

One Year of Proposition 36 in Los Angeles County

When special interest groups including prison guards, corporate retailers, and district attorneys pushed for Prop 36 last year, they promised: “Proposition 36 is NOT about going back to an era of mass incarceration. This is about creating a new era of mass treatment for the underlying conditions fueling so many thefts and driving so many people into homelessness.”

Now, it is clear they misled voters. Under Prop 36, LA County is spending money on jail instead of the housing and treatment programs proven to reduce crime and homelessness. As a result, more people are languishing in LA’s dangerous and overcrowded jails, charged with harsh felonies that will make it harder for them to get housing, jobs, or even stay in the country.

The estimated \$76 million spent jailing Angelenos under Prop 36 could provide permanent supportive housing to more than 2,500 people or methadone treatment to more than 9,100 people.

Most people charged with Prop 36 felonies are not getting treatment

During the first six months of Prop 36 in LA, 331 people faced felony drug charges, but only 40 people were ordered into treatment and only one case was dismissed after completion of treatment (although these numbers may rise as cases progress).¹ This means that Prop 36 is doing little for homelessness, because its only promised solutions were treatment or incarceration. Unlike with treatment, people who have spent time in jail are *more* likely to experience homelessness and overdose.

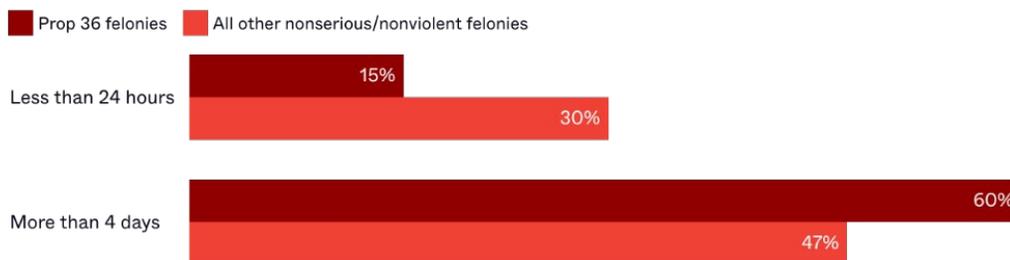
LA cannot afford to waste valuable local dollars on responses—like jail—that do not work. Even before Prop 36 took effect, the county needed nearly 17,000 more behavioral healthcare workers. Because Prop 36 reduces state funding for local programs proven to get people housed and connected to the drug treatment and jobs they need, Prop 36 risks straining a treatment system already pushed to its brink.²

Thousands of Angelenos have faced Prop 36’s harsh consequences

In the first 10 months of 2025, approximately 5,000 people went to jail in LA facing Prop 36 charges.³ In 64 percent of these bookings, the Prop 36 charge was the only felony—meaning that, were it not for Prop 36, they likely would have otherwise been able to remain in the community where they could access treatment.

Additionally, Angelenos charged with Prop 36 offenses are spending more time in jail. Only 15 percent of people booked on Prop 36 felonies are released within 24 hours, compared to 30 percent of those booked

Prop 36 bookings have fewer short jail stays and more long jail stays



on other nonserious, nonviolent felonies. Conversely, a substantially larger share of people booked on Prop 36 charges remain detained after four days compared to those booked on other charges.

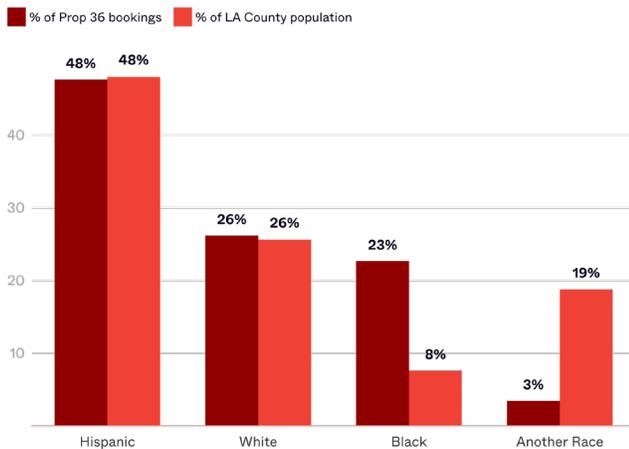
This expensive and harmful path is not a requirement of state law, but rather a policy choice: District Attorney Hochman has immense discretion over whether to jail people under Prop 36 charges.

Prop 36 may cost LA nearly \$80 million this year—and more next year

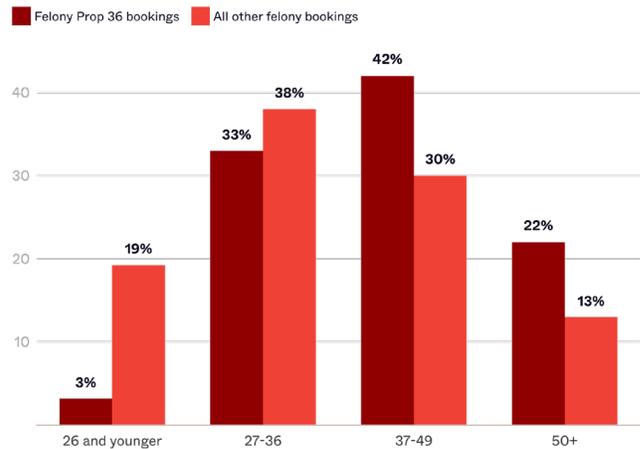
Over the course of 2025, the number of people in jail on Prop 36 charges has increased—from 219 in February to 955 in November, and the jail population has risen almost in lockstep. With only a few weeks remaining in the year, Vera estimates that LA County will have spent almost \$76 million by the end of 2025 to incarcerate people facing Prop 36 charges.⁴ If the Prop 36 jail population continues increasing at its current rate, that cost will rise into the hundreds of millions of in 2026.

Prop 36 disproportionately impacts Black people and older people in LA

Black people are overrepresented in Prop 36 bookings



Older people are overrepresented in Prop 36 bookings



Black Angelenos are already overrepresented in the jail system, and that disparity is mirrored in Prop 36. Black people make up just 8 percent of LA's population, but account for 23 percent of Prop 36 bookings. Additionally, Prop 36 is ensnaring older people—already less likely to reoffend and more expensive to incarcerate—with people 50 years and older making up only 13 percent of other felony bookings in LA but 22 percent of Prop 36 felony bookings. The county is disproportionately punishing these two populations who are at high risk of experiencing homelessness and overdose—and need our support, not punishment.

LA should focus on real solutions to homelessness and addiction and limit reliance on Prop 36 charges

Prop 36 is making it harder for LA County to deliver high quality treatment and housing to its residents. Meanwhile, the county is facing fundamental threats and budget cuts from the federal government. LA cannot change this law, but the county can mitigate its harm. The estimated \$76 million spent on jailing people under Prop 36 would be put to better use by instead funding things that deliver real safety and stability, such as:

- permanent supportive housing (including rent subsidy, tenancy support services, and intensive case management services) for more than 2,500 people;
- annual wages for more than 1,200 substance use, behavioral disorder, and mental health counselors; or
- methadone treatment (including medication and integrated daily psychosocial and medical support services) for more than 9,100 people.⁵

Endnotes

Unless otherwise noted, findings come from Vera's analysis of anonymized, charge-level jail booking data for all of LA County via the Los Angeles Sheriff Department's Automated Justice Information System, on file with the authors. The dataset includes records of people booked into the LA County Jail system from January 1, 2025, to October 31, 2025.

- ¹ Vera expects the number of cases dismissed following completion of treatment may increase over time. Cases and treatment programs may take months to proceed, and therefore many people whose cases will ultimately be dismissed had not had the opportunity to seek or finish treatment by the time the report by the Judicial Council of California was published.
- ² Prop 47 funding went down by \$40 million between 2024 and 2025 (from \$167 million to \$127 million). Although there was some debate as to whether the projected decline in Prop 47 savings would be as large as originally predicted by the governor's office, there was a meaningful decline.
- ³ The total number of bookings is 5,325, but one arrest can lead to multiple bookings. This figure includes people booked for repeat theft PC 666.1 or treatment-mandated felony HS 11395.
- ⁴ The number of people in jail whose most serious charge was a Prop 36 charge increased from 219 in February to 955 in November. The month-over-month increase ranged from 53 percent in April to 5 percent in October. In estimating the cost of these jail stays, Vera projected a 9 percent increase in this population for December. Vera's assumed cost per day, per person for jail incarceration in Los Angeles is \$342.63. Vera calculated this cost using the budget items included in Vera's *What Jails Cost* tool; see Vera Institute of Justice, *What Jails Cost: Cities*, "Los Angeles, CA" (New York: Vera, 2021), updated to include numbers from the 2024-2025 budget; see Los Angeles Board of Supervisors, *County of Los Angeles 2024-25 Final Budget* (Los Angeles: County of Los Angeles, 2024), <https://ceo.lacounty.gov/wp-content/uploads/2024/12/LA-County-2024-25-Final-Budget-Book.pdf>. Vera divided the sum of these budget lines by the average daily population (ADP) from that time period, taken from the BSCC's Jail Profile Survey; see <https://ipjdreporting.bscc.ca.gov/ips-query>. Vera then multiplied this per-person, per-day cost by the approximate Prop 36 ADP for 2025, using snapshot populations from the Los Angeles Chief Information Officer's *Jail Population Dashboard* (<https://storymaps.arcgis.com/collections/d3dbb4009cf94294ac157ff83e58dcdc?item=2>) as approximate monthly ADPs, assuming a Prop 36 ADP of zero for January, and using a projection for December as described above.
- ⁵ Vera took the cost of permanent supportive housing from the 2024 Los Angeles County Annual Affordable Housing Outcomes Report, page 80: <https://chpc.net/wp-content/uploads/2024/12/Los-Angeles-County-Affordable-Housing-Outcomes-Report-2024.pdf>. Annual median wages for substance use, behavioral disorder, and mental health counselors were taken from the U.S. Bureau of Labor Statistics for the Los Angeles-Long Beach-Anaheim, CA Area for May 2024: <https://data.bls.gov/oes/#/area/0031080>. The cost of methadone treatment in Los Angeles was taken from the California Department of Health Care Services' Drug Medi-Cal Organized Delivery System Fee Schedules: <https://www.dhcs.ca.gov/services/MH/Documents/DMC-ODS-NTP-Rates-25-26.xlsx>.