



NAPA COUNTY DISTRICT ATTORNEY'S OFFICE

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ALLISON HALEY
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PRESS RELEASE

DISTRICT ATTORNEY LOCATES ADDITIONAL PROPOSITION 64 MARIJUANA REDUCTIONS AND DISMISSALS

Napa County District Attorney Allison Haley announced today that her office partnered with the Department of Justice to locate additional cases and expedite relief to those with Napa County marijuana convictions affected by Proposition 64.

Proposition 64, passed by California voters in 2016, legalized the possession and use of recreational marijuana by adults. The law also decreased penalties for possession with intent to sell, sales, transportation and cultivation of marijuana. Proposition 64 was retroactive allowing for reductions and dismissals for previously imposed punishments. Eligible persons can petition the court based upon a variety of criteria, including the charge, age at the time of violation, and type and quantity of marijuana.

Last year, the District Attorney utilized their case management system to identify 295 eligible cases since 2011 when the system was put in place. With the assistance of volunteer law clerks, police reports and criminal history of those eligible were analyzed. The identified cases were forwarded to the Public Defender who reviewed the cases and prepared petitions. The District Attorney signed the petitions and forwarded them to the court clerk for stipulation by a Napa Superior Court judge.

Based upon a new law, the Department of Justice forwarded additional information to the District Attorney in 2019, including many cases completed prior to implementation of the case management system dating back as early as 1976. As a result, 127 cases were identified, 30 cases were reduced from felony to misdemeanor, 28 cases were reduced to infraction, 54 cases were dismissed outright, and 15 cases could not be matched with court records because of their age. Dismissed cases were sealed and destroyed pursuant to the new law.

District Attorney Allison Haley stated that "our duty to fulfill the will of the voters is continuous and ongoing. In collaboration with the California Department of Justice and the Napa Superior Court, relief has been brought to more defendants impacted by prior marijuana convictions in a fashion that comports with the law."

Any questions may be directed to Assistant District Attorney Paul Gero.