. Google and Facebook Advertising

The minimum budget for online campaigns through Google and Facebook is \$5 per day. By utilizing like/related terms and extracting zip code data through Google and Facebook user-location platforms, the PD can directly target the client that is *actively* seeking criminal justice services. However, at only \$5/day, once the maximum number of consumers click the County's Prop 64 advertisement, the ad will no longer appear for the remainder of the day. Furthermore, because impressions (advertisement views) do not guarantee that clients will *click* the advertisement, this can further diminish the influence of the marketing campaign. To counterbalance this effect, the PD must invest an appropriate amount of resources to create a robust and impactful advertisement, guaranteeing that the advertisement converts enough clicks to clients in the office. The PD consulted Google Online Strategists to determine the cost to garner a statistically significant amount of impressions (views). Using Prop 64 searchable and related terms, the cost to run an effective Google advertisement campaign is \$92 per day. Using this

Proposition 64 Record Clearing Marketing Campaign

Los Angeles County Public Defender

cost determination, this price point was duplicated as a potential model for a Prop 64 Facebook campaign. The estimated cost to implement a robust Google and Facebook click-ad campaign is around \$62,000.

4. Direct Mail and Text Messaging Campaign

The PD will conduct a large targeted direct mailing campaign to potentially eligible Prop 64 PD clients. Research shows that traditional mail campaigns are more effective if at least three separate mailers are sent to recipients. Partnering with the Internal Services Department to print the correspondence and the Treasurer and Tax Collector to process the mailing of three separate correspondence, the cost to send a notification letter to up to 100 thousand clients is estimated at \$98,400. To improve outcomes, behavioral economic techniques will be employed and the PD will use a commercial search service to acquire the client's last known address. The estimated cost of the client search is \$30,000. The total cost of the PD's direct mailing campaign is estimated at \$128,400 which includes the costs of materials (printing, envelopes and postage) for three mailers as well as search services.

It is estimated that a substantial portion our target audience communicates through text messaging. An evaluation of a text messaging campaign will be explored and analyzed with a consultant to estimate effectiveness and pricing.

5. Interdepartmental Outreach and Advertising

As clients will be utilizing other County and City of Los Angeles services, the PD believes that interagency advertisement would be useful in educating the public about Prop 64. This strategy is also aligned with the Board's vision of connecting Prop 64 impacted clients with other County services (i.e. health/mental health services, public assistance, job assistance, etc.) The PD intends to produce marketing materials in the form of posters and business cards to be placed at other County agencies and Community-based organizations, including legal dispensaries that serve its clients base. The cost to produce and ship these materials to the Public Defender's partner agencies is estimated at \$14,000. This cost includes the production of Prop 64 posters, business cards, counter stands and the cost of distributing those materials to approximately 400 locations.

EVENTS

The PD currently hosts a series of outreach events and legal clinics within the community to educate the public about recording clearing services (Prop 64, Prop 47, Expungement, etc.), process petitions for these clients, as well as promote and link clients to other County services. This service delivery model is necessary for two reasons:

- Many clients will be better served if we eliminate barriers of service (for example, transportation and navigating court systems), and

Proposition 64 Record Clearing Marketing Campaign Los Angeles County Public Defender

- The PD will receive the benefit of working alongside community organizations that have already established trust within the community and have a shared clientele.

Reaching out to community based organizations has revealed that an effective model in conducting legal clinics is to host smaller, targeted events, rather than large events. Because of the limitations in processing Live Scan background checks, the time needed to research client cases, and to maintain a high quality of service delivery, the PD hosts multiple outreach clinics each week.

1. Event Staffing and Logistics

If the PD cannot secure a County facility to host an event, a \$1,000 cost allowance is included to secure a private rental space for each event. The cost to properly host these outreach events includes the cost of supplies (e.g. marketing materials, client takeaways, stationary, etc.), the cost to rent an event space, and the cost to staff these events on weekends. The cost of supplies to host the events is \$85,800 for the year. The cost to properly staff the event with 10 support staff members (e.g. Sr. ITTSA, Paralegal, and LOSA) for the year is estimated at \$249,000. The approximate total cost to host outreach events/legal Clinics totals \$330,000.

2. Portable Live Scan

The PD is requesting funding for a portable Live Scan machine to conduct process criminal background checks in conjunction with CBO's. The PD's current Live Scan access is restricted to processing newly hired employees. Per Department of Justice (DOJ) provisions, a new unit must be attained to process criminal files for the general public. The newly acquired Live Scan device will be used at monthly outreach events and legal clinics. The Live Scan equipment will be maintained at the PD's central office and transported to these outreach events. The cost of equipment, hardware, services, training, and maintenance for the unit is approximately \$9,600. The approximate cost to process 100-150 individuals a month with the Live Scan processing fee of \$32 per person is \$51,200. The total cost of the PD's Prop 64 Live Scan budget request is \$61,000.

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Assessment of Economic, Health, and Other Benefits of Cannabis Resentencing and Reclassification Center for Health Impact Evaluation, Los Angeles County Department of Public Health

Assessment of Economic, Health, and Other Benefits of Cannabis Resentencing and Reclassification

This report provides a brief overview of economic, health, and other relevant benefits of Proposition 64 cannabis resentencing and reclassification. Our overall objectives are to use available data in the literature to generate preliminary estimates of the cost-benefit of resentencing and to provide recommendations on additional research necessary to quantify the cost-benefit of cannabis resentencing and reclassification in LAC. This report is intended as a preliminary report and is not meant to be a comprehensive review of the cost and benefit of cannabis resentencing and reclassification.

Health Implications of Prop 64 Resentencing and Reclassification

In addition to the direct justice-system related impacts of resentencing efforts under Proposition 64, there are health implications that, when factored as a supplement to a cost-benefit analysis, can help evaluate strategies to enhance the County's resentencing and reclassification processes. Having a criminal record has significant implications for the social determinants of health including economic, housing, education, and civic engagement opportunities. The implications of having a criminal record persist even when an individual completes their sentence. In California, there are nearly 3,000 laws that create collateral consequences for those that have been convicted of crimes, even when they are no longer under supervision by the criminal justice system. Felony convictions can result in restricted access to jobs, housing, voting, educational opportunities, and government benefits.¹

These restrictions in turn have their own health implications. Unemployment, for instance, has many mental and physical health implications, from higher rates of anxiety and depression to more days in bed sick². In addition, having a job significantly reduces the likelihood of recommitting a crime. The recidivism may result in incarceration, with its attendant negative health benefits. Those that are incarcerated experience higher rates of infectious and chronic disease, mental health and substance abuse disorders, and have increased odds of premature mortality with a roughly 2-year decline in life expectancy for each year of incarceration.¹

To put a face on the implications of resentencing on health and social determinants of health, consider Ingrid Archie's experience. After working hard to find and secure employment after release from prison, Ingrid Archie was laid off by her employer due to a change in company policy regarding employing individuals with criminal convictions. Archie shares,

"I did everything I was supposed to do but got laid off for something on my record. When you lose a job, you fall apart – I spiraled into a depression. I wanted to do the right thing, but I couldn't take care of my kids."

After several years of unemployment, she was incarcerated again for petty theft with an enhancement due to an earlier cannabis-related conviction. She was released in 2015 due to resentencing under

¹ Gilhuly K, Avey H, Gaydos M, Heller J, Mellon M. Rehabilitative Corrections in California: The Health Impacts of Proposition 47 *Full Health Impact Assessment Report*. Human Impact Partners. September 2014.

² Linn, M. W., Sandifer, R., & Stein, S. (1985). Effects of unemployment on mental and physical health. *American Journal of Public Health*, 75(5), 502-506.

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Proposition 47 and she has been able to clear her record further under Proposition 64. Archie now works for A New Way of Life, supporting others to take advantage of the record clearing opportunities that have changed her life.

Nick Stewart-Oaten, an attorney for the Los Angeles County Public Defender, has worked with clients that have lost jobs, were subject to deportation, and have been incarcerated due to violating terms of probation. In Stewart-Oaten's estimation, keeping Proposition 64 convictions on a person's record "does not make anyone safer and no one will hire them or rent to them. We don't want people to be stuck." Of his experience supporting individuals through the record clearing process he says,

"It's a good feeling to be able to help people outlive their past."

The experiences shared by Archie and Stewart-Oaten are reflected in data describing the experience of those with criminal records. 60-75% of people that have served time in prison are unemployed up to one-year post-release. In California, only 21% of people on parole have full time employment and 70% are unemployed.³ Housing insecurity is common with 10% of people on parole experiencing homelessness. For parolees in Los Angeles County, up to 50% are homeless. Families in public housing risk eviction if they allow individuals that have been incarcerated to live with them and local housing authorities can refuse housing vouchers to those with criminal convictions.³ People with state or federal drug-related offenses are disqualified from receiving federal student loans, grants, or work study for varying time periods depending on the number and nature of the convictions with a third conviction resulting in indefinite ineligibility. The US Government Accountability Office estimated that in the 2001-2002 academic year, 41,000 people were denied student loans because of past drug convictions.³ In California, those with felony convictions lose the right to vote until they are no longer under supervision.³

Because of well documented disparities in arrests, convictions, and sentencing, these collateral consequences also have health equity implications since they disproportionately impact communities of color and low-income communities. For example, incarceration disproportionately depresses wages of people of color with white males' wages were depressed by 2%, Hispanic males by 6%, and black males by 9%.³ Expanding opportunities for resentencing, reclassification, and record clearance has significant health equity implications.

Preliminary Estimate of Cost-Benefit of Prop 64 Resentencing and Reclassification

In its analysis of the impacts of Proposition 47, RAND Corporation determined that data needed to properly evaluate the provision of record clearing services to all eligible persons in the County of Los Angeles was not available.⁴ Challenges persist in attempting to quantify the potential costs and benefits of investing in resentencing. While data demonstrating the impacts of resentencing and record clearing is limited, evaluations of local record clearing programs are instructive. In Alameda County, 73% of East Bay Community Law Center clients eligible for expungement reported finding employment within 4 months of record clearance and clients who were previously employed experienced a 20% increase in wages post-

³ Gilhuly K et al.

⁴ Hunter SB, Davis LM, Smart R, Turner S. Impact of Proposition 47 on Los Angeles County Operations and Budget. RAND Corporation. June 2017.

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expungement.³ These increased employment and wages accrue benefits to the local and state governments in terms of increased taxes and reduced government benefits. Other potential benefits include reduced recidivism⁵, increased access to housing⁵, and preserved family life, although the economic impact of these benefits to the individual or to the government are difficult to quantify.

Costs

In Los Angeles County, we estimate that main costs incurred by the County for cannabis resentencing and reclassification efforts are processing costs of applications and petitions for resentencing and reclassification by the District Attorney (DA), Public Defender (PD), Alternate Public Defender (APD), and the Courts system. These processing costs are largely staff time required to process the applications through the legal system. There may be additional costs incurred through outreach and other communication or education efforts to increase public awareness of Prop 64 resentencing and reclassification.

The costs to the individual applying for resentencing and reclassification include the time costs of petitioning (lost wages while submitting petitions or attending court session), legal filing fee, and costs to engage private legal counsel / legal clinics, if applicable.

Benefits

In Los Angeles County, we estimate that the main benefits accrued by the individual will be the increase of employment and income as a result of record reduction and clearing. As noted above, there are other likely health and economic benefits to the individual that are harder to quantify, including increased access to housing and reduced recidivism.

The increase in income would mean a corresponding increase in government tax revenue and potentially government expenditures on welfare programs due to reduction in receipt of government benefits. This increase in tax revenue and reduction in government assistance are the main benefits accrued by the County.

In addition, there is another potential benefit to the County in terms of potential reduction in workload in the Probation Department as eligible probationers are resentenced and released from supervision. There are 700 probationers estimated to be eligible for resentencing, which should result in workload reduction if the resentencing efforts are successful and the probationers are released from supervision. However, in RAND Corporation's Proposition 47 Impact report, it is noted that despite an overall decline of 5,107 in total probationer population and correspondingly a reduction in caseloads, the Probation Department in Los Angeles County still operates above recommended national and surrounding counties' caseload levels.⁶ Consequently, Proposition 47 did not result in reduced Probation staff levels or staff time, and therefore the reduction in total probationers did not generate savings to the County. However, the report also notes that there may be societal savings from improved quality of service provision and outcomes among the remaining probationer population, although this is harder to quantify. The impact of Proposition 64 resentencing and reclassification on the Probation Department is likely similar to that of Proposition 47 unless the reduction in caseload due to cannabis resentencing brings down the Probation caseload to under the recommended national levels.

⁵ Silva, Lahny. "Clean Slate: Expanding Expungements and Pardons for Non-violent Federal Offenders." University of Cincinnati Law Review.

⁶ Hunter SB, et al.

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Cost-benefit of resentencing and reclassification to Los Angeles County

A cost-benefit analysis of the San Jose State University Record Clearance Project (RCP) in Santa Clara County estimated that in the three-year period following record clearance, expungement resulted in total government costs of \$3,713 and total government benefits of \$4,364. Cumulative net benefits to the government were estimated to be \$651 per RCP client across this three-year period, with potential to increase over time as tax revenues and public assistance savings from increased employment and wages accumulate.⁷

Absent figures specific to Los Angeles County (LAC), we assume that the costs and benefits of cannabis resentencing and reclassification in LAC are similar to those of record clearance in Santa Clara County. Further research and analysis will have to be undertaken to obtain figures specific to resentencing and reclassification in LAC. Below, we replicate the table of cost-benefit to the local and state government for record clearance in Santa Clara County (modified slightly to reflect the processing of petitions by different legal entities in LAC and to include potential reduction in Probation Department workload in LAC to stand in for the estimated cost-benefit of cannabis resentencing and reclassification in Los Angeles County. Note that the estimated costs are costs incurred by the local government, while estimated benefits are accrued by both local and state governments.

Table 1. Estimates of Costs and Benefits of Resentencing and Reclassification to the Local and State Government over a Three-year Period

| | Year 1 | Year 2 | Year 3 | Three-Years Total |
|--|-----------------|----------------|--------------|-------------------|
| Costs | | | | |
| Petition processing costs by the DA, PD/APD, and Courts ^a | \$3,713 | \$0 | \$0 | \$3,713 |
| Total costs | \$3,713 | \$0 | \$0 | \$3,713 |
| Benefits | | | | |
| Increased tax revenue ^b | \$750 | \$750 | \$750 | \$2,250 |
| Reduction in government assistance ^c | \$1,380 | \$690 | \$0 | \$2,070 |
| Legal fees ^d | \$44 | \$0 | \$0 | \$44 |
| Reduction in Probation Department workload ^e | \$0 | \$0 | \$0 | \$0 |
| Total benefits | \$2,174 | \$1,440 | \$750 | \$4,364 |
| Net benefits | -\$1,539 | \$1,440 | \$750 | \$651 |

^a In Santa Clara County, these costs include processing costs by the Probation Office, the Courts, and RCP (the legal clinic). We assume that in LAC, the processing is not done by a legal clinic and Probation but by PD/APD and DA instead. We assume that processing costs in LAC will be similar to Santa Clara County despite the processing being done by different legal entities.

^b The tax rate used for this calculation is the average rate of state and local taxes for the lowest income quintile in California. Note that increased tax revenue is likely to continue accruing beyond year 3.

^c The public assistance program considered here was CalWORKS. Other government assistance programs, such as Supplemental Nutrition Assistance Program (SNAP), General Relief (GR), and Medicaid should be considered in future analysis.

^d These legal fees may be waived in LAC under proactive resentencing.

^e We assume reduction in total probationer population due to Prop 64 resentencing does not reduce Probation caseload to under recommended levels, thus reduction in Probation Department workload is assumed to be 0.

⁷ Chapin M, Elhanan A, Rillera M, Solomon AK, Woods TL. A Cost-Benefit Analysis of Criminal Record Expungement in Santa Clara County. March 2014.

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According to the Judicial Council of California, there were about 500 petitions for Prop 64 resentencing and reclassification submitted in LAC in 2017. This figure represents all petitions submitted by individuals in pro per, by private counsel or the LAC Public Defender. Assuming a 90% success rate, 450 clients will be successfully resentenced or reclassified. Multiplying 450 by the estimated net benefit of \$651 per client, we estimate that the gain to LA County and the State of California to be about \$300,000 across a three-year period. Over time, these cumulative net benefits should increase since costs do not accrue over years while benefits do.

LAC is considering a proactive resentencing and reclassification model. In this proactive model, if LAC processes at least 50 additional applications per week. This translates to 2,600 additional applications per year, or a total of 3,100 applications per year. Following the same calculations, we estimate that the gain to LAC and the state would be almost \$2 million under this model across a three-year period.

Table 2. Estimated Aggregate Impact of Resentencing / Reclassification over a Three-Year Period

| | Under current circumstances | Under a proactive resentencing / reclassification model |
|---|-----------------------------|---|
| Total applications | 500 | 3100 |
| Successful applications ^a | 450 | 2790 |
| Estimated net benefit per client ^b | \$651 | \$651 |
| Estimated total net benefit to LAC and CA | \$292,950 | \$1,816,290 |
| Estimated average yearly benefit to LAC and CA | \$97,650 | \$605,430 |

^a Assume 90% success rate under both models. It is likely that the success rate under a proactive model will be higher than the current model due to consensus in protocol of resentencing across the various legal entities involved, likely resulting in lower rate of petition contests

^b Assume the costs and benefits scale proportionally as the number of applications increase. With a much larger number of applications to be processed, there may be economies of scale that allow for reduction of processing costs (assuming no capacity issues) and thus an increase in net benefits.

If LAC continues to process 3100 applications per year, the total yearly benefit to LAC and CA will ramp up to about \$2 million in year 3 and the subsequent years in the proactive model.

Table 3. Estimated Average Yearly Benefit to LAC and CA under the Proactive Resentencing Model *

| | | Year 1 | Year 2 | Year 3 | Year 4 | Year 5+ |
|---|--------------|------------------|--------------------|--------------------|--------------------|------------|
| Estimated average yearly benefit to LAC and CA from processing client applications in: | Year 1 | \$605,430 | \$605,430 | \$605,430 | | |
| | Year 2 | | \$605,430 | \$605,430 | \$605,430 | |
| | Year 3 | | | \$605,430 | \$605,430 | ... |
| | Year 4 | | | | \$605,430 | ... |
| | Year 5 | | | | | ... |
| | Total | \$605,430 | \$1,210,860 | \$1,816,290 | \$1,816,290 | ... |

* LAC is considering several phases of resentencing / reclassification, with each phase having a different client population with potentially different amounts of average costs and benefits as the complexity of cases in different phases differ. For instance, net benefit during phases with more complex client population may be lower due to increased costs.

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Recommendations for Further Research and Analysis

To estimate the cost-benefit of cannabis resentencing and reclassification in LAC more accurately, further research and analysis need to be done to obtain figures specific to LAC. This includes estimating the figures in tables 1 and 2 above for Los Angeles County.

Table 4. Potential Data Sources / Data Collection Methods to Estimate Cost-Benefit of Cannabis Resentencing / Reclassification for LAC

| Figures to obtain | Potential data sources / data collection methods |
|---|--|
| Processing costs for the DA, PD/APD, Courts | Weighted workload studies / time studies & case weighting Estimated level of efforts per case from case management systems of justice departments |
| Increased income | Survey of clients Random sampling of clients' tax returns |
| Increased tax revenue | Estimated increased income multiplied by local tax rate Random sampling of clients' tax returns |
| Decreased workload of Probation Department | Weighted workload studies Estimated decrease in caseload from Probation case management system |
| Decreased receipt of government benefits | Survey of clients DPSS data |
| Total applications | PD/APD/DA/Courts records |
| Successful applications | PD/APD/DA/Courts records |

Conclusions

Based on Santa Clara County's report on the Record Clearing Project, the benefits of expungement to the government outweigh its costs. We assume the costs and benefits of cannabis resentencing and reclassification in LAC are not dissimilar to the costs and benefits of expungement in Santa Clara County, and that we will thus also come to the conclusion that the benefits to the County outweigh the costs. In addition, there are many difficult-to-quantify benefits to the clients that affect social determinants of health, such as enhanced opportunities for civic engagement and improved access to education and housing, which create the conditions for better health and wellbeing.

Given that there is likely to be net benefits to the County that will continue to accrue over time, increased resentencing processing load will also yield higher yearly net benefits to the County, suggesting that the proactive resentencing model may be beneficial for the County to adopt. This will require additional resources and staffing to process the additional applications. With the markedly higher number of applications under the proactive model, there may also need to be resources allocated to ensure a smooth ramp up, such as by learning of best practices and processes from other jurisdictions that have implemented similar models.

Lastly, we recommend that further research and analysis be done to quantify costs and benefits specific to cannabis resentencing and reclassification in Los Angeles County.