



Voter Guide Proposed Recommendations¹

Proposition 14: Authorizes Bonds Continuing Stem Cell Research. Initiative Statute.

Recommended endorsement
NO POSITION

Background

Voters approved Proposition 71 in 2004 to create the California Institute of Regenerative Medicine (CIRM) and issue \$3.3 billion in bonds to finance the CIRM and establish a state constitutional right to conduct stem cell research. The CIRM has nearly run out of funds for new projects.

Summary and Analysis

Proposition 14 issues \$5.5 billion in general obligation bonds for the CIRM. It would also limit the use of funds for operational costs to 7.5% and mandate that the rest would go to research, trials, and programs related to stem cells. Additionally, specific expenditures were required for research related to brain and nervous system diseases and for Community Care Centers of Excellence. Finally, it would increase the number of members on the Independent Citizen's Oversight Committee from 29 to 35 and cap the number of full-time employees of CIRM to 70.

As the political and economic climate of stem cell research has changed dramatically since 2004, it seems likely that funding would be available from federal and private investment sources. So, while stem cell research may continue to be important in offering treatments and cures for various diseases, the need for a California bond seems less critical.

¹ Sections including background, summary, fiscal impact, and support/opposition were generally drawn from information provided by [Ballotpedia](#), [Cal Matters](#), and the [California Secretary of State website](#).

Fiscal Impact

The state would face increased costs to repay the bonds of \$260 million per year for the next 30 years.

Notable supporters

- University of California Board of Regents

Potential Impact on AANHPIs

According to the Asian Pacific Center on Aging, almost 14% of older AAPIs experienced an increase in confusion or memory loss, the second highest of any ethnic group. While there is limited disaggregated data on the prevalence of dementia and Alzheimer's in specific AAPI populations, research studies have shown that older Vietnamese Americans experience cognitive problems at a rate of 16.2% and Koreans at a rate of 7.6%. This initiative could fund possible treatments for dementia and Alzheimer's that cause confusion and memory loss.

Proposition 15: Increases Funding Sources for Public Schools, Community Colleges, and Local Government Services by Changing Tax Assessment of Commercial and Industrial Property. Initiative Constitutional Amendment.

Recommended endorsement

SUPPORT

Background

In 1978, Californians approved Proposition 13, which required that residential, commercial, and industrial properties are taxed based on their purchase price, as opposed to a current market value. The law set property taxes for homes, businesses, and farmland at one percent (1%) of the sales price and limited tax increases at two percent (2%) per year or equal the rate of inflation, whichever is lower. Market values in California tend to increase faster than two percent (2%) per year, meaning the taxable value of commercial and industrial properties is often lower than the market value.

Before Proposition 13, local property taxes were the main source of K-12 funding across California. On average, local property taxes made up 60 percent of school funding, with the state contributing approximately 30 percent. Because Proposition 13 cut the tax rate, property tax revenue dropped by almost 60 percent the year after it passed. Today, the funding formula is inverted, with California's school districts receiving about 60 percent of their funding from the state and a little over 30 percent from local sources. When adjusted for inflation, California spent about \$7,400 per pupil in 1977, about \$1,000 above the national average, according to data collected by the National Center for Education Statistics. By 1983, California's per-pupil spending had dropped below the national average to \$6,700, and has generally remained below the average.²

Summary and Analysis

Proposition 15 (2020) would repeal portions of Proposition 13 (1978) to require commercial and industrial properties, except those zoned as commercial agriculture, to be taxed based on their market value. Proposition 15 would let local governments assess the taxable value of some business properties based on their market value at least once every three years.

Contrary to some messaging from Proposition 15 opponents, the proposal exempts the operation of a home-based business from reassessment. Similarly, property tax on residential properties would not be impacted. This method of assessing taxes on commercial and industrial properties at market value, while continuing to assess taxes on residential properties based on the purchase price is called a split roll tax.

The ballot initiative would also make an exception for properties whose business owners have \$3 million or less in holdings in California. These properties would continue to be taxed based on their purchase price.

The change from the purchase price to market value would be phased-in beginning in fiscal year 2022-2023. Properties, such as retail centers, whose occupants are 50 percent or more small businesses would be taxed based on market value beginning in fiscal year 2025-2026 (or at a later date that the legislature decides on).

Fiscal impact

Proposition 15 is estimated to generate between \$8 billion and \$12.5 billion in revenue per year. The ballot initiative would distribute the revenue to specific areas, rather than the General Fund. First, the revenue would be distributed to (a) the state to supplement decreases in revenue from the state's personal income tax and corporation tax due to increased tax deductions and (b) counties to cover the costs of implementing the measure. Second, 60 percent of the remaining funds would be distributed to local governments and special districts, and 40 percent would be distributed to school districts and community colleges (via a new Local School and Community

² Vanessa Rancaño, "How Proposition 13 Transformed Neighborhood Public Schools Throughout California" [<https://www.kqed.org/news/11701044/how-proposition-13-transformed-neighborhood-public-schools-throughout-california>] - retrieved 9/8/20]

College Property Tax Fund). Revenue appropriated for education would be divided as follows: 11 percent for community colleges and 89 percent for public schools, charter schools, and county education offices. There would also be a requirement that schools and colleges receive an annual minimum of \$100 (adjusted each year) per full-time student.

Examples of this policy

Following California's adoption of Proposition 13 in 1978, the state of Massachusetts adopted a similar tax initiative in 1980. Massachusetts residents approved Proposition 2 ½, which limited local property taxes (called a levy ceiling), and restricted growth in the levy limit. Research found that this change in local tax revenue coincided with an increase in public school segregation across the state.³

The District of Columbia taxes residential homeowners (0.85 percent of a residence's taxable value) at a lower rate than business properties (between 1.65 and 1.89 percent, depending on value). DC also taxes vacant (5 percent) and blighted properties (10 percent) at even higher rates of the property's taxable value.⁴ Taxes on real property accounted for approximately 32.1 percent of total tax collected by the District of Columbia in 2019.⁵ The District of Columbia also ranks second in the nation behind only New York state on per-pupil spending at \$22,759.⁶ In comparison, property tax comprises approximately 27.7 percent of California's total tax revenue, based on data from fiscal year 2015-2016⁷.

Notable supporters

- U.S. Rep. Karen Bass
- California Democratic Party
- Los Angeles Unified School District
- California Teachers Association
- ACLU (Northern and Southern California)

Notable opponents

- California State Board of Equalization Member Ted Gaines
- California Business Roundtable
- California Chamber of Commerce
- California Taxpayers Association

³ Zabel, Jeffrey, *Unintended Consequences: The Impact of Proposition 2½ Overrides on School Segregation in Massachusetts* (Education Finance and Policy, v9 n4 p481-514 Fall 2014)

⁴ District of Columbia Office of Tax and Revenue [<https://otr.cfo.dc.gov/page/real-property-tax-rates> - retrieved 9/20/20]

⁵ Government of the District of Columbia, Office of the Chief Financial Officer and Office of Revenue Analysis, "D.C. Tax Facts 2019" [<https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/Tax%20Facts%202020.pdf>] - retrieved 9/20/20]

⁶ American School & University, "States with the highest per-pupil public school revenue, 2017-18" [<https://www.asumag.com/research/top-10s/article/21131107/states-with-the-highest-perpupil-expenditure-201718#:~:text=The%20amount%20spent%20per%20pupil,on%20average%20in%20fiscal%202017>] - retrieved 9/20/20]

⁷ California Legislative Analyst's Office "California's Tax System: A Visual Guide" [<https://lao.ca.gov/reports/2018/3805/ca-tax-system-041218.pdf>] - retrieved 9/20/20]

- Howard Jarvis Taxpayers Association

Potential impact on AANHPI communities

The COVID-19 pandemic has put a strain on all public resources and California schools were close to severe budget cuts during this year's state budget negotiations. The budget adopted in July 2020 replaced proposed Local Control Funding Formula cuts with approximately \$11 billion in deferrals to schools, with \$5.7 billion of that money tied to whether the state receives federal assistance. While these deferrals (delayed payments to schools the state employed to balance its budget) means no cuts to programs, schools will have to dip into their savings or borrow money to get by in the interim.⁸

This adopted 2020-21 budget also commits to per-student funding at 2019-20 rates before the onset of COVID-19.⁹ The calculation of per-student funding depends on a variety of factors, particularly since COVID-19, and different figures have been cited. Research for the most recent data found 2019 calculations spanning a range of \$10,281¹⁰ to \$20,642,¹¹ with the latter claiming to account for Proposition 98 funds and other funds from the governor's budget, along with the state's CalSTRS payment and payment on school bond debt. The national average in 2019 was \$12,756 per-pupil.¹²

It should be noted that Proposition 98 funding is expected to decrease from \$81.5 in 2019-20 to \$70.5 billion in 2020-21, found in the \$11 billion of 2020-21 state budget deferrals noted above,^{13 14} likely inflating the \$20,642 calculation, which was conducted before known COVID-19 impacts on K-12 schools.

While California is a diverse state, huge education and resource gaps exist along racial, economic, linguistic, and immigration lines. English learners compose 21 percent of California students—more than in any other state. School funding supports vulnerable students, and a 2018 study showed that poor and English language learner students in California were least likely to be college ready.¹⁵

⁸ Richard Cano, "What California's budget deal means for K-12 schools"

[<https://calmatters.org/education/2020/07/what-californias-budget-deal-means-for-k-12-schools/> - retrieved 9/8/20]

⁹ EdSource, "California Legislature approves state budget; here are the highlights for education funding"

[<https://edsources.org/2020/california-legislature-approves-state-budget-here-are-the-highlights-for-education-funding/634806> - retrieved 9/20/20]

¹⁰ Education Week "Quality Counts 2019: Grading the States, State Finance"

[<https://www.edweek.org/ew/collections/quality-counts-2019-state-finance/map-per-pupil-spending-state-by-state.html> - retrieved 9/20/20]

¹¹ Edward Ring, California Policy Center "California's K-12 spending exceeds \$20,000 per pupil"

[<https://californiapolicycenter.org/californias-k-12-spending-exceeds-20000-per-pupil/> - retrieved 9/20/20]

¹² See 3 above.

¹³ EdSource, "Guide to California's education budget deferrals: pros, cons and costs of delayed payments"

[<https://edsources.org/2020/guide-to-californias-budget-deferrals-pros-cons-and-costs-of-delayed-payments/634950#:~:text=To%20pay%20school%20districts%20what,64%25%20from%20the%20General%20Fund.> - retrieved 9/20/20]

¹⁴ See 4 above.

¹⁵ Harry Brighthouse, Michal Kurlaender, Sean F. Reardon, Christopher Doss, Sarah Reber, Demetra Kalogrides, Sherrie Reed, *Getting Down to Facts II: Outcomes and Demographics in California Schools* (Stanford University/PACE, 2018)

Historically, Proposition 13 has drained funding towards public schools and other facilities such as parks and libraries and also put increased pressure on the state to fund local school districts. Prior to Proposition 13, local revenues accounted for a majority of school district funds and as a whole, California schools led the country in per-pupil spending. California is now 41st in the nation in per-pupil spending,¹⁶ with local tax revenues only comprising about 30 percent of district funds, due to Proposition 13 tax formulas. The winners of Proposition 13 have proven to be property owners who were able to purchase property years ago, locking in their property tax to a decades-old purchase price rather than remaining proportionately taxed with the rapid rising market value of California real estate. Large corporations and companies who own properties from office buildings to golf courses are able to pocket property tax savings on properties with outdated market assessments.

Repealing Proposition 13's impact on commercial and industrial properties will allow local jurisdictions to reassess the market value of non-residential property owned by large companies and create a consistent and increased revenue stream for schools and other public amenities. It is important to note that the adoption of Proposition 15 would not automatically raise commercial and industrial property taxes, but would give local jurisdictions the ability to assess the real taxable amount on properties with currently outdated value assessments. The exemption in Proposition 15 that allows properties whose business owners have \$3 million or less in holdings in California to continue to be taxed based on their purchase price provides a reasonable protection for small business and property owners.

Proposition 16: Allows Diversity as a Factor in Public Employment, Education and Contracting Decisions. Legislative Constitutional Amendment.

Recommended endorsement

SUPPORT

Background

During the 1996 presidential election, California voters supported Proposition 209 with 54.6 percent of the vote, making California the first state to adopt a constitutional ban on race-based and sex-based affirmative action. This included considering race in college admission and

[https://gettingdowntofacts.com/sites/default/files/2018-09/GDTFII_Brief_OutcomesandDemographics.pdf - retrieved 9/6/20]

¹⁶ California Budget & Policy Center, 2017

[<https://calbudgetcenter.org/resources/californias-support-k-12-education-improving-still-lags-nation/> - retrieved 9/8/20]

financial aid applications. Support for this proposition was part of a growing pushback on affirmative action programs across the country, despite data showing affirmative action programs were successful at increasing racial and gender diversity in workplaces.

Twenty years after laws barring sex discrimination in education and implementation of affirmative action programs, women and girls saw significant gains in math and science course enrollment, high school graduation, college eligibility and enrollment, and enrollment in professional schools. Specifically, at California State University (CSU) schools, and University of California (UC) schools, and private colleges in California, women began to comprise the majority of students (between 52 to 55 percent of total students) in the mid-1990s, compared to 50/50 split (CSU) or 48.5 percent minority (UC) just 10-15 years prior.¹⁷ The proportion of women is even higher today (58.5 percent at CSU¹⁸ and 58 percent at UC¹⁹).

These gains for women, specifically white women, were also documented in a 1995 report by the California Senate Government Organization Committee found that white women held a majority of managerial jobs (57,250) compared with African Americans (10,500), Latinos (19,000), and Asian Americans (24,600) after the first two decades of affirmative action in the private sector.²⁰

A recent study shows that Proposition 209 caused a decline in systemwide enrollment of underrepresented groups at University of California (UC) colleges by at least 12 percent, and also led to a decrease in likelihood that underrepresented groups would complete their Bachelor's degrees and a decrease in expected wages for underrepresented groups, after college.²¹ Further, the study found that white and Asian American students received little concrete benefit from the policy, with data suggesting that these students accepted into UC schools would have otherwise enrolled in an equally selective college elsewhere, and had the same chances to graduate and begin successful careers.²²

Another study argues that the increase in the percentage of Asian American students after the implementation of Proposition 209 was most likely caused by "significant demographic shifts in

¹⁷ Women and Equality: A California Review of Women's Equity Issues in Civil Rights, Education and the Workplace (California Senate Office of Research, 1999)

[<https://sor.senate.ca.gov/sites/sor.senate.ca.gov/files/Women%20and%20Equality%20A%20California%20Review%20of%20Women%E2%80%99s%20Equity%20Issues%20in%20Civil%20Rights%2C%20Education%2C%20and%20the%20Workplace.pdf> - retrieved 9/20/20]

¹⁸ The California State University Fall 2018 Enrollment Statistics

[<https://www2.calstate.edu/csu-system/about-the-csu/facts-about-the-csu/enrollment/Pages/fall-2018-enrollment.aspx> - retrieved 9/20/20]

¹⁹ University of California Accountability Report 2018

[<https://accountability.universityofcalifornia.edu/2018/chapters/chapter-7.html#7.1.2> - retrieved 9/20/20]

²⁰ SFGATE, "State Study Tracks Diversity / Affirmative action cited for rise in female, minority bosses"

[<https://www.sfgate.com/news/article/State-Study-Tracks-Diversity-Affirmative-action-3040217.php> - retrieved 9/20/20]

²¹ Zachary Bleemer, *The impact of Proposition 209 and access-oriented UC admissions policies on underrepresented UC applications, enrollment, and long-run student outcomes* (Institutional Research and Academic Planning, UC Office of the President, 2020)

[https://www.ucop.edu/institutional-research-academic-planning/_files/uc-affirmative-action.pdf - retrieved 9/6/20]

²² See 7 above.

the state and a higher yield rate among admitted [Asian] applicants” — not by repealing race-based consideration.²³ Data exists that shows that certain Asian ethnicities, such as Chinese students, are currently overrepresented in UC schools while others, such as Hmong students, are underrepresented. However, the UC system only began tracking disaggregated data on Asian students by ethnicity after Proposition 209 passed.²⁴

Proposition 209 is also considered to have depressed the number of highly qualified Black and Hispanic high school students who applied to the University of California system, perhaps because they mistakenly believed they would not be accepted.²⁵

Despite rhetoric claiming that affirmative action programs hurt Asian American students, more than 60 percent of Asian-Americans voted against Proposition 209 in 1996.²⁶

Summary and Analysis

Proposition 16 (2020) is a constitutional amendment that would repeal Proposition 209 (1996).

The proposed state constitutional amendment was originally introduced as [California Assembly Constitutional Amendment No. 5 \(ACA 5\)](#) (Weber) 2019. ACA 5 passed the California State Assembly and was approved by the California State Senate in June 2020. Because it is a proposed constitutional amendment, Proposition 16 must be approved by California voters before repealing Proposition 209's 1996 provisions.

Without Proposition 209, the state government, local governments, public universities, and other political subdivisions and public entities would—within the limits of federal law—be allowed to develop and use affirmative action programs that grant preferences based on race, sex, color, ethnicity, and national origin in public employment, public education, and public contracting. Courts have ruled that strict racial quotas and racial point systems in higher education admissions are unconstitutional but that individualized, holistic reviews that consider race, when tailored to serve a compelling interest (such as educational diversity), are constitutional.

²³ Liliana M. Garces, OiYan Poon, *Asian Americans and Race-Conscious Admissions: Understanding the Conservative Opposition's Strategy of Misinformation, Intimidation & Racial Division* (The Civil Rights Project/Proyecto Derechos Civiles, 2018)

https://www.civilrightsproject.ucla.edu/research/college-access/affirmative-action/asian-americans-and-race-conscious-admissions-understanding-the-conservative-opposition2019s-strategy-of-misinformation-intimidation-racial-division/RaceCon_GarcesPoon_AsianAmericansRaceConsciousAdmi.pdf - retrieved 9/6/20]

²⁴ Moriah Balingit, *The Forgotten Minorities of Higher Education* (Washington Post, 2019)

<https://www.washingtonpost.com/news/magazine/wp/2019/03/18/feature/does-affirmative-action-help-or-hurt-asians-who-dont-fit-the-model-minority-stereotype/> - retrieved 9/6/20]

²⁵ Kevin Carey, *A Detailed Look at the Downside of California's Ban on Affirmative Action* (New York Times, 2020)

<https://www.nytimes.com/2020/08/21/upshot/00up-affirmative-action-california-study.html> - retrieved 9/6/20]

²⁶ Steven Hsieh, *Effort to Revive Affirmative Action in California Splits Asian-American Community* (The Nation, 2014)

<https://www.thenation.com/article/archive/how-insurgent-asian-american-groups-helped-republicans-kill-affirmative-action-californi/> - retrieved 9/6/20]

Fiscal Impact

No direct fiscal effect on state and local entities because the measure does not require any change to current policies or programs. Possible fiscal effects would depend on future choices by state and local entities to implement policies or programs that consider race, sex, color, ethnicity, or national origin in public education, public employment, and public contracting. These fiscal effects are highly uncertain.

Notable supporters

- U.S. Rep. Ted Lieu
- University of California Board of Regents
- SEIU California State Council
- Chinese for Affirmative Action
- California Asian Pacific Islander Legislative Caucus

Notable opponents

- California State Senator Ling Ling Chang
- Former U.S. Rep. Darrell Issa
- Ward Connerly, Chairperson of California Proposition 209 campaign
- American Civil Rights Institute
- Chinese American Civic Action Alliance

Potential impact on AANHPI communities

Studies have shown that the repeal of affirmative action programs has not necessarily demonstrated improved conditions for Asian American students' access to educational opportunities in the UC system (cited above). However now that the UC system tracks disaggregated data by Asian and Pacific Islander ethnicity, consideration of these underrepresented communities, as well as Black, Latino/Chicano, and Native American students will likely lead to increased UC diversity and improved educational access for marginalized students.

It is a critical time for California voters to acknowledge at the polls that race and ethnicity matter a great deal in shaping an individual's opportunities and barriers, including academic achievement. Further, systemic racism impacts whole communities disproportionately and should be considered when accounting for students' achievements, grit, and resourcefulness.

Proposition 17: Restores Right to Vote After Completion of Prison Term. Legislative Constitutional Amendment.

Recommended endorsement
SUPPORT

Background

In 1974, Proposition 10 removed from the California constitution the prohibition on former felons who had served their sentence and completed parole voting. However, California continues to be one of three states that does not allow felons on parole to vote.

Summary and Analysis

Proposition 17 amends the California constitution to restore voting rights to convicted felons serving parole for a federal or state criminal conviction.

Fiscal Impact

This proposition will likely cost California counties hundreds of thousands of dollars for voter registration and ballot materials and will lead to one-time state costs of hundreds of thousands of dollars to update voter registration systems.

Notable supporters

- ACLU of California
- League of Women Voters
- U.S. Senator Kamala Harris
- California Secretary of State Alex Padilla

Notable opponents

- California State Senator Jim Nielsen

Potential Impact on AANHPIs

While the exact number of AAPIs in California's criminal justice system is unknown, research indicates that approximately 2% of California's prison population identifies as Asian American, according to the Prison Policy Institute. Restoring voting rights to those on parole is a critical component of ending voter suppression of communities of color and will bring the U.S. closer to its aspiration of becoming a representative democracy.

Proposition 18: Amends California Constitution to Permit 17-Year-Olds to Vote in Primary and Special Elections if They Will Turn 18 by the Next General Election and Be Otherwise Eligible to Vote. Legislation Constitutional Amendment.

Recommended endorsement
SUPPORT

Background

Eighteen states and the District of Columbia allow 17-year-olds to vote who will be 18 at the time of general election to vote in the primary election. The California Assembly and State Senate passed ACA 4 during the 2019-2020 legislative session.

Summary and Analysis

Proposition 18 amends the California constitution to allow 17-year-olds who will be 18 years of age by the date of the general election to vote in any primary or special election.

Fiscal Impact

This proposition will likely cost California counties hundreds of thousands of dollars for voter registration and ballot materials and will lead to one-time state costs of hundreds of thousands of dollars to update voter registration systems.

Notable supporters

- Secretary of State Alex Padilla

Notable opponents

- Election Integrity Project of California

Potential Impact on AANHPIs

According to the Public Policy Institute of California, Proposition 18 would potentially enable 200,000 individuals to vote in a primary or special election. This would allow between 30,000 and 50,000 AANHPI 17-year-olds to vote in a primary or special election.

Proposition 19: Changes Certain Property Tax Rules. Legislative Constitutional Amendment.

Recommended endorsement
NO POSITION

Background

The California Association of Realtors negotiated with the California legislature for ACA 11. While it did not pass the legislature, it did make it to the November ballot for approval by voters. This proposition makes changes to the Proposition 13 framework regarding property transfers and taxes approved by California voters in 1978.

Summary and Analysis

Proposition 19 would amend the California Constitution to do the following: (1) allow eligible taxpayers to transfer their tax assessments anywhere within the state and allow those assessments to be transferred to a more expensive home with an upward adjustment; (2) increase the number of times individuals over the age of 55 or with severe disabilities or victims of disasters can transfer their tax assessments from one to three; (3) require that inherited homes that are not used as principal residences (second homes or rentals) be reassessed at market value when transferred; and (4) allocate additional revenue or net savings to wildfire agencies and counties. While the measure does close some loopholes, it creates others, resulting in a mix of added revenues and losses for the state.

Fiscal Impact

Local governments and schools are expected to gain tens of millions of dollars in property tax revenue per year and could grow to a few hundred million dollars per year. Revenues from other taxes might increase by tens of millions of dollars for both local and state governments. Additional state revenue would have to be spent on fire protection.

Notable supporters

- California Professional Firefighters
- Californians for Disability Rights
- National Association of Realtors

Notable opponents

- Howard Jarvis Taxpayers Association

Potential Impact on AANHPIs

The specific impact on AANHPIs is unknown.

Proposition 20: Restricts Parole for Certain Offenses Currently Considered to be Non-Violent. Authorizes Felony Sentences for Certain Offenses Currently Treated as Misdemeanors. Initiative Statute.

Recommended endorsement

OPPOSE

Background

In 2011, the U.S. Supreme Court determined in *Brown v. Plata* that overcrowding in California's prisons constituted cruel and unusual punishment and ordered the state to reduce its prison population. Following the decision, AB 109 transferred the management and supervision of certain non-serious, non-violent and non-sexual crime felons from state to local county governments. Proposition 47 in 2014 reclassified certain non-serious and non-violent felonies as misdemeanors unless the defendant had prior convictions for rape, certain sex offenses or certain gun crimes and allowed re-sentencing for those currently serving a felony sentence for offenses reduced to misdemeanors. Proposition 57 in 2016 increased opportunities for felons convicted of nonviolent crimes and earn credit for good behavior and allowed judges, not prosecutors, to decide whether to try certain juveniles as adults. These efforts reduced the prison population from 431 per 100,000 to 317 per 100,000. Proposition 20 seeks to undo those efforts.

Summary and Analysis

Proposition 20 eliminates the eligibility of certain non-violent offenders who have completed their full term of their primary offense from parole programs and changes the standards and requirements that govern parole decisions under this program. Additionally, it changes the charge of certain theft crimes, including thefts of items valued between \$250 and \$950, from misdemeanors to felonies and requires those convicted of certain misdemeanors to submit DNA samples for collection in state databases. These changes seek to increase sentences and thereby increase the number of individuals in state prisons and the time they have to serve, including for crimes deemed to be misdemeanors.

Fiscal Impact

As it will increase county jail populations and the levels of county supervision, Proposition 20 will likely increase state and local correctional costs by tens of millions of dollars every year. It will also increase state and local court costs by several million dollars and state and local law enforcement costs related to collecting and processing DNA samples by a few million dollars every year.

Notable supporters

- Peace Officers Research Association
- Los Angeles Police Protective League
- Association for Los Angeles Deputy Sheriffs
- Orange County Board of Supervisors

Notable opponents

- Former California Governor Jerry Brown
- ACLU of California
- California Partnership to End Domestic Violence

Potential Impact on AANHPIs

As this measure seeks to increase the number of those incarcerated and increase the length of their sentences, it will have a significant impact on communities of color. As the number of AAPIs who have been convicted and incarcerated over the past several years has increased, this proposition is likely to have a negative impact on AAPI families and could lead to additional immigrants being deported following the completion of their sentences, which may now become felonies rather than misdemeanors.

Proposition 21: Expands Local Government Authority to Enact Rent Control on Residential Property. Initiative Statute.

Recommended endorsement

SUPPORT

Background

In 1995 the California State Legislature passed the Costa-Hawkins Rental Housing Act (“Costa-Hawkins”), a state statute that limits the use of rent control in California. Under Costa-Hawkins, cities cannot enact rent control on housing first occupied after February 1, 1995, and housing units where the title is separate from connected units (such as free-standing houses, condominiums, and townhouses). Also, landlords have a right to increase rent prices to market rates when a tenant moves out (a policy known as vacancy decontrol).

Proposition 10 was on the 2018 ballot in California and, if passed, would have repealed Costa-Hawkins. The measure lost by 20 percentage points, and 56 out of 58 counties opposed it. Polling from that election season suggested that voters generally supported rent control as a concept, but were not convinced with the specifics of the proposal.

As of January 1, 2020 California has statewide rent control, limiting rent hikes for the first time. The law, known as Assembly Bill (AB) 1482 or the “Tenant Protection Act of 2019,” made it illegal for residential landlords to raise rent more than 5 percent, plus the local rate of inflation, in one year. AB 1482 does not override local rent control laws, but covers units that are not already covered by local rent control laws.

Summary and Analysis

Proposition 21 (2020) would replace the Costa-Hawkins Rental Housing Act (1995). The ballot measure would allow local governments to adopt rent control on housing units, except on (a) housing that was first occupied within the last 15 years and (b) units owned by natural persons who own no more than two housing units with separate titles, such as single-family homes, condos, and some duplexes, or subdivided interests, such as stock cooperatives and community apartment projects. The initiative's official summary says it would grant exemptions from new rent control policies for individuals who own no more than two homes.

Under Costa-Hawkins, landlords are allowed to increase rent prices to market rates when a tenant moves out (a policy known as vacancy decontrol). Proposition 21 would require local governments that adopt rent control to allow landlords to increase rental rates by 15 percent during the first three years following a vacancy.

Fiscal Impact

Overall, a potential reduction in state and local revenues in the high tens of millions of dollars per year over time. Depending on actions by local communities, revenue losses could be less or more.

Notable supporters

- Maxine Waters (D), United States Representative
- California Democratic Party
- AIDS Healthcare Foundation
- ACLU of Southern California
- Los Angeles Tenants Union

Notable opponents

- California Housing Consortium
- California Builders Alliance
- Association of California Cities – Orange County
- California Conference of Carpenters
- California Asian Pacific Chamber of Commerce

Potential impact on AANHPI communities

According to the U.S. Census Bureau, California had the second highest median rent in the U.S.—\$1,297 per month—as of 2016. In California, the median rent varied based on location, with the highest median rents located in the San Francisco Bay Area and coastal Southern California and the lowest median rents located in rural Northern California.²⁷ San Mateo County,

²⁷ [https://ballotpedia.org/California_Proposition_21_Local_Rent_Control_Initiative_\(2020\)](https://ballotpedia.org/California_Proposition_21_Local_Rent_Control_Initiative_(2020)) [retrieved - 9/8/20]

which has a 30 percent AANHPI population²⁸, had the highest median rent in California at \$1,830 per month.

Over half of California renters are also rent-burdened (paying 30 percent or more of their income on rent) and 29 percent of renters are severely rent-burdened (paying 50 percent or more of their income on rent). Of those rent-burdened, nearly 13 percent are AANHPI.²⁹

The ongoing pandemic and subsequent stay-at-home orders are impacting employment and ability to pay rent across the country. With uncertainty for the health and safety of workers and students from the COVID-19 virus, it is unclear how long many will go without opportunities for work. The ability for local jurisdictions to implement rent control is one component of an effort to avoid mass evictions, displacement, and increasing the population of unhoused California residents.

Proposition 22: Exempts App-Based Transportation and Delivery Companies from Providing Employee Benefits to Certain Drivers. Initiative Statute.

Recommended endorsement

OPPOSE

Background

In 2019 California Assembly Bill (AB) 5 (Gonzalez) established a three-factor test to decide a worker's status as an independent contractor. The three-factor test requires that (1) the worker is free from the hiring company's control and direction in the performance of work; (2) the worker is doing work that is outside the company's usual course of business; and (3) the worker is engaged in an established trade, occupation, or business of the same nature as the work performed. AB 5 classified drivers for rideshare companies such as Uber and Lyft (and other app-based services such as Postmates and Instacart) as employees and, as such, entitled to employee rights and benefits such as health insurance and unemployment.

In response to AB 5, rideshare companies Uber and Lyft stated that they believe their drivers should be classified as independent contractors, not employees. In August 2020, the Superior Court of San Francisco ruled that Uber and Lyft violated AB 5 and misclassified their workers. Both Uber and Lyft stated that, unless the court's ruling was postponed, their companies could suspend app-based operations within California. In the latest development, the California First

²⁸ <https://www.census.gov/quickfacts/sanmateocountycalifornia> [retrieved - 9/8/20]

²⁹ California Budget and Policy Center

<https://calbudgetcenter.org/resources/californians-parts-state-pay-can-afford-housing/> - retrieved 9/6/20]

District Court of Appeal stayed this ruling and required Uber and Lyft to develop implementation plans should the Court of Appeal uphold the injunction and should voters reject Proposition 22. The Court of Appeal scheduled oral arguments for October 13, 2020. Uber and Lyft have lifted their suspension of operations in California for the time being.

As of September 6, 2020 Uber, Lyft, DoorDash, Postmates (owned by Uber as of July 2020), and Instacart have donated a combined \$180 million to back Proposition 22, making it the most expensive ballot measure in the history of California.

Summary and Analysis

Proposition 22 (2020) would override AB 5 (2019) and exempt ride-sharing and food-delivery companies from the AB 5 employee classification. This would allow Uber and Lyft, as well as other companies with similar models, to continue classifying drivers as contractors, not employees.

The ballot initiative would define app-based drivers as workers who (a) provide delivery services on an on-demand basis through a business's online-enabled application or platform or (b) use a personal vehicle to provide prearranged transportation services for compensation via a business's online-enabled application or platform. The ballot measure would not affect how AB 5 is applied to other types of workers.

Proposition 22 would enact labor and wage policies that are specific to app-based drivers and companies. Independent contractors are not covered by various state employment laws and under Proposition 22, drivers would not receive overtime, paid sick or family leave, unemployment insurance, or workers' compensation.

Instead, independent-contractor drivers would be entitled to other compensation—including minimum earnings, healthcare subsidies (but not employer healthcare coverage), and vehicle/crash insurance.

Fiscal Impact

Minor increases in state income taxes paid by rideshare and delivery company drivers and investors.

Notable supporters

- Uber
- Lyft
- Instacart
- California Asian Chamber of Commerce
- California Police Chiefs Association

Notable opponents

- U.S. State Senator Kamala Harris
- California Labor Federation
- SEIU California State Council
- Unite HERE
- Gig Workers Rising

Potential impact on AANHPI communities

The ongoing COVID-19 pandemic has made essential workers out of app-based drivers for rideshare and delivery companies. Securing benefits such as unemployment, healthcare coverage, paid sick leave and workers' compensation is critical to protect this vulnerable frontline workforce.

There are few sources documenting the demographics of rideshare app-based drivers in California, but consistencies between surveys show that a majority of drivers are people of color (63³⁰-78³¹ percent), specifically immigrants (56 percent, representing many different countries³²), financially insecure, and reliant on the job as a primary source of income. Additional findings from a recent study conducted in May 2020³³ include:

- Forty-five percent of these workers, including 59 percent of food delivery workers, could not handle a \$400 emergency expense (compared to 40 percent of all Americans).
- Over one fifth do not have health insurance, and 27 percent would maybe or likely go to work if they woke up with a fever because they need the income.
- Fifteen percent of this workforce is reliant on some form of public assistance, including Temporary Assistance for Needy Families (TANF), food stamps, housing vouchers, Supplemental Security Income or the Supplemental Nutrition Program for Women, Infants and Children (WIC). More than one fifth of food delivery workers receive some type of public benefit, including 13 percent receiving food stamps.
- The majority of people work full-time for platform companies, with 71 percent working more than 30 hours a week, including 50 percent who work more than 40 hours and 30 percent who work more than 50 hours a week.
- Forty-six of survey respondents support others with their earnings, including 33 percent supporting children.
- Thirty-seven percent of respondents had lost 100 percent of their income, while another 19 percent had lost more than 75 percent of their income.
- Fifty-five percent of respondents said their app was doing nothing or not enough to respond to the virus.

³⁰ [<https://rideshareguide.net/driver-demographics/> - retrieved 9/6/20]

³¹ Chris Benner, *On-demand and On-the-edge: Ride-hailing and delivery workers in San Francisco* (UC Santa Cruz, 2020) [https://transform.ucsc.edu/wp-content/uploads/2020/05/OnDemandOntheEdge_ExecSum.pdf - retrieved 9/6/20]

³² See 16 above.

³³ See 16 above.

This ballot measure would take away many labor and employee rights from app-based drivers that are currently providing both critical income for themselves and their households, as well as services and goods for people during stay-at-home guidelines.

Proposition 23: Establishes State Requirements for Kidney Dialysis Clinics. Requires On-Site Medical Professional. Initiative Statute.

Recommended endorsement
Support

Background

In 2018, voters rejected Proposition 8, which required that dialysis clinics issue refunds to patients or their insurers for profits over 115% of the cost of direct patient care and healthcare improvements. Proposition 23, like Proposition 8, has pitted the SEIU-UHW West against the two largest dialysis clinics, Da Vita and Fresenius. While the earlier ballot measure pertained to capping of profits and the mandating of refunds, Proposition 23 requires minimum levels of physician staffing along with data reporting and notice of clinic closures.

Summary and Analysis

Proposition 23 requires chronic dialysis centers to do the following: (1) have a minimum of one licensed physician while patient care is offered; (2) report dialysis-related infections to state health officials and the National Healthcare Safety Network (NHSN); and (3) to have their principled officer to certify under the penalty of perjury that the report she/he is submitting is accurate; and (4) provide written notice and obtain consent from the state health department before closing. The measure provides an opportunity to improve the health of dialysis patients while simultaneously furthering the goals of labor organizers.

Fiscal Impact

The fiscal impact on state and local governments is expected to be approximately in the tens of millions of dollars. A majority of costs will be borne by the dialysis clinics.

Notable supporters

- SEIU-UHW West
- Southern Christian Leadership Conference of Southern California
- California Labor Federation

Notable opponents

- Da Vita Clinics
- Fresenius Medical Care
- AMVETS, Department of California
- American Legion, Department of California
- California Medical Association
- California NAACP State Conference

Potential Impact on AANHPIs

AANHPIs, like other Angelenos, need access to dialysis services when they experience kidney failure. Asian American are twice as likely as Caucasians to develop kidney failure. Increased rates of diabetes as well as lack of access to quality healthcare are two of the factors related to this disparity. While it is unclear how this measure will improve their access to dialysis services or make dialysis more affordable, it may improve safety of those obtaining dialysis at chronic dialysis clinics.

Proposition 24: Amends Consumer Privacy Laws. Initiative Statute.

Recommended endorsement

OPPOSE

Background

In 2018, California Governor Jerry Brown signed the California Consumer Privacy Act (CCPA), which resulted from a compromise with Californians for Consumer Privacy, a constituent-led campaign looking to put a privacy measure on the 2018 statewide ballot. In the California State Legislature, the CCPA was Assembly Bill 375 (AB 375). The California State Assembly and California State Senate passed the CCPA in unanimous votes and the Californians for Consumer Privacy ballot measure was withdrawn from the 2018 election.

The CCPA (AB 375) was designed to require companies that store personal information to disclose to consumers what types of information are collected and how the information is used. Under the CCPA, consumers are allowed to:

- request that a business disclose to the consumer the personal information that has been collected about the consumer and the commercial purpose of the information collected;
- request that a business delete the consumer's personal information; and

- request that a business not sell the consumer's personal information to third parties;

The CCPA defined personal information to include identifiers, such as names, addresses, government identification numbers, and email addresses; financial information; medical information; health insurance information; commercial information; biometric information; characteristics of protected classes; internet and electronic network information; geolocation data; audio, visual, electronic, and similar information; employment-related information; education information; and inferences drawn from personal information to create consumer profiles reflecting "the consumer's preferences, characteristics, psychological trends, preferences, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes."

A table with additional details on the requirements of businesses under the CCPA of 2018 is included in next sub-section of this document.

AB 375 applied the requirements to businesses that (a) earn more than \$25 million in annual revenue, (b) purchase, sell, or share the personal information of 50,000 consumers or devices per year, or (c) earn 50 percent or more of their annual revenue from selling consumers' personal information. AB 375 allowed companies to offer services or rates based on the information that consumers provided.

In 2018, before AB 375 was signed, the campaign Californians for Consumer Privacy was organized to support a ballot initiative known as the California Consumer Privacy Act (CCPA). Alastair Mactaggart, a San Francisco-based real estate developer, was chairperson of the 2018 campaign and is the sole donor for Proposition 24 as of September 6, 2020. One of the differences between the citizen-initiated CCPA and the legislative CCPA (AB 375) regarded how businesses can treat or interact with consumers who requested that their information not be sold. AB 375 allowed companies to offer services or rates based on the information that consumers provided, whereas the ballot initiative would have required businesses to treat consumers the same no matter the information shared.

California Consumer Privacy Act of 2018 (AB 375)

AB 375 was signed by California Governor Newsom in 2018 and the law went into effect January 1, 2020. Since then anyone visiting certain websites may have noticed more assertive prompts, banners, or pop-ups notifying consumers of the company's policy on collecting digital and personal information. Personal information as defined by the CCPA is listed above in the Background section of this document.

The table³⁴ below outlines specific rights for California consumers intended by the CCPA, what qualifying businesses are currently required to do to adhere to those rights, and how Proposition 24 might change these requirements.

³⁴ Sara Morrison, "California's new privacy law, explained" [<https://www.vox.com/recode/2019/12/30/21030754/ccpa-2020-california-privacy-law-rights-explained> - retrieved 9/27/20]

CCPA rights of California consumers	Business requirements	Changes to the law intended from Proposition 24, if any
1) Know what personal information is being collected about them.	A business must tell consumers that it collects personal information about you either before or as that information is collected.	Eliminate a 30-day period that CCPA currently gives companies to remedy violations before the attorney general pursue legal action. ³⁵
2) Know whether personal information is sold or disclosed and to whom.	A business must tell consumers the types (not names) of third parties it shares your personal information with, but consumers may have to ask for this information.	Some businesses have pushed back on this requirement, claiming data is not “sold,” but “given,” making that data exempt from disclosure. Proposition 24 would change the law’s “Do not sell” provision to “Do not sell or share.”
3) Ability to say no to the sale of personal information.	Businesses must give consumers ways to opt out of having your personal information sold to or shared with third parties like advertisers or data brokers, and they must honor a consumer’s opt-out request. (Businesses must also put a link to their opt-out page on their homepage advising consumers of this opt-out right.)	Businesses will now be able to choose between ³⁶ : - featuring a “Do Not Sell or Share” button, which allows businesses to charge users more for opting out - no opt-out pop-up button feature so long as the business agrees to not treat users who opt out any differently, including consumer charges.
4) Ability to access personal information, including what type of personal information a business has collected (name, email, etc.), where it came from, why it was collected, the categories of third parties it has shared that information with, and the specific pieces of information it has	Businesses must offer consumers ways to request a copy of the personal information they have collected about them, and they must provide it free of charge within 45 days of the request.	The proposition would categorize some data as more “sensitive,” such as precise geolocation, ethnicity and race. This may afford additional protections for “sensitive” data, but it is not clear from whom.

³⁵ Katy Murphy, “These California privacy initiative opponents might surprise you” [<https://www.politico.com/states/california/story/2020/07/21/these-california-privacy-initiative-opponents-might-surprise-you-1302560> - retrieved 9/27/20]

³⁶ Michael Hiltzik, “Business’s attack on California’s landmark privacy law moves to the ballot box” [<https://www.latimes.com/business/story/2020-08-28/industrys-attack-californias-landmark-privacy-law> - retrieved 9/27/20]

<p>collected. Consumers can also tell businesses to delete that information.</p>		
<p>5) Equal service and price, even if a consumer exercises their privacy rights.</p>	<p>Businesses cannot charge consumers extra or refuse to provide a service if a consumer takes advantage of their privacy rights. However businesses may offer bonuses or financial incentives (such as loyalty programs) in exchange for information.</p>	<p>See #3 above. Both the law and the initiative make clear that a price difference can't be larger than the value to the business of the withheld data.³⁷</p>

Summary and Analysis

Proposition 24 (2020), also known as the “California Privacy Rights and Enforcement Act of 2020,” would expand or amend the provisions of the 2018 CCPA, create the California Privacy Protection Agency, and remove the ability of businesses to fix violations before being penalized for violations. The ballot initiative would require businesses to do the following:

- create a new California Privacy Protection Agency to additionally enforce and implement consumer privacy laws and impose fines (current law requires the state’s Attorney General’s office to enforce);
- not share a consumer’s personal information upon the consumer’s request;
- provide consumers with an opt-out option for having their sensitive personal information, as defined in law, used or disclosed for advertising or marketing;
- obtain permission before collecting data from consumers who are younger than 16 years old;
- obtain permission from a parent or guardian before collecting data from consumers who are younger than 13 years old; and
- correct a consumer’s inaccurate personal information upon the consumer’s request.

Fiscal Impact

- Increased state costs of at least \$10 million annually for a new state agency to oversee and enforce consumer privacy laws.
- Increased state costs, not likely to exceed the low millions of dollars annually, for increased court and Department of Justice enforcement workload. Some or all of these costs would be paid by penalties collected for violations of consumer privacy laws.
- Unknown impact on state and local tax revenues due to economic effects resulting from new requirements on businesses to protect consumer data.

³⁷ See footnote 36 above.

Notable supporters

- Former 2020 Democratic presidential candidate Andrew Yang
- Common Sense Media
- California NAACP

Notable opponents

- Co-Founder of the United Farm Workers Dolores Huerta
- ACLU of California
- Color of Change

Potential impact on AANHPI communities

Proposition 24 has created division between the different advocates across the consumer privacy, data security, and social justice sectors. While the NAACP, along with the original campaign leaders for the 2018 Californians for Consumer Privacy, contend that the ballot measure would expand data privacy protections for the 2018 CCPA, a coalition that includes the ACLU, Color of Change, Consumer Federation of California, California Alliance for Retired Americans, labor and civil rights leader Dolores Huerta, and the Council on Islamic American Relations - California have all voiced their opposition.

Data security and consumer privacy is critical to provide safe access to information for individuals who may face legal challenges due to their immigration status in the United States. However Proposition 24 does not seem to directly address or improve these protections, and instead features several elements that may adversely impact businesses owned by people of color and/or individuals with limited English proficiency.

- Proposition 24 includes language for consumers to “opt-out” of businesses that collect consumers’ data unless users, as long as users change settings on their devices. This language does not position consumer privacy as the default approach and instead relies on the digital and legal literacy of individual users to create their own privacy boundaries. It should be noted that the current law allows for an “opt-out” model and the proposed proposition does not improve on this condition.
- Proposition 24 would allow companies to charge higher prices to consumers who choose to protect their privacy. This places an inequitable burden on lower-income consumers who do not have the means to pay a premium for digital privacy.
- Proposition 24 creates a loophole that allows commercial credit agencies and data corporations to sell the personal information of small-business owners, which disproportionately impact small businesses owned by people of color.³⁸

³⁸ Khaim Morton, “Personal information measure on the ballot would allow ‘redlining’ and hurt small businesses of color”

- Proposition 24 allows the continued use of “neighborhood scores” and fails to address “digital redlining,” a practice whereby lenders use a person’s race or the racial make-up of a neighborhood as a rationale for either refusing to lend to its residents or charging much higher interest rates. Historically, redlining created racially segregated neighborhoods and prevented Black families and other people of color access to home ownership or charged them significantly higher finance fees.³⁹

The digital privacy of vulnerable consumers is of high significance, particularly from predatory financial schemes and discriminatory law enforcement surveillance. However it is unclear whether Proposition 24 will improve privacy and security for vulnerable consumers. The CCPA is less than one year into implementation and it seems reasonable to analyze its impacts on privacy, security, and equity, if any, before approving new changes that remain obscure in their impact.

Proposition 25: Referendum on Law that Replaced Money Bail with System Based on Public Safety and Flight Risk

Recommended endorsement
SUPPORT

Background

California, like most other states, has been utilizing a cash bail system to release criminal suspects prior to trial. In August 2018, Governor Brown signed SB 10 that created a referendum to replace the cash bail system with a risk assessment to determine whether to release criminal suspects and under what criteria. Those deemed at low risk of failing to appear at trial and low risk to public safety would be released from jail and those at high risk would be returned to jail. Immediately after its enactment, the American Bail Coalition, the trade association for bail bondsmen, formed a political action committee to seek repeal of the law.

Summary and Analysis

Proposition 25 replaces the cash bail system with a risk assessment system. Individuals charged with most misdemeanors would be automatically released from jail within twelve hours. Those charged with felonies or misdemeanors not eligible for automatic release would be assessed for their likelihood of committing a new crime or failing to appear at trial. Trial courts would be responsible for pretrial assessment. This would include various activities, such as: (1) determining risk levels using pretrial risk assessment tools, (2) collecting additional information related to a person’s risk, (3) releasing certain people based on their risk level, and (4)

<https://calmatters.org/commentary/my-turn/2020/08/personal-information-measure-on-the-ballot-would-allow-redlining-and-hurt-small-businesses-of-color/> - retrieved 9/8/20]

³⁹ See 19 above.

suggesting conditions of pretrial release to the court. Those deemed at low risk of failing to appear at trial and low risk to public safety would be released from jail and those at high risk would be returned to jail.

While some advocates are rightfully concerned about biases in the risk assessment system, elimination of the bail system provides those with limited funds to otherwise avoid pretrial jail time and adds to the criminal justice system greater transparency and public review to eliminate bias and racial disparities.

Fiscal Impact

This proposition will likely lead to increased state and local costs in the hundreds of millions of dollars in order to develop a new process for releasing individuals from jail though some of the state costs due to increased workload might be offset by local workload. There would, however, be savings in the tens of millions of dollars as a result of decreased jail stays. Additionally, the net impact of individuals spending money on goods rather than jail on state and local revenues is unknown.

Notable supporters

- Gov. Gavin Newsom
- U.S. Rep. Karen Bass
- U.S. Rep. Ted Lieu
- California Assembly Speaker Anthony Rendon
- California State Senator Holly Mitchell
- California Assemblymember Rob Bonta
- California API Legislative Caucus Chair David Chiu
- League of Women Voters
- California Teachers Union

Notable opponents

- American Bail Coalition
- NAACP State Conference
- Orange County Board of Supervisors
- California Asian Pacific Chamber of Commerce

Potential Impact on AANHPIs

It is unclear what the impact of Proposition 25 would be on AANHPIs. According to the Prison Policy Institute's analysis of 2010 Census data, Asian Americans made up 2% of California's prison and jail system. Eliminating cash bail would save Asian American and Pacific Islander families thousands of dollars every year in cash payments to courts and bail bondsmen as they await trial.

Measure J: Los Angeles County Budget Allocation for Alternatives to Incarceration. Charter Amendment.

Recommendation

SUPPORT

Background

On May 25, 2020 in Minneapolis, Derek Chauvin, a white police officer, pinned George Floyd, a Black man, on the ground in handcuffs by pressing his knee against Floyd's neck for at least 8 minutes and 15 seconds, causing loss of consciousness and death. Both the county medical examiner and an independent autopsy ruled Floyd's death a homicide stemming from the incident.

Video of Floyd's death was shared widely, leading to renewed mass protests and demonstrations against long-existing deadly patterns of police racism and use of force. Floyd's death is the most recent spark in the long struggle for civil and human rights and for significant changes in law enforcement, including even the defunding or abolition of police. There are currently police-related ballot measures in thirteen jurisdictions in six states, including Measure J.

Summary and Analysis

Addresses the disproportionate impact of racial injustices by amending the Charter of the County of Los Angeles to allocate no less than 10% of its budget to direct community investment and alternatives to incarceration. According to the Re-Imagine LA County Coalition, which is backing the amendment, current spending is at only 1%. It would prohibit using those funds for carceral systems and law enforcement agencies.

The set-aside funds would be phased in over three years and allocated for community-based youth development programs; job training and jobs for low-income residents; access to capital for small, minority-owned businesses, with a focus on Black-owned businesses; rent assistance, housing vouchers, and supportive services to those at-risk; capital funding for projects providing restorative care and transitional, affordable, and supportive housing; and programs and services that provide alternatives to incarceration.⁴⁰

The funds would be prohibited from being used for the Los Angeles County Sheriff's Department, Los Angeles County District Attorney's Office, Los Angeles County Superior Courts, and Los Angeles County Probation Department.

⁴⁰ <https://file.lacounty.gov/SDSInter/bos/supdocs/147584.pdf>

Fiscal Impact

Due to the current economic crisis sparked by the COVID-19 pandemic, Los Angeles County's 2020-21 budget includes major cuts to address a projected \$935.3 million gap across almost every department. It is unclear what impact passing Measure J would have fiscally in the County.

Racial injustices have their own fiscal impacts over time, which the COVID-19 pandemic has highlighted. Communities of color are disproportionately impacted by pre-existing health issues, COVID-19 deaths, and the economic crisis.

Notable supporters

- Melina Abdullah, Black Lives Matter LA
- Pete White, Los Angeles Community Action Network
- Asian American and Pacific Islander Christians for Social Justice
- Khmer Girls in Action
- UCLA School of Law
- Unite Here! Local 11
- University of Southern California
- Communities for a Better Environment

Notable opponents

- Alex Villanueva, Los Angeles County Sheriff
- Association for Los Angeles Deputy Sheriffs
- Coalition of Probation Unions
- Association of Deputy District Attorneys
- League of California Cities, Los Angeles County Division

Potential Impact on AANHPI Communities

The presence of Tu Thao, the police officer who stood by as Derek Chauvin killed George Floyd, has highlighted and reinvigorated the conversation about anti-Blackness in Asian American communities and how to change it. This conversation builds on a long history of solidarity between Asians and Blacks, important because the issue of systemic and institutional racism impacts all communities of color, including Asian Americans.

That Measure J would allocate funds to direct community investment, prioritizing low-income communities, communities of color, and minority-owned businesses, would benefit low-income Asian Americans. Pew Research has shown that Asian Americans have the largest income gap compared to any other group in the United States, with the top 10% earning over 10 times more than those in the bottom 10%.⁴¹ Analysis of CDC data shows that COVID-19 is killing Asian

⁴¹ <https://www.pewsocialtrends.org/2018/07/12/income-inequality-in-the-u-s-is-rising-most-rapidly-among-asians/>

Americans at a rate 35% above normal despite being 6% of the US population.⁴² The amendment's health, housing, and jobs focus would benefit Asian Americans, including with alternatives to incarceration. It is unclear if it would potentially divert non-citizens from deportation and family separation.

⁴² <https://www.themarshallproject.org/2020/08/21/covid-19-s-toll-on-people-of-color-is-worse-than-we-knew>