



**CALIFORNIA PUBLIC SAFETY
REALIGNMENT IN SANTA CLARA
AND SAN MATEO COUNTIES**

Overview

- California's criminal justice system before Realignment
- What is Realignment?
- How have Santa Clara and San Mateo Counties responded?
- What can I do to influence Realignment implementation in my county?
- Questions and Comments

California: Before Realignment

- State Prison (felony) vs County Jail (misdemeanor)
- State prison population
 - Design capacity: 79,858 persons
 - Actual population
 - 1975: 20,028
 - 1991: 98,515
 - 1997: 152,225
 - 2001: 155,037
 - 2008: 171,161
 - *Brown v. Plata* (2011)
 - Unconstitutional conditions can't be remedied without prison population reduction order
 - 137.5 design capacity target by June 27, 2013

California: Before Realignment

- State spending on prisons
 - 1989-90: \$2.5 billion
 - 2000-01: \$4.2 billion
 - 2010-11: \$9.3 billion
- Recidivism rate: annual return rate
 - 1977: 16%
 - 1985: 54%
 - 1990: 85%
 - 2000: 61%
 - Today: 67.5% (U.S. is 60%)

What is Realignment?

- Assembly Bill 109 enacted April 2011, implementation beginning October 2011
- AB 109 “realigned” or shifted a subset of felony conviction population from state (CDCR) to local (county) responsibility
- Created county jail felonies: 1170(h) offenses or non-non-nons
 - Created split-sentences
- Created post-release community supervision (PRCS)

What is Realignment?

- Why the shift?
 - reduce recidivism (Cal. Penal Code § 17.5.)
 - How: employ community-based corrections programs that are “evidence-based”
 - **Not** to alleviate state prison overcrowding (Cal. Penal Code § 17.5(b).)
- Role of Community Corrections Partnership (CCP)

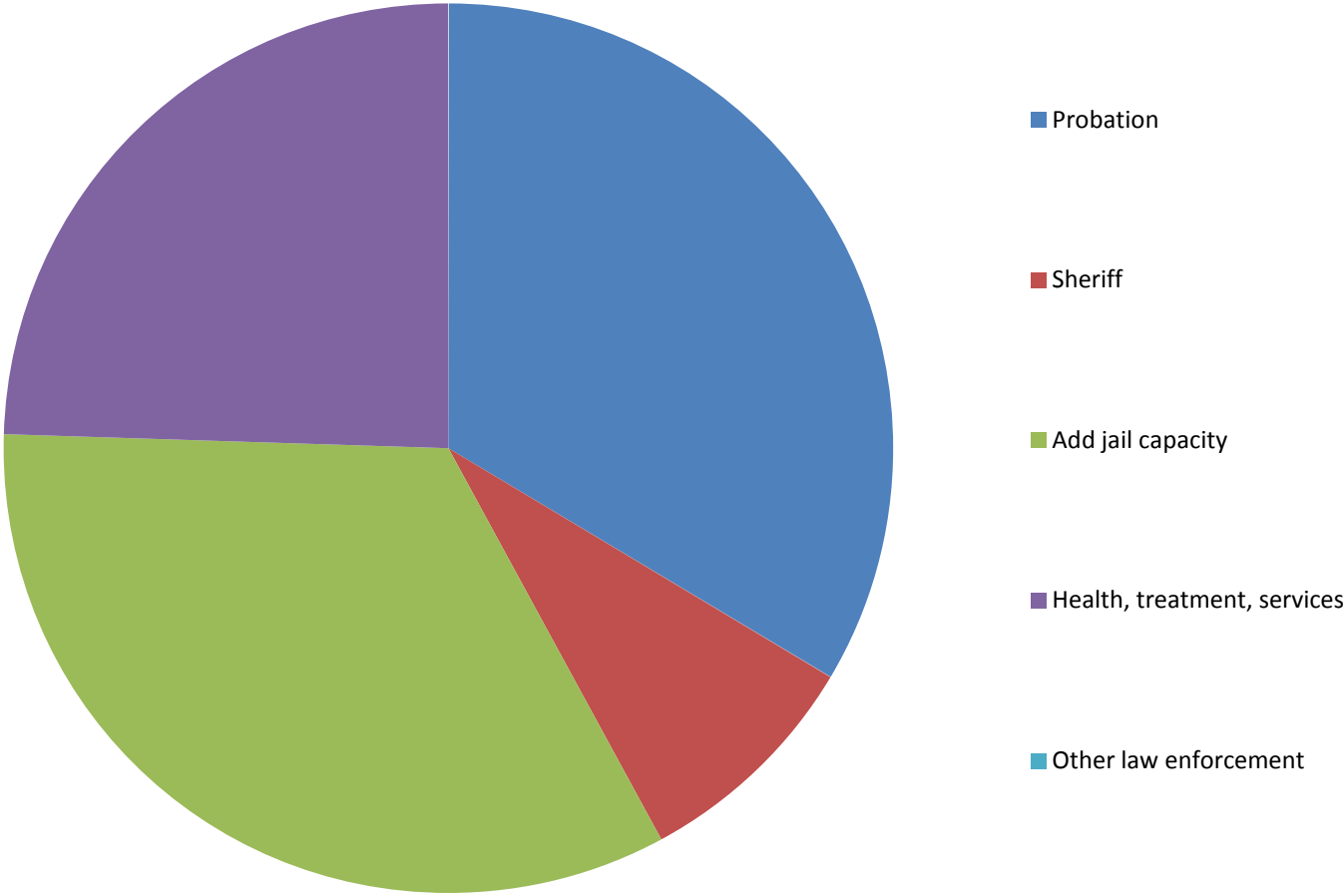
What is Realignment?

- Funding Formula
 - FY 2011-12: \$354.3 million
 - 60% ADP
 - 30% adult population
 - 10% SB 678 success rate
 - Plus adjustments for outliers
 - Examples
 - Santa Clara: 3.5468%
 - San Mateo: 1.1919%
 - FY 2012-13: \$842.9 million
 - FY 2013-14: \$998.9 million
 - [CSAC recommendation](#)
 - Base (2*Year 1)
 - Los Angeles: status quo
 - Other counties: choose best from Population, Status Quo, or Adjusted ADP

Santa Clara County

- Jail expansion
 - Spending Plan: \$4,986,097 for the costs of additional jail beds
 - On January 10, 2012, the Santa Clara Board of Supervisors decided not to apply for AB 900 Phase 2 funding.
- Pretrial release: 71% unsentenced in jail
 - CAIS risk/needs assessment tool
 - Feb. 17, 2012 audit of pretrial release program
- ICE detainers: Oct. 18, 2011, amendment to Policy 3.54 re Civil Immigration Detainer requests
- Alternatives to incarceration for sentenced individuals

Santa Clara County: funding



Santa Clara County: funding

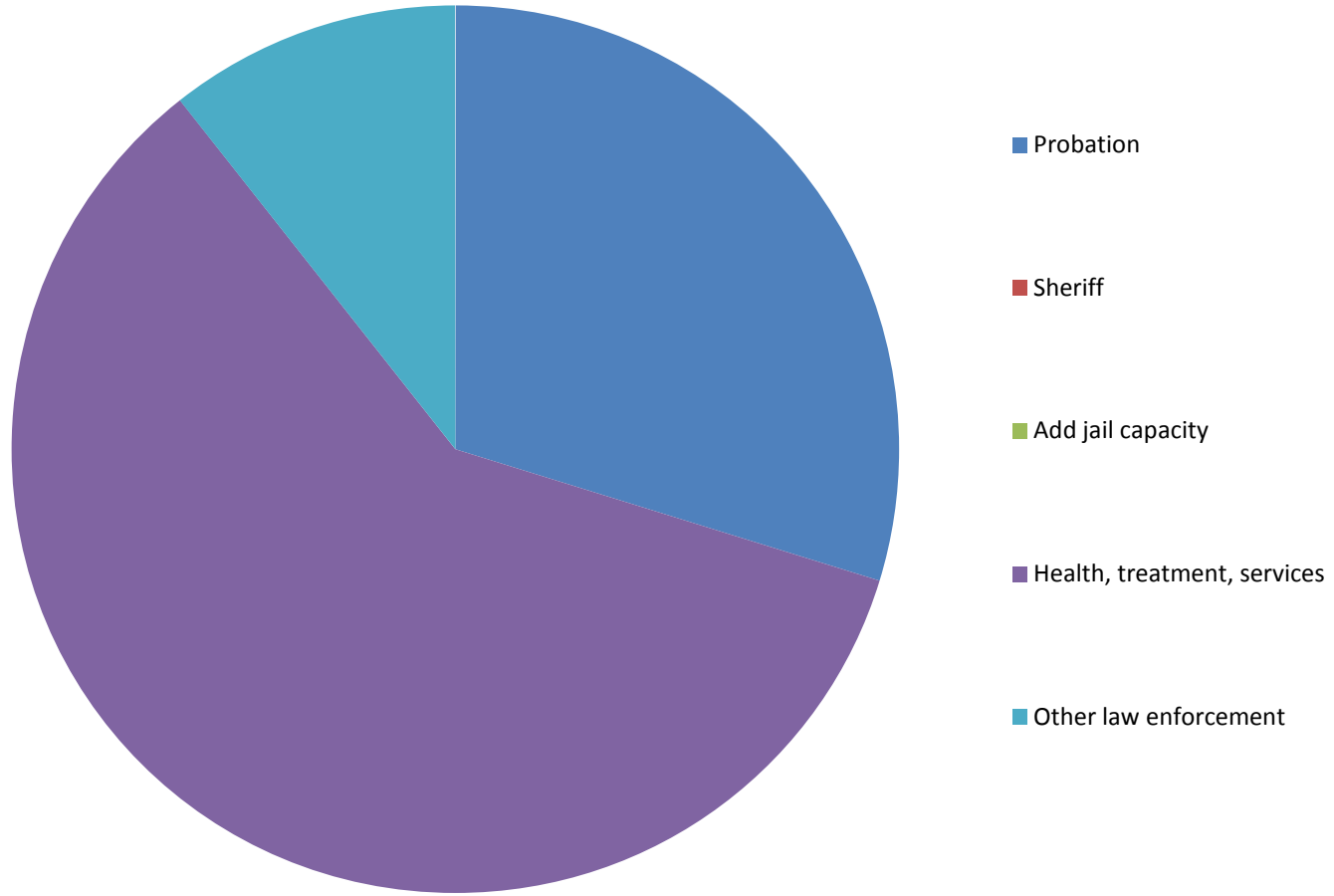
Total:	\$12,566,312	
Probation:	\$5,008,421	(40%)
Sheriff:	\$1,265,469	(10%)
Add jail capacity:	\$4,986,097	(40%)
Health, treatment, services:	\$3,653,077	(29%)
Other law enforcement:	\$0	(0%)

- Percentage total exceeds 100% because Board of Supervisors budgeted a reserve of \$2.7 million to allow county to remain flexible
 - Use AB 678 Probation funding
 - From non-Realignment money
 - \$853,076 for Mental Health

San Mateo County

- Jail expansion
 - county's draft plan indicates that for FY 2012-13, the Sheriff's Office is requesting \$3,195,979 to reopen the Medium Security Facility (MSF) in December 2012 at full capacity of 116 inmates.
 - Alternatives to AB 900 funding
- Pretrial release: 71% unsentenced in jail
 - interested but not committed
- Alternatives to incarceration for sentenced individuals: Sheriff's Office intends to assess sentenced individuals for their eligibility to be placed in alternative custodial programs, such as Work Release and electronic monitoring

San Mateo County: funding



San Mateo County: funding

- **Total** **\$4,222,902**
- **Probation:** **\$1,163,378** (28%)
- **Sheriff:** **\$0** (0%)
- **Add jail capacity:** **\$0** (0%)
- **Health & services:** **\$2,385,502** (58%)
- **Other law enforcement:** **\$417,545** (10%)

Influencing Realignment in Your County

- Stop unnecessary jail expansion
- Advocate for pretrial release programs based on validated risk assessment tools

Questions and Comments