

PROP 47 POTENTIAL OFFENSES

Note: This list represents the offenses that may potentially qualify under Prop 47 at this time. There is some disagreement among attorneys, prosecutors and courts on the “definitive” list of Prop 47 offenses. As litigation around Prop 47 becomes more settled, courts may hold that some of these offenses do not qualify.

Simple Possession:

- HS § 11350 – Controlled Substance
- HS § 11357(a) – Concentrated Cannabis
- HS § 11377 – Methamphetamine

Property Crimes – **MUST BE UNDER \$950**

- PC § 459 – Burglary [must be shoplifting]
- PC § 460(b) – Second Degree Burglary [must be shoplifting]
- PC § 470 – Forgery
- PC § 471 – Forgery
- PC § 472 – Forgery
- PC § 473 - Forgery
- PC § 475 - Forgery
- PC § 476 – Forgery
- PC § 476a – Fraud/Bad Checks
- PC § 484e – Grand Theft
- PC § 484f – Forgery
- PC § 484g – Theft
- PC § 484h – Theft
- PC § 484i(b) – Forgery
- PC § 484.1 – Theft
- PC § 487 – Grand Theft [if 487(a), prior to 1/1/2011; if 487(b)(3), prior to 1/25/2010]
- PC § 487a – Grand Theft
- PC § 487b – Grand Theft
- PC § 487d – Grand Theft
- PC § 487e – Grand Theft [prior to 1/25/2010]
- PC § 487h – Grand Theft [prior to 1/25/2010]
- PC § 487i – Grand Theft
- PC § 496(a) – Receiving Stolen Property
- PC § 666 – Petty Theft with Prior
- VC § 10851 – Joyriding/Taking Automobile Without Permission (*pending CA Supreme Court decision)

DISQUALIFYING OTHER CONVICTIONS

Client is disqualified from any Prop 47 reclassification if they have any of the following convictions, regardless of timing in relation to Prop 47 case:

- Offenses listed in PC 667(e)(2)(C)(iv)
 - Violent sex offenses, some sex offenses against minor under 14
 - Homicide (including solicitation/attempt & vehicular homicide while intoxicated)
 - Possession of WMD
 - Assault on peace officer with assault weapon/rifle
 - Other offense punishable by life in prison or death
- Offense requiring sex offender registration under PC § 290(c)

Client is disqualified from Prop 47 reclassification for particular offenses in the following cases:

- For reclassification of PC 666, disqualified by any conviction for PC 368(d) or (e) that happened **before the offense being reclassified**
- For reclassification of PC 476a, disqualified by 3 or more convictions for PC 470, 475, 476 or 476a that happened **before the offense being reclassified**
- For reclassification of any forgery, disqualified by conviction for PC 530.5 that happened **at the same time**