



March 18, 2014

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The Honorable Edmund G. Brown, Jr.  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

**RE: CSAC Support for 2014-15 Public Safety Budget Proposals**

Dear Governor Brown:

On behalf of the California State Association of Counties (CSAC), I write to thank you and affirm our support for the additional investments your proposed 2014-15 budget makes in supporting counties' effort to successfully manage new criminal justice responsibilities at the local level. Taken together, the elements highlighted below demonstrate your administration's ongoing and steadfast commitment to the vast and historic public safety reforms in 2011.

Some 30 months into the implementation of realignment, counties are drawing from their experiences to best and most efficiently manage the new housing, supervision, and treatment responsibilities associated with AB 109. Although not without its challenges, realignment has given counties the opportunity to demonstrate both innovation and resilience in adapting to the broad new swath of local responsibilities. Indeed, your budget narrative calls out several examples of county innovation; similarly, we have posted a video series<sup>1</sup> that highlights thoughtful, evidence-based county interventions aimed at simultaneously improving offender outcomes and enhancing public safety in our communities. Our collective focus remains one of improving the reintegration of those exiting state prison or county jail into our communities and reversing the cycle of reoffending – meaning fewer victims, enhanced public safety, and reduced recidivism. At the same time, we are mindful of the fact that counties will experience a one-year reduction in the AB 109 statewide funding level in 2014-15 associated with the state's population modeling. That model projected a drop of the post-release community supervision population that may not materialize to the degree anticipated. We look forward to engaging in further discussions with you about ways to mitigate this temporary funding gap.

**Additional local capacity investment** – We greatly appreciate the additional \$500 million investment in state lease revenue bonds for local facility construction, modeled after the SB 1022 (2012) construction program. Priority would be given to counties that can document use of a risk assessment to make pre-trial release decisions; a 10% local match would also be required, as it was under SB 1022. CSAC views this critical investment as part of the foundation building needed to ensure counties can be successful with the AB 109 population over the long-term. Most county jails – except for the most recently constructed – were designed for short stays and do not offer space for programming, medical or behavioral health treatment, visitation, or exercise needed to safely and compassionately manage local jail populations. Counties' sustained success is tied directly to our ability to design new and better beds that recognize the changed environment in a

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<sup>1</sup><http://www.csac.counties.org/smart-justice-california-counties>

post-realignment world and that facilitate smooth reintegration of the offender population back into the community. Significant local needs remain in building capacity to manage new population responsibilities.

**Split sentence presumption** – We support the budget proposal to require that county felony jail sentences be “split” (meaning an offender is sentenced to a period of custody in jail followed by mandatory supervision in the community), unless the court makes a finding that a straight sentence is more appropriate. Current split sentence rates vary greatly among counties. CSAC agrees that the use of the split sentence option can be an effective tool to reduce jail population pressures and as a means to help reduce recidivism through structured supervision and appropriate programming in the community. The presumption still permits a judge to pursue a straight sentence if that option seems to better fit the circumstances of a particular case.

**Cap on long-term jail sentences** – One of the broadly shared concerns about AB 109 implementation is not only the possibility but the reality of lengthy AB 109 jail sentences; some counties are managing jail terms of as long as 10, 20, even 40 years. As discussed earlier, the county jail system was not constructed with long-term stays in mind. Most facilities do not offer either the space or staffing for programming and supports to appropriately serve long-term offenders in county jail. We very much appreciate your proposal to establish a “bright line” maximum jail term for 1170(h) offenders, with those sentenced to more than 10 years serving the time in state prison. We think this is a reasonable proposal that recognizes the negative implications both for counties and the inmates behind the long sentence.

**Reduced fire camp rate** – The proposed budget also formalizes your Administration's earlier proposal to offer a more attractive fire camp rate. Previously, the state had proposed a \$46.19 rate and, under this construct, three counties entered into a contract to send local offenders to fire camps. The budget proposal would have counties pay an \$81 daily rate for the period of time local inmates are in training, with the rate dropping to \$10 per day while the inmate serves on a fire crew. This revised rate structure should make fire camps more financially attractive and interesting for counties and offers another tool to manage local jail populations, with significant benefits to the communities in which the fire camp crews serve.

**Increased SB 678 funds** – We thank your Administration for your support in revising the SB 678 funding methodology in a way that recognizes the importance of these front-end efforts that are contributing to positive local probation efforts. Under the January budget proposal, counties would receive an expected \$128 million in continued community correction program funding under the SB 678 allocation methodology revised pursuant to SB 105 (2013). CSAC continues to be a strong proponent of the SB 678 model, which incentivizes solid, evidence-based programming that can help the state in reducing prison population pressures while producing improved public safety outcomes locally.

**Community Reentry** – The proposal to invest \$40 million from the recidivism reduction fund into community reentry initiatives also is positive. We look forward to working with your Administration and the Legislature to explore the potential an array of models that could be supported and ways in which counties and the state can partner to strengthen local reentry efforts.

**CCP Planning Grants** – Finally, we are grateful that the budget proposes an additional one-year appropriation to fund grants that support the work of local Community Correction Partnerships (CCPs) in their AB 109 implementation efforts. As in previous years, counties would receive a fixed amount. This investment is vital to supporting the work of the CCPs and has given the local planning bodies the ability to engage in independent research, do gap analyses, support travel to visit other sites or gain other practical and education experience with community correction practices.

CSAC strongly values the partnership we've developed with your administration as we've worked together to craft and support long-term solutions that ensure system stability and maximize opportunities for successful community corrections implementation. That being said, CSAC – along with our justice system partners – will continue to use our firsthand experience on the frontlines of realignment implementation to advocate for system improvements and additional support that will ensure counties maintain their ability to build and deploy a robust and durable criminal justice continuum throughout the state. Maximizing criminal system opportunities in the context of ACA implementation, assessing unanticipated court security impacts from new courthouse construction, avoiding costly litigation that hinders ongoing implementation efforts, and designing balanced system incentives that ensure offenders receive the best and most economical placement to address their criminogenic needs are just a few of the items we look forward to discussing with you as the budget negotiations move forward.

Respectfully,



Matthew L. Cate  
Executive Director

cc: The Honorable Mark Leno, Chair, Senate Budget Fiscal and Review Committee  
The Honorable Nancy Skinner, Chair, Assembly Budget Committee  
Members and Staff, Senate Budget Fiscal and Review Committee  
Members and Staff, Assembly Budget Committee