

**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND
HILDA L. SOLIS**

May 22, 2018

Supporting AB 1793 and the Resentencing of Cannabis-Related Convictions

Studies have shown that low-income communities and people of color have been disproportionately criminalized by the War on Drugs, which has created barriers to employment, housing, public benefits, and more. The issue perpetuates the cycle of poverty.

Proposition 64, which was passed by California voters in November 2016, included a provision that would allow a person who has served or is serving a sentence for a cannabis-related conviction that is no longer illegal, to petition for recall or dismissal of a sentence, dismissal and sealing or redesignation. This provision of Proposition 64 went into effect immediately. However, according to the analysis issued by the California State Assembly Public Safety Committee, as of September 2017, less than 5,000 people statewide had petitioned the courts to have their records modified.

On February 13, 2018, the Board of Supervisors (Board) unanimously passed a motion (Ridley-Thomas – Solis) to address this issue of low participation, directing the Office of Cannabis Management (OCM), in partnership with other County agencies, to

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MOTION

SOLIS _____

RIDLEY-THOMAS _____

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develop countywide recommendations on cannabis-related decriminalization and disparities and to provide, among other things, a plan on cannabis resentencing and reclassification and recommendations on related legislation.

One such measure, Assembly Bill (AB) 1793 (Bonta), proposes an expedited process for certain cannabis-related convictions to be automatically removed or reduced without petition. The measure removes the onus on the person who may not be aware of the opportunity to change their record or cannot afford to legally pursue the process. AB 1793 would help to remove the barriers faced by people with criminal records for convictions that are no longer illegal, which may increase access to important safety net services and improve the lives of many County residents and their families.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Direct the Chief Executive Officer, or her designees, to work with the Sacramento advocates to support Assembly Bill 1793 (Bonta), which proposes an expedited process for certain cannabis-related convictions to be automatically removed or reduced without petition.

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