



DEPARTMENT OF
POLICE

CITY OF SACRAMENTO
CALIFORNIA

August 10, 1987

HALL OF JUSTICE
813 SIXTH STREET
SACRAMENTO, CA
95814-2495

916-449-5121

JOHN P. KEARNS
CHIEF OF POLICE

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: REQUEST FOR RESOLUTION TO SUPPORT THE DIMES AGAINST CRIMES
INITIATIVE

SUMMARY

The Sacramento Police Department is requesting the Law and Legislation Committee to pass a Resolution supporting March Fong Eu's Dimes Against Crimes Initiative.

The Initiative will provide funding to the Sacramento Police Department for additional law enforcement resources.

BACKGROUND

"Dimes Against Crimes" was conceived and developed by Secretary of State March Fong Eu after she was brutally attacked by a robber in her home in November, 1986. It is a simple, easily administered program to provide additional money to fight crime.

"Dimes Against Crimes" will increase the taxes on alcoholic beverages sold to retailers in California. These increases translate into less than two cents per cocktail, less than a half-cent for a glass of table wine and less than a penny for a can of beer. The Initiative will raise an estimated \$159,000,000 every year from the small tax increase on alcoholic beverages.

The Initiative will require the State Controller to allocate the money in the "Dimes Against Crimes" fund directly to city Police Chiefs and to county Sheriffs. The amount each city Police Chief and county Sheriff receives will be based on the number of people who reside within their law enforcement jurisdictions.

FINANCIAL DATA

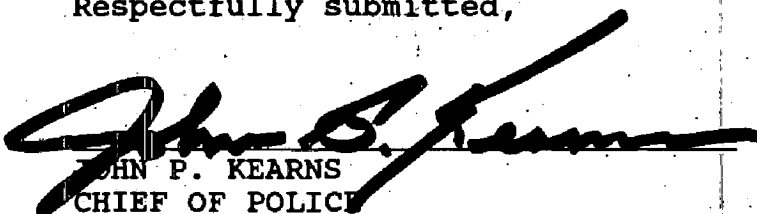
I am directly responsible for providing criminal law enforcement for an estimated 327,200 residents. Based on a projected allocation of \$5.98 per person, the City would receive from the "Dimes Against Crimes" fund an additional \$1,956,656 for criminal law enforcement every year.

RECOMMENDATION

"Dimes Against Crimes" is a combined constitutional and statutory amendment initiative requiring 595,485 signatures of registered voters to qualify for the June, 1988 ballot.

The Police Department urges the Law and Legislation Committee to pass a Resolution endorsing the "Dimes Against Crimes" Initiative.

Respectfully submitted,


JOHN P. KEARNS
CHIEF OF POLICE

JPK:lf

Ref: 8-17

RESOLUTION NO.

Adopted by The Sacramento City Council on date of

RESOLUTION ENDORSING THE STATEWIDE INITIATIVE "DIMS AGAINST CRIMES"

WHEREAS, fifty percent of willful homicides, forty-eight percent of the aggravated assaults, thirty percent of the forcible rapes, and forty percent of the robberies, burglaries, and thefts, involve alcohol use.

WHEREAS, one-half of all misdemeanor arrests in California are for alcohol related offenses.

WHEREAS, one-half of all Americans will be involved in an alcohol related vehicle accident in their lifetimes.

WHEREAS, cost to the citizens of California for alcohol abuse exceeds one billion dollars a year for crime, vehicle accidents and social welfare programs relating to alcohol abuse.

NOW THEREFORE BE IT RESOLVED that the City of Sacramento does so endorse the Statewide initiative "Dimes Against Crimes".

MAYOR

ATTEST:

CITY CLERK



Dimes against Crimes

MARCH FONG EU

Dear Friend:

Thank you for your interest in my "Dimes against Crimes" initiative measure.

I am pleased to send some information regarding "Dimes against Crimes" including a copy of the official petition for gathering signatures and an instruction sheet for circulators of petitions. Your support, including your financial assistance, will be very much appreciated.

Sincerely,

March Fong Eu

Enclosures



Dimes against Crimes

MARCH FONG EU

HOW IT WORKS

"DIMES AGAINST CRIMES" WAS CONCEIVED AND DEVELOPED BY SECRETARY OF STATE MARCH FONG EU AFTER SHE WAS BRUTALLY ATTACKED BY A ROBBER IN HER HOME IN NOVEMBER OF 1986. IT IS A SIMPLE, EASILY-ADMINISTERED PROGRAM TO PROVIDE ADDITIONAL MONEY TO FIGHT CRIME.

"DIMES AGAINST CRIMES" WILL INCREASE THE TAXES ON ALCOHOLIC BEVERAGES SOLD TO RETAILERS IN CALIFORNIA. THE TAX ON MOST HARD LIQUOR WILL INCREASE BY \$.10 PER HALF-PINT. THE TAX ON TABLE WINE, CHAMPAGNE, AND BEER WILL INCREASE BY \$.10 PER GALLON. THESE INCREASES TRANSLATE INTO LESS THAN TWO CENTS PER COCKTAIL, LESS THAN A HALF-CENT FOR A GLASS OF TABLE WINE, AND LESS THAN A PENNY FOR A CAN OF BEER.

"DIMES AGAINST CRIMES" WILL RAISE AN ESTIMATED \$156,000,000 EVERY YEAR FROM THE SMALL TAX INCREASE ON ALCOHOLIC BEVERAGES. THE MONEY WILL BE COLLECTED BY THE BOARD OF EQUALIZATION AS PART OF THE EXCISE TAX WHICH THE BOARD CURRENTLY COLLECTS. THE MONEY COLLECTED BY THE BOARD WILL BE SENT TO THE STATE TREASURER WHO WILL DEPOSIT THE MONEY TO THE ACCOUNT OF THE "DIMES AGAINST CRIMES" FUND.

"DIMES AGAINST CRIMES" WILL REQUIRE THE STATE CONTROLLER TO ALLOCATE THE MONEY IN THE "DIMES AGAINST CRIMES" FUND DIRECTLY TO CITY POLICE CHIEFS AND TO COUNTY SHERIFFS. THE AMOUNT EACH CITY POLICE CHIEF AND COUNTY SHERIFF RECEIVES WILL BE BASED ON THE NUMBER OF PEOPLE WHO RESIDE WITHIN THEIR LAW ENFORCEMENT JURISDICTIONS. FOR EXAMPLE, THE CHIEF OF POLICE OF THE CITY OF LOS ANGELES IS DIRECTLY RESPONSIBLE FOR PROVIDING CRIMINAL LAW ENFORCEMENT FOR AN ESTIMATED 3,215,500 RESIDENTS. BASED ON A PROJECTED ALLOCATION OF \$5.86 PER PERSON, THE CHIEF WOULD RECEIVE FROM THE "DIMES AGAINST CRIMES" FUND AN ADDITIONAL \$18,842,830 FOR CRIMINAL LAW ENFORCEMENT EVERY YEAR. ON THE OTHER HAND, THE SHERIFF OF ALPINE COUNTY, WHO IS RESPONSIBLE FOR ONLY 1,180 RESIDENTS, WOULD RECEIVE \$6,915 ANNUALLY.

"DIMES AGAINST CRIMES" WILL REQUIRE THAT THE MONEY RECEIVED BY CITY POLICE CHIEFS AND COUNTY SHERIFFS BE ADDITIONAL MONEY. IT COULD NOT BE USED TO REPLACE FUNDING FROM OTHER SOURCES. IT IS DESIGNED TO PERMIT LAW ENFORCEMENT AGENCIES TO PURCHASE ADDITIONAL LAW ENFORCEMENT RESOURCES, NOT FUND CURRENT ONES. FOR EXAMPLE, IT WOULD ALLOW AN ADDITIONAL 3,120 OFFICERS TO BE HIRED STATEWIDE.

"DIMES AGAINST CRIMES" IS A COMBINED CONSTITUTIONAL AND STATUTORY AMENDMENT INITIATIVE MEASURE REQUIRING 595,485 SIGNATURES OF REGISTERED VOTERS TO QUALIFY IT FOR THE JUNE 1988 BALLOT.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

THE ATTORNEY GENERAL OF CALIFORNIA HAS PREPARED THE FOLLOWING TITLE AND SUMMARY OF THE CHIEF PURPOSE AND POINTS OF THE PROPOSED MEASURE:

BEER, WINE, AND DISTILLED SPIRIT TAXES: LAW ENFORCEMENT FUNDING. INITIATIVE STATUTE AND CONSTITUTIONAL AMENDMENT.

Amends State Constitution to permit voters to increase alcoholic beverage taxes for any purpose. Additional revenues not subject to state or local government appropriation limitations. Adds statutes to increase excise taxes by ten cents per gallon of beer and wine and per half pint of distilled spirits 100 or less proof, and by twenty cents per half pint of distilled spirits over 100 proof. Additional revenues under measure's tax increases available for local law enforcement purposes only. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure will provide revenues for law enforcement of approximately \$143 million the first year and roughly \$156 million in later years. The increase in the excise tax on alcoholic beverages will produce a net increase in state sales tax revenues of about \$5 million per year and in local sales tax revenues of about \$2 million per year.

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA:

We, the undersigned, registered, qualified voters of California, residents of the below-mentioned County (or City and County), hereby propose amendments to the Constitution of California and the Revenue and Taxation Code relating to increased funding for local law enforcement and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed constitutional and statutory amendments read as follows:

"DIMES AGAINST CRIMES"

Section 1 The people find and declare as follows:

- (a) Californians currently live under a curfew of fear imposed by criminals who make our streets, workplaces, and homes unsafe for people and property;
- (b) Protecting Californians from criminal attack is one of the primary responsibilities of government at all levels;
- (c) Law enforcement agencies need additional resources to prevent and detect criminal activity and to see that criminals are swiftly identified, apprehended, convicted, and punished;
- (d) Additional revenue is needed to give law enforcement agencies the resources they need to help better ensure the public's safety.

WHEREFORE, the People of the State of California do hereby enact the "Dimes Against Crimes Initiative Measure".

Section 2 The Constitution of the State is amended by adding Section 24 to Article XX which shall read as follows:

Notwithstanding any other provision of this Constitution, the people, by majority vote, may impose or increase taxes on the sale, purchase, possession, handling, manufacturing, processing, or transporting of alcoholic beverages in this state and may specify or designate the allocation, disposition or use of any revenues raised by such taxes. Such specification or designation shall not be deemed to infringe on any right, power, or authority granted by this Constitution or by any law to any city, county or city and county nor shall any constitutional or statutory limitation on amounts which can be appropriated or spent by state or local government be applied, directly or indirectly, to any disposition, use, or allocation of revenue authorized by this section.

Section 3 Section 32151 of the Revenue and Taxation Code is amended to read as follows:

Except as otherwise provided in this part, an excise tax, which shall include a surcharge as specified below, is imposed upon all beer and wine sold in this State or pursuant to Section 23384 of the Business and Professions Code by a manufacturer, wine grower, or importer, or sellers of beer or wine selling beer or wine with respect to which no tax has been paid within areas over which the United States Government exercises jurisdiction, at the following rates:

- (a) On all beer, one dollar and twenty-four cents (\$1.24) for every barrel containing 31 gallons, plus a surcharge of ten cents (\$0.10) per gallon, and at a proportionate rate for any other quantity.
- (b) On all still wines containing not more than 14 percent of absolute alcohol by volume, one cent (\$0.01) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (c) On all still wines containing more than 14 percent of absolute alcohol by volume, two cents (\$0.02) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (d) On champagne, sparkling wine, excepting sparkling hard cider, whether naturally or artificially carbonated, thirty cents (\$0.30) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (e) On sparkling hard cider, two cents (\$0.02) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.

All the provisions of this part relating to excise taxes are applicable also to the tax imposed by this subdivision, to the extent that they are not inconsistent with this subdivision.

Section 4 Section 32201 of the Revenue and Taxation Code is amended to read as follows:

An excise tax, which shall include a surcharge as specified below, is imposed upon all distilled spirits sold in this state or pursuant to Section 23384 of the Business and Professions Code by manufacturers, distilled spirits manufacturer's agents, brandy manufacturers, rectifiers, or wholesalers, or sellers of distilled spirits selling distilled spirits with respect to which no tax has been paid within areas over which the federal government exercises jurisdiction, at the following rates:

On all distilled spirits of proof strength or less, two dollars (\$2.00) per wine gallon, plus a surcharge of ten cents (\$0.10) per half-pint, and at a proportionate rate for any quantity, and on all nonliquid distilled spirits containing 50 percent or less alcohol by weight two cents (\$0.02) per ounce avoirdupois, and at a proportionate rate for any quantity.

All distilled spirits in excess of proof strength, and all nonliquid distilled spirits containing more than 50 percent alcohol by weight, shall be taxed at double the above rate.

For purposes of this section, "half-pint" shall mean one-sixteenth of one gallon.

Section 5 Section 32501 of the Revenue and Taxation Code is amended to read as follows:

All taxes, including any surcharges, interest, and penalties imposed and all amounts of tax required to be paid to the State under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California. Except as provided in Section 32503, the board shall transmit the payments to the State Treasurer to be deposited in the State Treasury to the credit of the Alcohol Beverage Control Fund.

Section 6 Section 32503 of the Revenue and Taxation Code is added to read as follows:

- (a) All money received by the board attributable to the surcharge imposed by Revenue and Taxation Code Sections 32151 and 32201, including any interest or penalties, shall be transmitted to the State Treasurer to be deposited in the State Treasury to the credit of the Dimes Against Crimes Fund, which fund is hereby created.
- (b) All money deposited in the Dimes Against Crimes Fund shall be continuously appropriated to the State Controller to be allocated pursuant to the following formula by the State Controller, at least quarterly, directly to city police chiefs and to county sheriffs who shall deposit the money to their accounts with their city or county treasurers. For purposes of this section, "county" shall include a city and county.
- (c) Except in the case of a police chief or sheriff of a city and county, the amount allocated to an individual city police chief or county sheriff pursuant to this section shall be based on the number of persons residing in the areas for which the city police chief or county sheriff has direct primary criminal law enforcement responsibility by contractual basis or otherwise. In the case of a police chief or sheriff of a city and county, it shall be assumed for purposes of this section that the police chief and sheriff have concurrent direct primary criminal law enforcement responsibility for the population of the entire city and county and the amount allocated as between the police chief and the sheriff shall be based on the ratio of departmental operating budgets for the respective departments as determined by the State Controller. For purposes of this paragraph, the determination of "the number of persons residing in the areas" shall be based on the number of persons estimated by the State Controller to be residing in the areas as of July 1 preceding the allocations of funds to city police chiefs and county sheriffs.

Section 7 Section 32504 of the Revenue and Taxation Code is added to read as follows:

- (a) The amounts received by city police chiefs and county sheriffs pursuant to Section 32503 shall be expended by them for criminal law enforcement purposes only. However, the money shall not be used as substitute funds but rather shall supplement the total amount of money which would otherwise be provided from all other sources for criminal law enforcement purposes.
- (b) The Attorney General, the district attorney of an affected jurisdiction, or any person residing within an affected jurisdiction shall have standing to bring an action in superior court to enforce the provisions of this section and such party, if prevailing, shall be entitled to costs and reasonable attorney fees.
- (c) In any action filed pursuant to this section, it shall be rebuttably presumed that allocations made during any fiscal year pursuant to Section 32503, subdivision (c) are being used to substitute rather than supplement funds if, after excluding such allocations, the operating budget of the law enforcement agency of the challenged jurisdiction has not been increased for that fiscal year over the operating budget for the previous fiscal year by an amount sufficient to adjust for any increase in the cost-of-living or any increase in population, whichever is a greater amount. For purposes of this section, "cost-of-living" means the percentage of budgetary adjustment applied to state agencies generally to compensate for price increases from one fiscal year to the next as determined by the Director of the Department of Finance.
- (d) Any funds determined by a court to have been substituted shall be appropriated from the general fund of the challenged jurisdiction to the law enforcement agency of that jurisdiction to be expended for law enforcement purposes.

Section 8 No provision of Sections 3 through 7 of this measure may be changed except to further its purpose by a bill passed by a vote of two-thirds of the membership of both houses of the Legislature and signed by the Governor or by a vote of the people except that no decrease in the excise tax or the surcharge imposed by Sections 32151 and 32201 of the Revenue and Taxation Code shall be made except by a vote of the people.

Section 9 If any provision of this measure, or the application of any such provision to any person or circumstance, shall be held invalid, the remainder of this act, to the extent it can be given effect, shall not be affected thereby, and to this end the provisions of this measure are severable.

CIRCULATION INSTRUCTIONS

1. Use pen only!
2. Only registered voters may sign this petition.
3. All signatures will be invalid if the Declaration of Circulator is not signed.
4. All signers on a petition must be from the same county.
5. For further information or any questions, please telephone (415) 391-5520.
6. Return Petition to: Dimes Against Crimes, 225 Kearny St., #400, San Francisco, CA 94108-4524.

 **Dimes against Crimes**

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WARNING: California State Elections Code (sections: 41, 3516) states you must be a registered voter to sign this petition.

All signers of this petition must be registered in _____ County.		This column for official use only.
New Registration	1. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
New Registration	2. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
New Registration	3. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
New Registration	4. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
New Registration	5. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
New Registration	6. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
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New Registration	8. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
New Registration	9. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
New Registration	10. SIGNATURE AS REGISTERED _____ RESIDENCE ADDRESS _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	

DECLARATION OF CIRCULATOR (To be completed after above signatures have been obtained.)

I, _____, am registered to vote in the County (or City and County) of _____
(Print name)

My residence address is _____
(Address, city, state, zip)

I circulated this section of the petition. Each of the signatures on this petition was signed in my presence. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____
(Month, day, year) (Month, day, year)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at _____, CA on _____, 1987.
(City) (Month and day)

(Signature of circulator)



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