



**LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE**  
**SACRAMENTO LEGISLATIVE OFFICE**

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August 10, 2023  
Senator Lola Smallwood-Cuevas  
1021 O Street, Suite 6510  
Sacramento, CA 95814

**Senate Bill 749**  
**SUPPORT**

Dear Senator Smallwood-Cuevas:

The Los Angeles County District Attorney's Office is pleased to support Senate Bill 749 (Smallwood-Cuevas).

Proposition 47, also known as the Safe Neighborhoods and Schools Act, was approved by the voters in November 2014. It reduced the penalties for certain drug and property crimes and required that the resulting state savings be directed to mental health and substance abuse treatment, truancy and dropout prevention, and victims' services. Proposition 47 also authorized defendants who were serving sentences for felonies that became misdemeanors under the Proposition to petition for recall and resentencing and also authorized individuals who had completed serving a felony sentence for an offense that became a misdemeanor under the Proposition to apply to have the felony conviction designated as a misdemeanor.

Under existing law, those individuals had until November 4, 2022 to file their petition or show good cause at a date beyond that. However, the good cause requirement was never clearly defined and has resulted in inconsistent application across counties. SB 749 proposes to delete both the sunset date and the good cause requirement to petition at a later date.

By eliminating the existing sunset date and the good cause requirement, SB 749 would enable all Californians with eligible low level felonies on their record to move past the many permanent restrictions placed on the lives of people living with an old felony conviction.

If you have any questions or need additional information, please contact Tamar Tokat in our Legislative Office at 916-442-0668.

Very Truly Yours,

GEORGE GASCÓN  
District Attorney