



COUNTY OF YOLO  
OFFICE OF THE DISTRICT ATTORNEY

JEFF W. REISIG, DISTRICT ATTORNEY

301 SECOND STREET - WOODLAND, CALIFORNIA 95695 - 530.666.8180 - FAX 530.666.8185

**FOR IMMEDIATE RELEASE**

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**Contact:** Melinda Aiello, Chief DDA  
[melinda.aiello@yolocounty.gov](mailto:melinda.aiello@yolocounty.gov)  
Bilingual Spanish Representative  
Available at (530) 666-8180

**PROP 36 CHARGES FOR DRUGS AND THEFT IN YOLO COUNTY  
FROM THE FIRST 9 MONTHS CHALLENGES REMAIN IN IMPLEMENTING  
NEW LAW**

**(Woodland, CA)** – October 13, 2025 – Since Proposition 36 took effect on December 18, 2024, the Yolo County District Attorney’s Office has filed 97 complaints alleging the newly enacted violation of Health and Safety Code section 11395, for possession of hard drugs with two or more priors. Additionally, 119 complaints were filed alleging a violation of newly enacted Penal Code section 666.1, shoplifting with two or more priors. Of the cases filed, 88 were felonies, while 31 were misdemeanors.

Among the key provisions created by Proposition 36 are: mandated treatment for individuals who are charged with their third drug possession offense; elevates theft offenses to felonies after a second conviction; aggregates multiple thefts to meet the felony threshold amount of \$950; and advises convicted drug dealers that if they continue to sell drugs and someone dies, they can be charged with murder. Voters in every single California county passed Prop. 36 and, in doing so, it restored the ability to achieve the objective of holding people accountable for their actions and mandating services to those who are severely addicted or mentally ill.

Beginning May 1, 2025, the Yolo County Superior Court started a dedicated treatment court review process for those who were ordered into treatment. To date, 23 individuals have entered pleas to HS11395; 21 have been referred for Prop 36 assessments; 13 have completed their assessment; 12 have accepted treatment; 8 are still pending; and 3 cases were reduced to misdemeanors by either the District Attorney or the Court.

Despite the overwhelming support of Proposition 36, challenges remain in getting individuals into treatment. Yolo County Judges release many offenders out of custody either on their own recognizance or supervised own recognizance and some into their own treatment program, circumventing the statutory process. In Yolo County, 17 offenders who were charged with a felony violation of Health and Safety Code section 11395 were rearrested 39 times for new felony violations of Health and Safety Code section 11395. Four Defendants stand out as examples of how early release from custody can lead to criminality and prolonged addiction.

Between December 2024, and October 2025, a 55-year-old unhoused male resident of Davis was repeatedly arrested for drug-related offenses and released from custody by the Yolo County Superior Court despite ongoing noncompliance. After a felony arrest for possession of controlled substances with prior convictions (Health and Safety Code section 11395), the Defendant was released for treatment but failed to report or attend his intake. Over the following months, he was arrested several more times for resisting arrest, violating a restraining order, and drug possession. Each time, he was again released—often with conditions such as GPS monitoring or treatment orders—which he repeatedly ignored. The defendant missed multiple court appearances throughout the summer and fall, resulting in several warrants, brief re-engagements with probation, and yet another failure to appear in October 2025. He has a court appearance scheduled on October 17<sup>th</sup>, for withdrawal of an arrest warrant if he appears.

Between May and September 2025, a 37-year-old unhoused male resident of Woodland, was repeatedly arrested for violent and drug-related felonies and repeatedly released by the Yolo County Superior Court over strong objections from prosecutors and probation. Initially arrested for felony domestic violence in May, the Defendant failed to appear for court in July and was later arrested for methamphetamine possession with prior convictions. Despite ongoing noncompliance—including ignoring probation, disabling his GPS monitor, and accumulating multiple new felony arrests—he was released several more times under the Court’s orders. Even after five separate arrests and repeated probation violations, the Defendant was again deemed releasable if accepted into to a treatment program in September 2025. He is currently still in custody pending a preliminary hearing.

Between May 2020, and August 2025, a 44-year-old- unhoused female resident of West Sacramento with a long record of arrests for theft, trespassing, and repeated drug possession, ultimately spanning eight open cases. Despite numerous opportunities for release and supervision, she consistently failed to appear in court, ignored probation requirements, and continued to reoffend. In early 2025 alone, the defendant was arrested and charged multiple times for felony drug possession, repeatedly released by the court—often over the prosecution’s objection—and equipped with GPS monitoring or probation oversight, which she quickly disregarded. Even after being released to a treatment program, she walked away from it and failed to appear again. The defendant was finally returned to custody in August 2025, where she remains pending trial.

From 2016 through 2025, a 59-year-old unhoused male resident of Woodland acquired 17 pending criminal cases, including multiple felonies and seven separate failures to appear in court. Despite more than a dozen prior misdemeanor arrests for drug possession, paraphernalia, and driving on a suspended license, the defendant continued to be released and repeatedly failed to appear. In January 2025, he was arrested for felony drug possession with prior convictions and later released

to a treatment program separate from the Proposition 36 process, only to walk away and fail to appear in court again. After yet another felony arrest in August 2025, he was finally held in custody pending trial.

Failure to keep defendants, charged with felony violations of Health and Safety Code section 11395, in custody is hindering the ability for assessments to be completed and individuals to be placed into treatment with an individualized treatment plan.

As to the theft side of Proposition 36, offenders also continue to be released despite having multiple pending felony cases.

Finally, while Yolo County has set up a dedicated court for Prop. 36 reviews and has funding secure for the meantime, the legislature's failure to set aside funding to support the mandated treatment law threatens progress already being made.

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