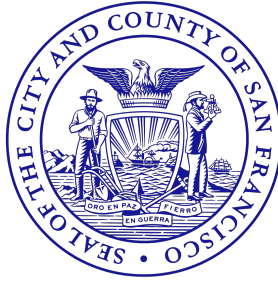


City and County
of San Francisco



Board of Supervisors
Member, District 6

MATT DORSEY

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NEWS RELEASE

Dorsey seeks prompt implementation of Prop 36's Treatment-Mandated Felonies for public drug use

*'Equity Priority Communities' disproportionately harmed by open-air drug scenes
should be prioritized for enforcement and mandated treatment, resolution urges*

SAN FRANCISCO (Nov. 19, 2024) — Supervisor Matt Dorsey has authored a Board of Supervisors resolution urging relevant city departments to fully and promptly implement Proposition 36, the Drug Addiction and Theft Reduction Act, which swept to an overwhelming victory on Election Day — winning all 58 California counties and all 11 San Francisco supervisorial districts citywide, according to the latest vote counts.

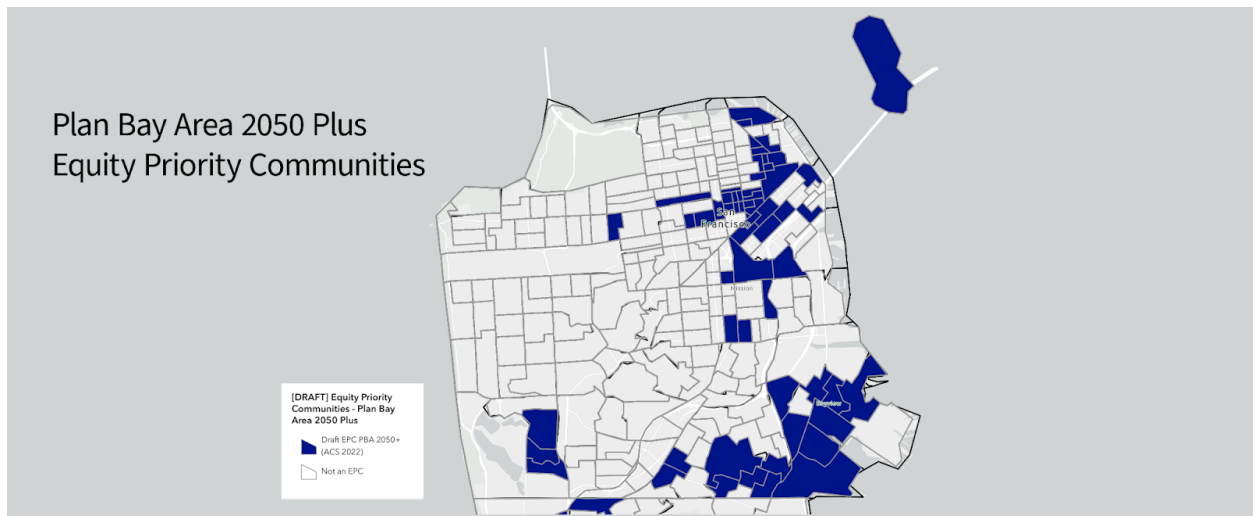
The resolution, which Dorsey will introduce at today's board meeting, seeks to maximize San Francisco's use of a new class of criminal offense known as "Treatment-Mandated Felonies," or TMFs. The offense newly created by Prop 36 will allow local prosecutors to charge as a felony illegal drug possession following two prior drug convictions, so that for a third or subsequent drug possession offense, defendants would be offered the option to participate in drug and mental health treatment or face jail time. Along with drug and mental health treatment, offenders charged with TMFs would also be offered shelter, job training, and other services to break the cycle of addiction and homelessness.

All offenders who successfully complete their drug and mental health treatment would have their drug charges fully expunged, and receive no jail time.

"Prop 36 offers a powerful yet flexible new tool to shut down open-air drug scenes, restore public order, and send a strong message to would-be drug offenders that the

party's over in San Francisco," said Dorsey, who has publicly acknowledged his own journey in recovery from drug addiction as his motivation for seeking to join the Board of Supervisors. "As San Jose Mayor Matt Mahan said when we both campaigned for Prop 36, 'It's not about returning to the era of mass incarceration — it's about launching a new era of mass treatment.' Our culture of drug enablement needs to end, and treatment-mandated felonies strike exactly the right balance on public safety and public health that San Franciscans demand of us."

In addition to urging dramatically scaled up in-patient, out-patient and locked drug treatment options for offenders, Dorsey's resolution additionally urges San Francisco law enforcement agencies to prioritize "[Equity Priority Communities](#)," or EPCs — census tracts with significant concentrations of underserved populations, such as households with low incomes, immigrants and people of color, as identified by the Association of Bay Area Governments, or ABAG, and Metropolitan Transportation Commission, or MTC.



EPCs closely map to many neighborhoods where fatal drug overdoses most frequently occur, including the following with disproportionate shares of San Francisco's drug OD deaths: 22 percent in 94102 (Tenderloin and Hayes Valley); 21 percent in 94103 (South of Market); 20 percent in 94109 (Polk Street and Nob Hill); and 10 percent in 94110 (Mission District), according to the latest [OCME Accidental Drug Overdose Report](#) as of Nov. 18, 2024.

Dorsey's resolution today updates an earlier proposed Board of Supervisors' resolution (File No. [241001](#)), which was introduced on Oct. 8, 2024 but not scheduled in time for the Nov. 5, 2024 Consolidated General Election. That resolution sought to put the City

and County of San Francisco on the record in support of Proposition 36, which ultimately passed overwhelmingly citywide.

Like its preceding resolution, Dorsey's resolution today asks the Board of Supervisors to urge adherence to key principles governing Prop 36's implementation:

- That equity govern our prioritization of enforcement efforts, acknowledging the disproportionate harms open-air drug scenes inflict on socio-economically marginalized communities;
- That criminal justice interventions for drug possession and public drug use be approached as life-saving interventions, ensuring access to appropriate medication and drug treatment options;
- That expungement of all charges for drug possession or public drug use should be a guaranteed condition for successfully completing any court-mandated drug treatment program; and
- That all efforts related to Proposition 36 affirm the human dignity of those with substance-use disorders, destigmatizing drug addiction while unequivocally de-normalizing public drug use and deadly behavior.

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Contact: BRYAN DAHL

Bryan.Dahl@sfgov.org

+1 (415) 554-7969 w

+1 (650) 465-4358 c