COURSE MATERIALS

Realignment 301: Fund Flows in Public Safety Realignment

Dorothy Thrush, Elizabeth Howard Espinosa, and Danielle Enriquez

CI 307b
1. Agenda

2. Realignment 301: Fund Flows in Public Safety Realignment – PowerPoint Presentation

3. Major Milestones: Over Four Decades of the State-Local Fiscal Relationship (LAO Chart)

4. Local Revenue Fund 2011 – State Structure

5. 2011 Realignment Revenue Estimates – Governor’s Proposed 2015-16 Budget (January 2015)

6. Local Innovation Subaccount – Department of Finance Memo

7. Purposes of Realignment – Penal Code Section 17.5 and 3450

8. Local Revenue Fund 2011 Distribution and Authorized Funding

**Supplemental Documents (Knowledge Center)**

9. Realignment Resource List

10. County by County Allocation Information/Links


12. Recommended AB 109 Distribution – 2014 and beyond – Briefing to CAOAC (September 2014)

• Introductions

• State Level View
  o Including “Base” and “Growth”

• County Level View
  o Key Issues and Budgeting, Forecasting

• Future Considerations
  o Lessons from Realignment, What's Next?

• Closing Comments
REALIGNMENT 301B:
FUND FLOWS IN PUBLIC SAFETY REALIGNMENT

March 5, 2015

Elizabeth Espinosa | Hurst Brooks Espinosa, LLC
Dorothy Thrush | County of San Diego
Danielle Enriquez | County of San Diego

Expectations for Today

• To increase understanding
• To provide resources
• To support decisions

DISCUSSION

5 minute small group discussion

→ Your learning goals
→ Your top 3 questions
Realignment 301b: Public Safety

Agenda

I. State Level View
   Including “Base” and “Growth”

II. County Level View
   Key Issues and Budgeting, Forecasting

III. Future Considerations
   Lessons from Realignment, What’s Next?

Major Policy & Funding Changes Prior to 2011

- 1991 Foster Care County Share
- 1953 Proposition 372
- 1997 Trial Court Funding
- 2007 and 2009 Juvenile Justice Realignment
- 2009 SB 878 - probation incentive funding
- 2009 Temporary change in funding source for certain LE programs

See Attachment #1
Realignment 301b: Public Safety

2011 Realignment for Law Enforcement

• Realigned source of funding
  • Juvenile Probation and Camps
  • Youthful Offender Block Grant and Juvenile Reentry Grant
  • Trial Court Security
  • Multiagency Juvenile Justice – JJCPA
  • COPS
  • Booking Fees
  • Rural/small county sheriff
  • Methamphetamine Enforcement Teams, High Tech Crime, SAFE
  Task Forces, Rural Crime Prevention, others

• Realigned responsibilities from the State to counties with a funding source
  • AB 109 – Community Corrections

How the Funds Flow to the Top Accounts

Sales Tax → Local Revenue Fund 2011 → VLF

Mental Health (1991 Responsibilities)
Fixed $ Amount

Social Services 65.5484%

Law Enforcement Services 34.4516%

Sales Tax Subaccounts

ELEA Subaccount

Proposition 30 - 2012

• Guarantees the equivalent of a calculated percentage of revenue for county services
  ➔ No guarantee of the amount of that revenue

• Protects counties from future programmatic changes

Beginning in 2016 – the Proposition 30 temporary sales tax increases begin to expire. What does that mean for counties?
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Key Facts – State Level Accounts

- Sales Tax revenues are transferred to the Mental Health Account first
- Sales Tax revenues provide a backfill if VLF falls short of the guaranteed level for the ELEA Subaccount
- “Base” amounts are targets, not guarantees for the Sales Tax accounts
- If revenues are sufficient - “Growth” funds are calculated after “Base” is achieved

State Structure

See Attachment #2

Law Enforcement Services Account

Local Revenue Fund 2011

- Trial Court Security Subaccount
- Juvenile Justice Subaccount
- Community Corrections Subaccount
- District Attorney and Public Defender Subaccount
- Youthful Offender Block Grant Special Account
- Juvenile Reentry Grant Special Account
- Enhancing Law Enforcement Activities Subaccount
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Enhancing Law Enforcement Activities

- Funded primarily by **Vehicle License Fees (VLF)**
- **Guaranteed funding** at the state level
  - Source of guarantee: Sales Tax Revenue
- Six program groups:
  - **DOF schedule based on population**: Citizens Options for Public Safety (COPS) and Multi-Agency Juvenile Justice Funds (JJCPA)
  - **Statutory allocation**: Rural and Small County Sheriffs, Rural Crime Prevention, Cal MMET and other former Cal EMA programs, and Juvenile Probation Funds
  - **DOF schedule based on occupied beds**: Juvenile Camps

Base Amounts Defined

- **Is a target** amount that must be achieved before funds can flow to a Growth Account
- **Is not** a minimum, not a guaranteed amount, not related to workload
- A “Rolling Base” is a Base amount that is adjusted each year by the amount received in the Growth Account in a previous year
- All funds received in a fiscal year flow to the “Base” requirement first

Find the Funds – State Controller’s Website

- Monthly and Annual Reconciliation of State Level Accounts
  - [http://www.sco.ca.gov/Files-ARD-Payments/Local_Revenue_2011_Recon_1314fy.pdf](http://www.sco.ca.gov/Files-ARD-Payments/Local_Revenue_2011_Recon_1314fy.pdf)
  - [http://www.sco.ca.gov/Files-ARD-Payments/Local_Revenue_2011_Recon_1415fy.pdf](http://www.sco.ca.gov/Files-ARD-Payments/Local_Revenue_2011_Recon_1415fy.pdf)

Example: Distribution of Growth

Trial Court Security – Orange County
- Sales Tax Growth – $278,811,529.67
  - ELEAS – $0
  - LES Growth Subaccount (35%) – $97,584,035.38
  - Trial Court Security GSA (10%) – $9,758,403.54
  - Orange County (8.6268%) – $841,837.96
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Fiscal Year 2013-14 Growth Amounts

**SALES TAX**
*Shown in millions*

<table>
<thead>
<tr>
<th>Support Services Growth Subaccount</th>
<th>Law Enforcement Services Growth Subaccount</th>
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<tbody>
<tr>
<td>$181,227 (65%)</td>
<td>$97,584 (35%)</td>
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<tr>
<td>Trial Court Security</td>
<td>$9,758 (10%)</td>
</tr>
<tr>
<td>Juvenile Justice</td>
<td>$9,758 (10%)</td>
</tr>
<tr>
<td>Community Corrections</td>
<td>$73,188 (75%)</td>
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<tr>
<td>District Attorney/Public Defender</td>
<td>$4,879 (6%)</td>
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Distributed to Counties in FY 2014-15

Fiscal Year 2013-14 Growth Amounts

**VEHICLE LICENSE FEES (VLF)**
*Shown in millions*

<table>
<thead>
<tr>
<th>Enhancing Law Enforcement Activities Growth Special Account</th>
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<tbody>
<tr>
<td>$24,639</td>
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<tr>
<td>Citizens Option for Public Safety (COPS)</td>
</tr>
<tr>
<td>Juvenile Justice Program</td>
</tr>
<tr>
<td>Juvenile Probation Activities</td>
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<tr>
<td>Juvenile Probation Camp Funding</td>
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</tbody>
</table>

Distributed to Counties in FY 2014-15

Governor’s Revenue Projections – Base and Growth

See Attachment #3
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- If the dedicated funding source is insufficient for ELEAS, what happens?
- Did ELEAS require Sales Tax Funds in FY 2013-14?
- What does the term “Base” mean in 2011 Realignment?
- What has to occur for Growth funds to be available?

Law Enforcement Accounts at the County Level

- Key Issues
- How County Allocations are Calculated
- Where to Find Information

For More Information
- See Handouts Titled Realignment Resource List and County by County Allocation Information/Links

How counties manage funds – Accounting Framework

- Legislative requirements
  - Create a County Local Revenue Fund 2011
  - Create the accounts, subaccounts, and special accounts in the County Local Revenue Fund 2011
- Optional – the Fund Type
  - Counties can use Trust Funds or Special Revenue Funds
- Objective – A Structure
  - To distinguish amounts by program and identify remaining unspent amounts
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What’s Next: The Local Innovation Subaccount

- Establish at the **Local Level in FY 16-17**
- Based on FY 15-16 State Growth amounts
- Transfer 10% of the moneys received from these State Growth Accounts to the Local Innovation Subaccount
  
  **Trial Court Security - Community Corrections - District Attorney & Public Defender - Juvenile Justice**

- Allowable Uses – By the Board of Supervisors – as would spend any funds in these accounts

See Attachment #4

What’s New – Legislative Changes

**FY 13-14 Session - AB 1468**

- Trial Court Security, Supplantation definitions
- Alternative Custody Programs, Juvenile Justice Data Workgroup
- Juvenile Reentry Grant / YOBG / ELEAS Updates

**FY 14-15 Trailer Bills Proposed**

- Trial Court Security
- ELEA growth

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**Trial Court Security**

**Account Characteristics:** A Rolling Base, No Reporting, Distribution Percentages in Statute, Same Percentage for Base and for Growth

**Key Issues:** New Facilities and Changes in Service Levels – Shift in Dynamics to the Local Level

**New State Courthouse Impact:** Appropriation in FY 14-15 Budget. 
Application to Department of Finance 3/1/15
Budgeting for Trial Court Security
San Diego Example

<table>
<thead>
<tr>
<th>Year to Year Change</th>
<th>Department of Finance Estimates</th>
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<tr>
<td></td>
<td>FY 12-13</td>
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<tr>
<td><strong>Statewide Amounts</strong></td>
<td></td>
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<tr>
<td>Subsequent Rolling Base</td>
<td>$466.4</td>
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<td>Special Growth Account</td>
<td>$13.6</td>
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<tr>
<td>Received at State Level</td>
<td>$508.0</td>
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<tr>
<td><strong>Base Restoration - Future Growth</strong></td>
<td>$0.0</td>
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<tr>
<td>Amounts Directed to Restoring the Base</td>
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**San Diego County**

<table>
<thead>
<tr>
<th></th>
<th>FY 12-13</th>
<th>FY 13-14</th>
<th>FY 14-15</th>
<th>FY 15-16</th>
<th>FY 16-17</th>
</tr>
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<tbody>
<tr>
<td>Subsequent Current Year Rolling Base</td>
<td>$36.3</td>
<td>$35.0</td>
<td>$36.1</td>
<td>$36.4</td>
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<tr>
<td>Growth Special Account Prior Year</td>
<td>$0.1</td>
<td>$0.7</td>
<td>$1.1</td>
<td>$0.0</td>
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<td>Total Received by County</td>
<td>$33.5</td>
<td>$35.1</td>
<td>$37.3</td>
<td>$36.4</td>
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<tr>
<td>Dollar Change</td>
<td>$3.6</td>
<td>$0.6</td>
<td>$1.6</td>
<td>($1.9)</td>
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**Juvenile Justice – YOBG**

- A Rolling Base
- Reporting to BSCC Required
- Per Statute and Plan Submitted to BSCC
- Annual shift in County Allocations
- Counties notified of Allocation After Start of the Fiscal Year
- Projecting the County Allocation

**Juvenile Justice – YOBG County Allocations**

- Department of Finance – 50% juvenile population – 50% juvenile felony dispositions – to determine a percentage share
- Posted by DOF in October
- Same Percentages as for Base Allocation

www.csacinstitute.org
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Juvenile Reentry Grant

Account
- A Rolling Base
- No Reporting Required

Use of Funds
- Juvenile Custody and Supervision

Key Issues
- Annual shift in County Allocations
- Counties notified of Allocation After Start of the Fiscal Year
- Projecting the County Allocation

Juvenile Reentry Grant County Allocations

Base Allocation
- Department of Finance schedule
- The formula includes an “amount per offender” as just one factor in determining county percentage shares
- Posted by DOF in October

Growth Allocation
- Same Percentages as for Base Allocation

Community Corrections – AB 109

Account
- Capped Allocation through FY 14-15
- This Account Receives the Majority of Growth Funds IF Growth is Available
- Rolling Base Beginning in FY 15-16
- Some Data reporting to CPOC and BSCC
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Community Corrections – AB 109

Use of Funds

• Implementation of Chapter 15, Statutes of 2011, Public Safety Services, Postrelease Community Supervision Act

Key Issues

• Counties Required to Manage within Statewide Resources Available
• Permanent Base Allocations in Place
• Interim Growth Allocations in Place
• Future Discussion on Permanent Growth Methodology

AB 109 County Allocations

Base Allocation [STATIC]

• Through FY 13-14, in statute
• FY 14-15 one-time approach ("drop" year)
• FY 15-16 forward – permanent allocation executed annually by Department of Finance schedule

Growth Allocation [DYNAMIC]

• Separate percentage allocation by county – Not the same as for the Base Allocation
• Varied approaches FY 12-13 to 14-15
• FY 15-16 approach in place for several years
• When permanent, growth will adjust individual county base % share.

AB 109 Allocations - State View (Accrual)

Shown in millions

<table>
<thead>
<tr>
<th></th>
<th>FY 11-12</th>
<th>FY 12-13</th>
<th>FY 13-14</th>
<th>FY 14-15</th>
<th>FY 15-16</th>
<th>FY 16-17</th>
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<tr>
<td>Base</td>
<td>$354.3</td>
<td>$929.6</td>
<td>$1,072.1</td>
<td>$1,061.8</td>
<td>$1,175.4</td>
<td>$1,061.7</td>
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<tr>
<td>Growth</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</table>

ESTIMATED
AB 109 Allocations - County View (Cash)

Shown in millions

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Base Allocation</th>
<th>Growth</th>
<th>Total</th>
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<tr>
<td>FY 11-12</td>
<td>$354.3</td>
<td>$842.9</td>
<td>$1,197.2</td>
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<td>FY 12-13</td>
<td>$842.9</td>
<td>$998.9</td>
<td>$1,841.8</td>
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<td>FY 13-14</td>
<td>$998.9</td>
<td>$634.1</td>
<td>$1,633.0</td>
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<td>FY 14-15</td>
<td>$1,007.3</td>
<td>$1,061.7</td>
<td>$2,068.0</td>
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<td>FY 15-16</td>
<td>$1,085.7</td>
<td>$1,189.4</td>
<td>$2,275.1</td>
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<td>FY 16-17</td>
<td>$1,107.7</td>
<td>$1,175.4</td>
<td>$2,282.1</td>
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</table>

ESTIMATED

AB 109 Allocations – State/County View

Shown in millions

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>State View</th>
<th>County View</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 11-12</td>
<td>$354.3</td>
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<tr>
<td>FY 16-17</td>
<td>$1,107.7</td>
<td>$1,175.4</td>
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</tbody>
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ESTIMATED

AB 109 Allocation Formulas

Base Allocation Formulas and Factors

FY 11/12 - 60/30/10
- 60% Offender ADP
- 30% Population (18-64)
- 10% SB 678 performance

FY 12/13 and 13/14 – Best of 3 Formulas*
- First Year Formula
- Population Ages 18-64
- Adjusted Projected ADP

*Guaranteed minimum: Year 1 dollar amount doubled
AB 109 Long Term Allocation Formula

*Base Funding Factors*

Guided by CAO Developed Key Principles

<table>
<thead>
<tr>
<th>Caseload 45%</th>
<th>Crime and Population 45%</th>
<th>Special Factors 10%</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Jail – 22.5%</td>
<td>• County Population – 22.5%</td>
<td>• Poverty – 10%</td>
</tr>
<tr>
<td>(1170 (ft) Sentences)</td>
<td>• Total Part 1 Crimes – 22.5%</td>
<td>• Small County Minimums</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Impacts of State Prisons</td>
</tr>
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* Percentages Approximate

AB 109 Allocation Formulas

**FY 14-15**

- *Base* – One-time Base Formula
- *Growth* – Modified Growth Formula. Does not affect Base allocations.

**FY 15-16**

- *Base* - County Base Shares are Set
- *Growth* – One Time Transition / Stabilization / Performance Formula. Does not affect Base allocations.

**FY 16-17**

- *Base* – Same county base shares
- *Growth* – Specified Performance Measures

AB 109 Performance Formula Factors – Growth Funds

- Probation Measures – 80%
  - SB 678 performance, Reduction in probation failure rate
- Incarceration Measures – 20%
  - Fewer second strikers to prison, Reduction in all felons to prison

**Upcoming**

- All growth amounts will be allocated using the Performance Formula, beginning in FY 15-16
- Once permanent growth methodology determined, growth amounts will adjust the base
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Criminal Justice Changes

PROPOSITION 47
The Safe Neighborhoods & Schools Act

Voting Day: Nov 4th

How Proposition 47 Will Affect California’s Prison Population

Population of inmates changes since 2010

<table>
<thead>
<tr>
<th>Dangerous Drugs</th>
<th>Other Non-Dangerous Drugs</th>
<th>Total population</th>
<th>Total changes filed</th>
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<tbody>
<tr>
<td>20%</td>
<td>80%</td>
<td>100%</td>
<td>100%</td>
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ACTIVITY

Community Corrections – AB 109

Funding and Policy: Strategies and Challenges

Proposition 172 Sales Tax

Over 10 years, Up 20%

Down 17%
Realignment 301b: Public Safety

Preparing for Economic Fluctuation

Developing Revenue Projections

- Department of Finance
- Legislative Analyst

Preparing for Economic Fluctuation

- Reserve Accounts
- Flexible Program Structures
- Use of Growth
- Funding Priorities
- Other Actions?

Lessons from Health and Social Services Realignment

- Economic Fluctuations – Years in Which the Base was not Achieved
- Continues to Expand and Change
- Complex Formulas
- Transferability
- Certain Realignment shifts can be undone (AB 85) – but why is 2011 Realignment different?
Areas of Possible Change

- Reporting Requirements
- Statutory Allocations Replace Calculated Allocations
- Technical Adjustments
- Other ideas?
  - Commitment to making realignment work

WRAP UP

→ Questions remaining
→ Follow up needed
→ Create your action items

Contact Information for Presenters

Elizabeth Howard Espinosa
Hurst Brooks Espinosa, LLC
(916) 272-0012
ehe@hbeadvocacy.com

Dorothy Thrush
County of San Diego
(619) 531-4599
Dorothy.Thrush@sdcounty.ca.gov

Danielle Enriquez
County of San Diego
(619) 531-4521
Danielle.Enriquez@sdcounty.ca.gov
## 2011 Realignment Estimate

<table>
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<tr>
<th></th>
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<tr>
<td><strong>Law Enforcement Services</strong></td>
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<tr>
<td>Trial Court Security Subaccount</td>
<td>$2,124.3</td>
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<td>9.8</td>
<td>518.1</td>
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<td>Enhancing Law Enforcement Activities Subaccount 1</td>
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<td>Community Corrections Subaccount 2</td>
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<td>954.1</td>
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<td>District Attorney and Public Defender Subaccount 2</td>
<td>110.4</td>
<td>9.8</td>
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<td>17.0</td>
<td>137.4</td>
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<td>Juvenile Justice Subaccount</td>
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<td>(9.3)</td>
<td>(113.8)</td>
<td>(16.1)</td>
<td>(129.9)</td>
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<td>Youthful Offender Block Grant Special Account</td>
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<td><strong>Support Services</strong></td>
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<td>Women and Children's Residential Treatment Services</td>
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<td>-</td>
<td>(5.1)</td>
<td>-</td>
<td>(5.1)</td>
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<td><strong>Growth, Support Services</strong></td>
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<td>181.1</td>
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<td>281.8</td>
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<td>$6,743.3</td>
<td>$7,181.0</td>
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<td>$7,181.0</td>
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<td>1.0625% Sales Tax</td>
<td>5,863.1</td>
<td>6,217.2</td>
<td>6,634.9</td>
<td>6,634.9</td>
<td>6,634.9</td>
<td>6,634.9</td>
</tr>
<tr>
<td>Motor Vehicle License Fee</td>
<td>514.5</td>
<td>526.1</td>
<td>546.1</td>
<td>546.1</td>
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<td>546.1</td>
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<td><strong>Revenue Total</strong></td>
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<td>$7,181.0</td>
<td>$7,181.0</td>
<td>$7,181.0</td>
<td>$7,181.0</td>
</tr>
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</table>

This chart reflects estimates of the 2011 Realignment subaccount and growth allocations based on current revenue forecasts and in accordance with the formulas outlined in Chapter 40, Statutes of 2012 (SB 1020).

1 Allocation is capped at $489.9 million. 2013-14 growth will not add to subsequent fiscal year's subaccount base allocations.

2 2013-14 and 2014-15 growth is not added to subsequent fiscal year's subaccount base allocations.

3 Growth does not add to base.

4 The Early and Periodic Screening, Diagnosis, and Treatment and Drug Medi-Cal programs within the Behavioral Health Subaccount do not yet have a permanent base.
February 18, 2014

Matt Cate, Executive Director  
California State Association of Counties  
1100 K Street, Suite 101  
Sacramento, CA 95814

Supervisor Vito Chiesa, President  
California State Association of Counties  
1010 10th Street, Suite 6500  
Modesto, CA 95354

Dear Mr. Cate and Supervisor Chiesa:

This letter is intended to provide clarification on the purpose and establishment of the Local Innovation Subaccount. This subaccount is a feature of 2011 Public Safety Realignment and exists only at the local level. It was created to promote local innovation and county-decision making with respect to specified law enforcement activities realigned in 2011.

As directed in statute, the local subaccount is funded with 10 percent of four existing realignment-related growth special accounts (Trial Court Security, Community Corrections, District Attorney and Public Defender, and Juvenile Justice) beginning with growth attributed to 2015-16 revenues. Each county must calculate and transfer 10 percent of funds received in the specified growth accounts and place them in its local innovation account.

Each Board of Supervisors determines expenditure priorities for the Local Innovation Subaccount. Any activity that is otherwise consistent with the subaccounts or growth special accounts that fund the innovation subaccount may be funded through the Local Innovation Subaccount.

The requirement to transfer funds to support the Local Innovation Subaccount is established in Government Code section 30029.07. This section directs the transfer of growth revenues, which are the funds available after the base for each of the subaccounts within 2011 Public Safety Realignment is satisfied. Growth can only be calculated after the realignment fiscal year closes (August 15 of each year), meaning that final growth amounts are identified and distributed in the fiscal year following the one to which they are attributable. Therefore, it is the position of the Department of Finance that with respect to the Local Innovation Subaccount, counties would be able to make related spending decisions beginning with growth attributable to the 2015-16 year, which will be allocated in Fall 2016 (during the 2016-17 fiscal year).

The Local Innovation Subaccount can be established at any time, so long as it exists prior to the first funding of the account in 2016-17 from 2015-16 growth funds.

Please contact me at (916) 445-4141 if you have any questions.

Sincerely,

Diane M. Cummins
Special Advisor to the Governor

cc: On following page
cc: Sheriff Adam Christianson, President, California State Sheriffs' Association
Mr. Mark Varela, President, Chief Probation Officers of California
Mr. Mark Zahner, Chief Executive Officer, California District Attorneys Association
Mr. Michael Cantrall, Executive Director, California Public Defenders Association
Mr. Nick Warner, Policy Director, California State Sheriffs' Association
Ms. Karen Pank, Executive Director, Chief Probation Officers of California
Ms. Darby Kernan, Legislative Representative, California State Association of Counties
**Purposes of Realignment**  
**Penal Code Section 17.5 and 3450**

**Penal Code §17.5 [AB 109 – Chapter 15, Statutes 2011]**

17.5. (a) The Legislature finds and declares all of the following:

1. The Legislature reaffirms its commitment to reducing recidivism among criminal offenders.
2. Despite the dramatic increase in corrections spending over the past two decades, national reincarceration rates for people released from prison remain unchanged or have worsened. National data show that about 40 percent of released individuals are reincarcerated within three years. In California, the recidivism rate for persons who have served time in prison is even greater than the national average.
3. Criminal justice policies that rely on building and operating more prisons to address community safety concerns are not sustainable, and will not result in improved public safety.
4. California must reinvest its criminal justice resources to support community-based corrections programs and evidence-based practices that will achieve improved public safety returns on this state’s substantial investment in its criminal justice system.
5. Realigning low-level felony offenders who do not have prior convictions for serious, violent, or sex offenses to locally run community-based corrections programs, which are strengthened through community-based punishment, evidence-based practices, improved supervision strategies, and enhanced secured capacity, will improve public safety outcomes among adult felons and facilitate their reintegration back into society.
6. Community-based corrections programs require a partnership between local public safety entities and the county to provide and expand the use of community-based punishment for low-level offender populations. Each county’s Local Community Corrections Partnership, as established in paragraph (2) of subdivision (b) of Section 1230, should play a critical role in developing programs and ensuring appropriate outcomes for low-level offenders.
7. Fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county. "Justice reinvestment" is a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety. The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost-effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable.
8. "Community-based punishment" means correctional sanctions and programming encompassing a range of custodial and noncustodial responses to criminal or noncompliant offender activity. Community-based punishment may be provided by local public safety entities directly or through community-based public or private correctional service providers, and include, but are not limited to, the following:
   (A) Short-term flash incarceration in jail for a period of not more than 10 days.
   (B) Intensive community supervision.
   (C) Home detention with electronic monitoring or GPS monitoring.
   (D) Mandatory community service.
   (E) Restorative justice programs such as mandatory victim restitution and victim-offender reconciliation.
(F) Work, training, or education in a furlough program pursuant to Section 1208.
(G) Work, in lieu of confinement, in a work release program pursuant to Section 4024.2.
(H) Day reporting.
(I) Mandatory residential or nonresidential substance abuse treatment programs.
(J) Mandatory random drug testing.
(K) Mother-infant care programs.
(L) Community-based residential programs offering structure, supervision, drug treatment, alcohol treatment, literacy programming, employment counseling, psychological counseling, mental health treatment, or any combination of these and other interventions.

(9) "Evidence-based practices" refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or post release supervision.

(b) The provisions of this act are not intended to alleviate state prison overcrowding.

**Penal Code §3450 [SB 678 – Chapter 608, Statutes of 2009]**

3450. (a) This act shall be known and may be cited as the Postrelease Community Supervision Act of 2011.

(b) The Legislature finds and declares all of the following:

1. The Legislature reaffirms its commitment to reducing recidivism among criminal offenders.
2. Despite the dramatic increase in corrections spending over the past two decades, national reincarceration rates for people released from prison remain unchanged or have worsened. National data show that about 40 percent of released individuals are reincarcerated within three years. In California, the recidivism rate for persons who have served time in prison is even greater than the national average.
3. Criminal justice policies that rely on the reincarceration of parolees for technical violations do not result in improved public safety.
4. California must reinvest its criminal justice resources to support community corrections programs and evidence-based practices that will achieve improved public safety returns on this state's substantial investment in its criminal justice system.
5. Realigning the postrelease supervision of certain felons reentering the community after serving a prison term to local community corrections programs, which are strengthened through community-based punishment, evidence-based practices, and improved supervision strategies, will improve public safety outcomes among adult felon parolees and will facilitate their successful reintegration back into society.
6. Community corrections programs require a partnership between local public safety entities and the county to provide and expand the use of community-based punishment for offenders paroled from state prison. Each county's local Community Corrections Partnership, as established in paragraph (2) of subdivision (b) of Section 1230, should play a critical role in developing programs and ensuring appropriate outcomes for persons subject to postrelease community supervision.
7. Fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county. "Justice reinvestment" is a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety. The purpose of justice reinvestment is to manage and allocate criminal
justice populations more cost effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable.

(8) "Community-based punishment" means evidence-based correctional sanctions and programming encompassing a range of custodial and noncustodial responses to criminal or noncompliant offender activity. Intermediate sanctions may be provided by local public safety entities directly or through public or private correctional service providers and include, but are not limited to, the following:

(A) Short-term "flash" incarceration in jail for a period of not more than 10 days.
(B) Intensive community supervision.
(C) Home detention with electronic monitoring or GPS monitoring.
(D) Mandatory community service.
(E) Restorative justice programs, such as mandatory victim restitution and victim-offender reconciliation.
(F) Work, training, or education in a furlough program pursuant to Section 1208.
(G) Work, in lieu of confinement, in a work release program pursuant to Section 4024.2.
(H) Day reporting.
(I) Mandatory residential or nonresidential substance abuse treatment programs.
(J) Mandatory random drug testing.
(K) Mother-infant care programs.
(L) Community-based residential programs offering structure, supervision, drug treatment, alcohol treatment, literacy programming, employment counseling, psychological counseling, mental health treatment, or any combination of these and other interventions.

(9) "Evidence-based practices" refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or postrelease supervision.
ABOUT THE CSAC INSTITUTE

The California State Association of Counties (CSAC) is the voice of California’s 58 counties at the state and federal level. The Association’s long-term objective is to significantly improve the fiscal health of all California counties – from Alpine County with a little more than 1,200 people to Los Angeles County with more than 10 million – so they can adequately meet the demand for vital public programs and services. CSAC also places a strong emphasis on educating the public about the value and need for county programs and services.

The CSAC Institute for Excellence in County Government is a professional, practical continuing education program for county officials. The experience is designed to expand the capacity and capability of county elected officials and senior executives to provide extraordinary services to their communities. The Institute is a program of CSAC and was established in 2008 with the first courses offered in early 2009.

For more information please visit www.csacinstitute.org.