



November 23, 2011

Tale of Two States

California counties remain concerned about the nature and funding of the 2011 Realignment, particularly the public safety portion. While the Community Corrections Partnerships around the state have been developing plans to implement AB 109, a lot of details remain to be worked out and counties are concerned that the funding devoted to realignment may not be sufficient. In addition, although \$6 billion is continually appropriated to realignment, a constitutional guarantee of the funding and protection of the programs is critical to the long term success of realignment.

Now, let's juxtapose that with what is happening right next door in Arizona. On the last night of the Legislative Session, buried in an appropriation bill, the state shifted responsibility for housing felons sentenced to one year or less to counties. No funding was provided to counties, although the state scored a \$60 million savings against the transfer. Currently in Arizona, if you are convicted of a felony, you go to state prison. County jails house misdemeanants and provide little to no programs. Here is what one newspaper said about the impacts in the state's second largest county, Pima County (Tucson):

The state's transfer of hundreds of convicted felons to the county jail could cost Pima County taxpayers an extra \$6 million, over and above what it would cost to simply leave them in prison.

The Legislature, in order to cut its own budget, passed a law last session requiring criminals sentenced to less than a year to serve their time in their respective county jails. For the estimated 500 Pima County inmates a year who would be affected, the state would save about \$3 million.

But because of differences in how prisons and jails operate and the different inmate populations they serve, it is projected to cost Pima County \$5 million to \$7 million to keep those same prisoners.

On top of that, state law prohibits county jails from giving inmates time off for good behavior as prisons can, which means everyone spends more time behind bars at additional county taxpayer expense.

The state has offered to keep the prisoners if the counties will pay for them, but it has offered no guarantee the price won't go up. County sheriffs have until June 30, 2012, to make a decision which way they are going to go.

Not only will those in Arizona who are convicted and serving one year or less do their time in county jail, but those felons currently in state prison with one year or less to serve on their sentences will be bused to county jails on July 1, 2012. Arizona counties rightfully are concerned about the costs of incarceration but they are also concerned that they are being set up for a phalanx of law suits over jail conditions and lack of health facilities and program opportunities for inmates - facilities they do not currently have.

Last week I was invited to speak at the Arizona Association of Counties annual meeting. Obviously, county supervisors and staff in Arizona are extremely concerned about this development. As troubled as we are in California about realignment, I could not help but feel a little good that we are not in the shoes of Arizona counties.

See you in San Francisco.

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