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California Counties Keep Pressure on Department of Justice to Reverse Recent SCAAP Policy Change

As counties are well aware, earlier this year the Bureau of Justice Assistance (BJA) announced a reimbursement policy change to the State Criminal Alien Assistance Program (SCAAP), discontinuing its practice to reimburse state and local jurisdictions for offenders of "unknown" immigration status. This policy change disproportionately affects counties due in part to the fact that we typically keep offenders for much shorter periods of time than states, making it difficult to determine an offender's immigration status.

Our federal advocates at Waterman & Associates have been working tirelessly over the last several weeks along with members of our California delegation - led by Representative Mike Honda (D-CA) - to get the BJA and its umbrella agency, the Department of Justice - to reverse this decision. It is our understanding that this decision was not a policy change implemented after a vetting through Congress, but a unilateral change of the Obama Administration described as an effort to maximize the distribution of limited SCAAP funds to jurisdictions that have confirmed the status of undocumented criminals detained in their correctional facilities. While this objective may be worthy, it penalizes counties as we rely on the federal government to help determine an offender's immigration status. Because federal authorities are unable to determine the immigration status of many suspected undocumented offenders at the local level, a significant number of inmates in county facilities are classified as unknown. If the BJA's new reimbursement criteria had been in place for the 2010 application period, California's counties would have seen their SCAAP awards drop from \$40.8 million down to \$21.8 million, a cut of over 46 percent.

On June 22, CSAC issued a [press release](#) recognizing the bipartisan advocacy efforts of Representatives Honda and John Carter (R-TX) to encourage the DOJ - specifically Attorney General Eric Holder - to reverse its SCAAP policy decision. CSAC would like to thank Representatives Honda and Carter - along with the many California members who signed on to their letter - for their efforts. Further, CSAC and our federal advocates have made this one of our top priorities and partnered with NACo to put further pressure on DOJ to reverse its decision. CSAC appreciates the vigorous efforts of Waterman & Associates to represent California counties on our behalf in Washington DC; we all recognize the serious impacts this policy change will have on California counties, which is particularly problematic as counties work to implement the 2011 criminal justice realignment. Counties cannot afford any reduction in correctional funding from the state or federal level. Counties are encouraged to

contact their congressional representatives to inform them of the serious impacts this policy change will have on their jurisdictions.

To learn more about recent lobbying efforts on this issue, please see CSAC's federal advocacy webpage found [here](#).

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