

UNSEEN BILLIONS

Every year, California makes a massive investment in jails and probation, with little county transparency or state oversight

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Introduction

In 2011, Governor Jerry Brown signed into law California Assembly Bill (AB) 109: the Public Safety Realignment Act. This bill significantly changed California's criminal justice system as it allowed individuals with low-level offenses to be sentenced to county jail or placed on county probation instead of state prison and parole. The goal was to cut costs, reduce recidivism, and, above all, address inhumane and unconstitutional state prison overcrowding, which was claiming the lives of one imprisoned person every week (Brown v. Plata, 2011). To achieve this, the state began compensating counties for managing non-violent, non-serious, and non-sex-related cases at the local level. To support implementation, the state allocated a portion of the sales tax to a Local Revenue Fund through which a number of large grant programs would flow. In Fiscal Year 2022-23, the state disbursed more than \$8 billion through this fund, with \$2 billion of this amount—the equivalent of more than 1% of California's state budget—given to counties for AB 109 programs (Controller, 2024).

This paper examines AB 109 funding, including how counties report data, the amount given to law enforcement, and strategies for boosting oversight of this critical funding stream. We conclude that AB 109 reporting is unsystematic, allowing critical planning and spending decisions to go unscrutinized. For example, ambiguous reporting makes it difficult to analyze how much funding is allocated to various law enforcement programs, behavioral health services, or community-based options. In the same vein, we highlight counties with the most inconsistent reports and raise concerns around roll-over funds and allocations to for-profit corporations. We also offer examples of grant programs with more transparent reporting, which can serve as models for AB 109. Finally, we provide recommendations to ensure all AB 109 funds are serving the public interest.

Our examination of AB 109 funding finds:

- County plans are cursory, offering little information about how funds are being spent.
- Counties report spending data inconsistently, making it difficult to track budgets over time or to compare across counties.
- The state asks far less of counties when implementing AB 109 than it does for other, much smaller, funding programs.
- Absent oversight and accountability, counties may mismanage AB 109 funds.
- Law enforcement agencies receive the vast majority of AB 109 funds despite significant declines in jail and probation populations.

Haphazard Reporting

Each year, California funnels more than \$2 billion into AB 109 grants to support county implementation of Public Safety Realignment. This constitutes one of the largest state-level criminal justice disbursements in the nation. Despite the size of the grants, which top \$500 million in Los Angeles County alone, many counties report incomplete or haphazard information about how funds are spent.

● Some county plans contain few details

While counties are encouraged to submit an annual plan to the Board of State and Community Corrections (BSCC), there are few reporting guidelines. Some annual plans break down spending by county department and non-county entity (e.g., sheriff, behavioral health, community-based organizations, probation), and others simply list programs or provide a cursory description of each department's goals. In FY 2022-23, 17 of California's 58 counties did not provide a comprehensible breakdown of how AB 109 funds were spent.¹ Moreover, many counties simply recycle their annual plans each year, making only modest changes to funding amounts.

For example, Fresno County, which receives approximately \$50 million in AB 109 funding each year, submitted a plan that was just over 2 pages long (BSCC, 2023). Fresno offered no spending information on the

¹ For those 17 counties, and several others with incomplete or ambiguous budget data, we relied on a variety of alternative sources to learn about how AB 109 funds were spent. These included county budgets, Community Corrections Partnership (CCP) meeting minutes and presentations, and phone calls to the county.

\$50 million, mentioning only a planned \$23,000 increase in the Probation Department budget to support program evaluation. Presumably, the remainder of its spending plan was unchanged. By contrast, San Francisco County's report was over 100 pages long (BSCC, 2023). It included tables with straightforward breakdowns of funds by department as well as in-depth descriptions of AB 109-funded programs and outcomes, and, for many programs, information about the number of people served and their demographics.

- **Counties report data inconsistently**

When California lawmakers passed AB 109 in 2011, they tasked existing county entities, Community Corrections Partnerships (CCPs),² with planning for and reporting on counties' AB 109 spending. Each year since 2011, the BSCC—a state board that, among other responsibilities, administers all state and federal criminal justice grants—has compiled all CCP plans, posted them publicly, and created an AB 109 summary document that is shared with the Legislature (BSCC, 2022; 2023).

While counties were required to submit plans to the BSCC in the first year of AB 109 implementation (FY 2011-12), submissions became voluntary thereafter. As a result, most opted out of state reporting, leaving the BSCC, lawmakers, and the public with little information on how counties were spending billions in tax dollars. For five years (FY 2015-16 through FY 2019-20), fewer than 13 counties reported AB 109 planning information to the BSCC each year. This made it impossible for state policymakers to track Realignment funding or determine whether it was being put to good use.

This changed three years ago. In early 2021, the California State Auditor released a scathing review of AB 109 spending in three counties: Alameda, Fresno, and Los Angeles. The audit itself was spurred, in part, by rising in-custody jail deaths in 2018 and 2019. Among other issues, the Auditor found that: 1) counties were amassing large reserves of AB 109 funds instead of spending the state money as intended; 2) county CCPs failed to consider how other Public Safety Realignment funding was being spent when allocating AB 109 dollars;³ and 3) counties were not able to provide performance data for the programs they chose to fund (California State Auditor, 2021).

In 2022, to bring greater accountability to the AB 109 planning process, the Legislature required counties to submit both a plan and a survey response to the BSCC in order to receive a portion of the state's approximately \$8 million planning grant (SB 154, 2022).⁴ For the past three fiscal years, nearly every county has submitted such a plan (BSCC, 2023). However, this new funding came with little guidance on how the reports should be prepared or what they should contain (BSCC, 2024a).⁵ The result is wide variation in the level of detail included in annual plans, despite grants for this purpose that range from \$100,000 to \$200,000 per county. This poses challenges for conducting statewide analyses of AB 109 funding or for making comparisons across counties.

² CCPs were created in 2009 as part of the California Community Corrections Incentives Act (SB 678). Their memberships are defined in state law (PEN 1230). They are chaired by the county's Chief Probation Officer and include the Sheriff, District Attorney, Public Defender, a chief of police, a presiding judge, the head of the county office of education, and a representative from a community-based organization, among others.

³ Generally, CCP planning focuses on a portion (the Community Corrections Account) of the larger Local Revenue Fund, a category of state funding that includes support for trial court security, district attorneys and public defenders, and juvenile justice programs, among others. CCPs that fail to consider the other funds allocated to their counties through these accounts and subaccounts, may be over- or under-investing in certain public safety priority areas.

⁴ Counties receive either \$100,000, \$150,000, or \$200,000, depending on their size. For example, Fresno County, which has a population of more than one million people, would have received \$200,000 for its brief CCP plan and accompanying survey.

⁵ "Counties are eligible to receive funding if they submit an updated Community Corrections Partnership plan and a report to the Board of State and Community Corrections by December 15, 2022, that provides information about the actual implementation of the 2021-22 Community Corrections Partnership plan accepted by the County Board of Supervisors pursuant to Section 1230.1 of the Penal Code. The report shall include, but not be limited to, progress in achieving outcome measures as identified in the plan or otherwise available. Additionally, the report shall include plans for the 2022-23 allocation of funds, including future outcome measures, programs and services, and funding priorities as identified in the plan accepted by the County Board of Supervisors." (SB 154, 2022)

- **Unlike other state funding programs, AB 109 does not require standardized reporting**

This is an unusual approach to planning and reporting (see Table 1). Local grantees receiving state money through the Prop 47 grant program, an allocation that is less than one-twentieth the size of AB 109, must submit to rigorous program evaluations and standardized reporting (BSCC, 2023a). For example, they are required to report on the number of people served, the share of funds directed to each county department, and the associated program outcomes, including employment, housing, and recidivism rates for program participants. Such standardized reporting allows for meaningful comparison across jurisdictions and paints a more accurate picture of the grant’s statewide impact.

Table 1. AB 109 reporting requirements vs. select criminal and juvenile justice grants

	AB 109	Prop 47	JJCPA/YOBG	CalVIP
Grantees are required to submit information to the state	X	✓	✓	✓
Funded programs are rigorously evaluated by independent researchers	X	✓	X	X
Spending data is reported uniformly across counties using the same categories and descriptions	X	X	✓	✓
The BSCC submits regular reports to the Legislature summarizing the program	✓	✓	✓	✓
The BSCC compiles data into a public dashboard	X	✓	X	✓

Table: Center on Juvenile and Criminal Justice • Created with Datawrapper

Similarly, counties receive hundreds of millions of dollars each year through two juvenile justice grant programs: The Juvenile Justice Crime Prevention Act (JJCPA) and the Youthful Offender Block Grant (YOBG).⁶ Both require counties to submit an annual report to the BSCC across clear, predefined categories, including “probation department salaries and benefits” and “community-based organizations.” This standardization includes 50 specific expenditure subcategories grouped by three main categories: Placements, Direct Services, and Capacity Building/Maintenance Activities. This level of organization creates uniform reports and simplifies the information, making the data easier to analyze across county lines. For example, if a county wanted to compare JJCPA expenditures to another county, or wanted to see an overall view of California’s JJCPA expenses they could simply combine the information provided by these reports.

Another grant allocated through the BSCC, the California Violence Intervention & Prevention Grant (CalVIP), has recently moved toward more streamlined data reporting. CalVIP is a fairly small grant,⁶ and its recipients are either community-based organizations or cities, which are required to pass 50% of funds to either community-based organizations or non-law enforcement public agencies (AB 1603, 2019). In the past, public information was limited to the grant reports produced by recipients themselves, which varied considerably in quality (see, for example, Cohorts 1 and 2) (BSCC, 2024b). For the current cohort of grantees, which began in the fall of 2022, the BSCC has contracted with RDA Consulting, a research and evaluation firm, to provide technical assistance on measuring and collecting outcome data. For the prior cohort, which concluded at the end of 2023, another firm, Social Policy Research Associates (SPR), placed key grant metrics into a statewide dashboard. As a result, the public can now easily access information on the number of people served, participant demographics,

⁶ CalVIP is typically funded at \$9 million per year, although in FY 2021-22, 2022-23, and 2023-24 the grant saw a one-time increase of several hundred million dollars.

participant outcomes, and the share of city grantee funding that was passed to community-based organizations (BSCC, 2024b).

Prop 47, JJCPA, YOBG, and CalVIP are each governed by state law that has clearly defined the reporting expectations. AB 109 is not. Table 1 compares reporting requirements across funding programs. It shows that AB 109 funds, despite their size, have comparably modest data collection and minimal reporting requirements. Data that is publicly available, but not understandable, becomes inaccessible. Clear, standardized reporting should be the goal of all California funding streams. Uniform reporting eliminates the extra work of making sense of data categories that may vary county by county. When counties are allowed to report data in categories of their choosing, it creates ambiguous data sets that are not easily comparable. With too many unique categories, as we see with AB 109, attempts at standardizing the data become subjective.

Opaque Spending Decisions

This lack of transparency presents a few key problems. Most concerning is that without enough visibility into how counties are spending their AB 109 funds, misuse can occur unchecked. For example, many counties set aside a share of Realignment dollars each year to be rolled into a ballooning contingency fund. They then rarely draw down these funds to pay for justice-related programs. While saving for a rainy day may sound fiscally prudent, in reality, it represents a failure by county leaders to deploy state dollars as they were intended: to fund programs and services for people jailed and supervised locally as a result of Realignment. Misuse can also take the form of allocating funds to entities that do not serve the goals of realignment and/or would deepen the state's reliance on incarceration. For example, Contra Costa County allocated nearly half a million dollars to the California Police Chiefs Association, an organization that advocates for harsher punishments and a repeal of existing criminal justice reform (BSCC, 2023a).

With heavy law enforcement influence and limited transparency, some CCPs are funneling state dollars into controversial, for-profit program operators rather than nonprofit community-based service providers. These providers, which include the \$1.5 billion corporation GEO Group,⁷ exist to create value for their shareholders, not to deliver high quality services that help end cycles of recidivism, arrest, and incarceration. In 2020, California fully divested from for-profit prisons, but its counties continue to shore up for-profit operators who have staked claim over a range of reentry services, including lucrative residential program, day reporting centers, and GPS monitoring programs (AB 32, 2019; GEO Group, 2024).

Without sufficient oversight, many CCPs simply rubber-stamp spending decisions. The CCP membership, which is defined in state law (PEN 1230), includes representatives from the very departments receiving most CCP-allocated dollars. Notably, probation chiefs chair each county's CCP while also receiving a collective half-billion dollars each year for their departments. Over time, Realignment funding has become integral to probation and sheriffs' budgets. As a result, CCPs devote most public meeting time to discussing only superficial changes to Realignment spending, such as adding a new staff position or launching a small pilot program. This prevents funding from evolving to meet the needs of a rapidly changing criminal justice system. A goal of Realignment was to have state funding follow the individual from prison to county jail and local supervision. Now, with jail and probation populations falling, Realignment funds should continue to follow the individual, through greater investment in communities.

⁷ GEO Group has been subject to numerous lawsuits, many centered around dangerous living conditions and allegations of abuse in its detention facilities. In response, the state of California began phasing out its contracts with private prisons in 2019, including GEO Group, which operated two immigrant detention centers and two prisons in California at the time (AB 32, 2019). Governor Gavin Newsom explained that "these for-profit prisons do not reflect our values" (Newsom, 2019). That year, the California Public Employees Retirement System (CalPERS), the largest pension fund in the nation, divested from GEO Group due to its role as a major operator of immigrant detention facilities (Ainsley, 2019). Despite its public scandals, GEO Group remains a major provider of reentry services in California—another of its profit-driven enterprises.

Heavy Investment in Law Enforcement

To better understand where realignment dollars are flowing, we reviewed counties’ 2022-23 CCP reports, meeting minutes, presentations, and countywide budgets. This allowed us to map Realignment spending across dozens of categories ranging from the largest (sheriffs with nearly \$800 million in FY 2022-23) to far smaller recipients (veteran services, for example, at approximately \$250,000 in FY 2022-23). Given the inconsistencies across counties in how spending categories are named or grouped, we merged numerous, ambiguous recipients into just two:

- 1) Law enforcement, which includes sheriff departments, police, district attorneys, and probation departments;
- 2) Non-law enforcement, which includes community-based organizations, public defenders, behavioral health agencies, workforce development agencies, and county administration, among others.

Figure 1. Approximate AB 109 funding to law enforcement vs. non-law enforcement



Chart: Center on Juvenile and Criminal Justice • Source: BSCC, 2024 • Created with Datawrapper

Most AB 109 dollars are being allocated to law enforcement agencies. Our analysis of 55⁸ counties finds that, in FY 2022-23, sheriffs, police, district attorneys, and probation received approximately \$1.3 billion in AB 109 funding, while non-law enforcement recipients received a combined \$780 million (see Figure 1). The average county is allocating 74% of funds to law enforcement agencies, with nearly half (24) disbursing more than 80% to these entities. Sheriffs received the majority of funds within the "law enforcement" category—59% of the law enforcement total. Thirty-seven percent of law enforcement funds went to probation departments.

Although most counties invest heavily in law enforcement, there are a few exceptions. In FY 2022-23, six counties allocated less than half of their AB 109 budgets to law enforcement. These counties tended to prioritize health and behavioral health services, as well as community-based programming for people coming out of the justice system. For example, in Alameda County, which allocated just 29% of AB 109 funds to law enforcement, community-based organizations received approximately \$31 million in FY 2021-22.⁹ This far exceeds the county’s investment in AB 109-funded law enforcement programs, which received a combined \$23 million (BSCC, 2024).¹⁰

Law enforcement’s dominance in most county plans may not be surprising given the original intent of AB 109, but it is out of step with the needs of today’s justice system. When state lawmakers shifted responsibility for a large number of people from state prison and parole to county jail and probation, it greatly increased probation and sheriff costs. In part, AB 109 funds were designed to pay for jail beds and probation caseloads. Yet few CCP reports directly tie probation and sheriff funding requests to annual changes in their realigned populations, that

⁸ Calaveras, Inyo, and Placer counties are omitted due to a lack of discernible public information on AB 109 spending. Please note that Orange County did not provide a 2022-23 budget update. This analysis uses FY 2021-22 amounts for the county.

⁹ Alameda County has nearly doubled its AB 109 allocation to communities-based organization, boosting it from \$18 million to \$31 million in just two years (FY 2019-20 to FY 2021-22).

¹⁰ Alameda County’s FY 2022-23 CCP plan provides a detailed description of each funded program, as well as metrics for assessing the program’s impact and reach (BSCC, 2024c). For example, the county allocated \$10.4 million to housing programs in FY 2022-23. In the previous year (FY 2021-22), they allocated a similar amount across ten community-based organizations. These organizations offered transitional housing, rapid rehousing, and emergency housing programs, with a combined total of 400 beds. That year, AB 109-funded housing programs served nearly 800 unique clients in the county.

is individuals with low-level offenses in county jail or on county probation. Likely, pinning law enforcement spending to the actual realigned population and needs of the system would mean cuts in funding as the past 13 years have seen significant declines in crime, falling rates of incarceration, and far fewer people supervised on probation.

Figure 2. Average daily population in California jails, January 2011-September 2023

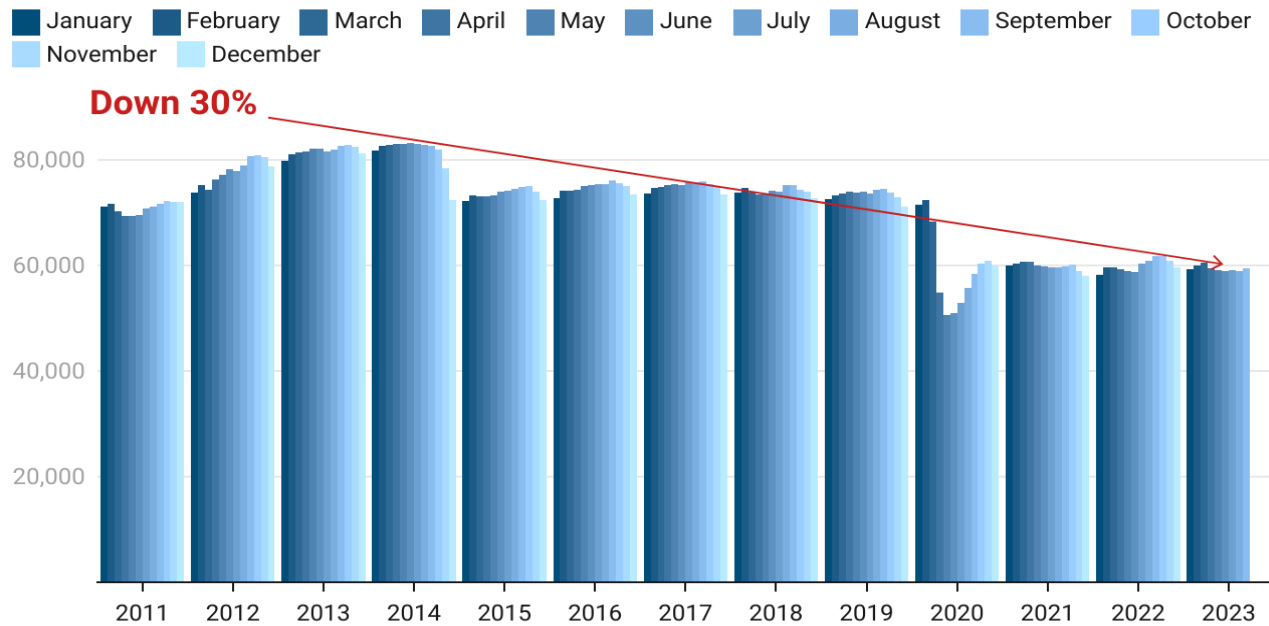


Chart: Center on Juvenile and Criminal Justice • Source: BSCC, 2024(a). • Created with Datawrapper

Figure 3. Total probation department caseloads, 2011-2022

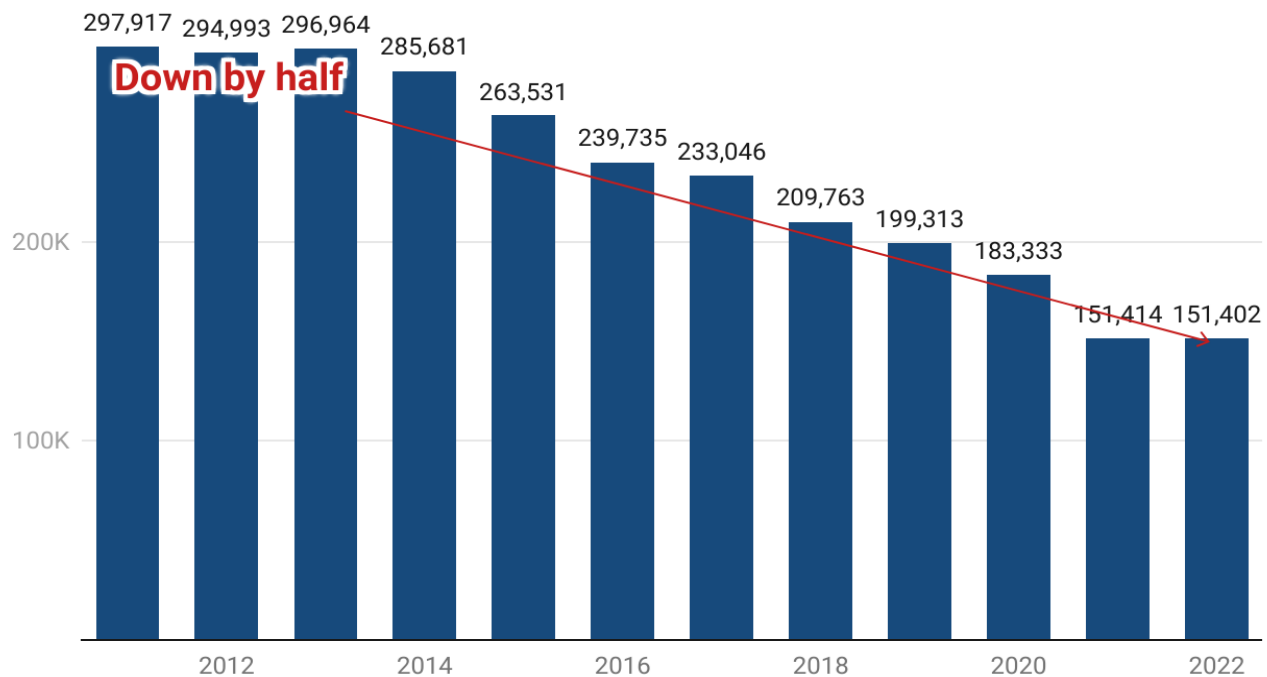


Chart: Center on Juvenile and Criminal Justice • Source: DOJ, 2024 • Created with Datawrapper

As shown in Figure 2, the average daily population of California jails rose after Realignment took effect in October 2011, but fell following the passage of Proposition 47 in 2014, dipped again at the start of the COVID-19 pandemic, and has remained near record lows for the past three years. Compared to the post-Realignment peak in June 2014, jail populations are down almost 30%. Sheriff's departments, which operate county jails, have not seen a commensurate reduction in their budgets. They also continue to collect nearly 40% of AB 109 funds.

The trends are even more pronounced for probation departments. As shown in Figure 3, probation caseloads have fallen by half compared to their peak in 2011. The latest data (2022) shows just 150,000 people on probation compared to 310,000 11 years earlier (DOJ, 2024). Probation departments have not seen reductions in their budgets in line with these trends, and they continue to receive a large share of AB 109 funds.

Some counties have made modest shifts in how they allocate AB 109 funds compared to their original plans. An analysis of select counties in FY 2011-12 and FY 2012-13 versus FY 2020-21 and FY 2021-22 finds that, while some counties reduced the share of funds allocated to probation and sheriffs, others allocated a larger share in Fiscal Years 2020-21 and 2021-22 compared to a decade prior (Table 2). The total amount of AB 109 funding these departments receive has vastly increased due to an expansion of available funds.

Table 2. Percent of total AB 109 funds allocated to law enforcement* in select counties, FY 2011-12 and FY 2012-13 vs. FY 2020-21 and FY 2021-22

County	FY 11-12	FY 12-13	FY 20-21	FY 21-22	Percent Change, FYs 11-12 & 12-13 vs FYs 20-21 & 21-22
Butte	93%	77%	44%	41%	-50
Contra Costa	74%	56%	50%	41%	-31
Fresno	81%	78%	88%	68%	-2
Kern	82%	78%	75%	75%	-6
Kings	89%	89%	143%	111%	43
LA	83%	81%	72%	65%	-16
Monterey	58%	60%	104%	87%	61
Orange	84%	75%	70%	71%	-11
Placer	73%	48%	75%	76%	24
Riverside	70%	65%	61%	55%	-14
Sacramento	84%	76%	89%	89%	11
San Bernardino	83%	77%	87%	87%	8
San Diego	84%	69%	94%	97%	25
San Francisco	93%	97%	67%	73%	-27
San Joaquin	58%	57%	58%	59%	2
San Luis Obispo	71%	51%	58%	50%	-12
San Mateo	24%	49%	60%	53%	55
Santa Clara	46%	60%	39%	36%	-29
Solano	29%	52%	87%	83%	110
Sonoma	78%	68%	92%	75%	14
Stanislaus	83%	66%	67%	71%	-8
Ventura	48%	72%	74%	74%	23
Yolo	85%	85%	77%	55%	-23

**For ease of comparison across years, "law enforcement" includes only sheriff departments and probation departments. Counties with sheriff and probation allocations exceeding 100% of the total AB 109 funding for the year were drawing down contingency funds from prior years.*

Table: Center on Juvenile and Criminal Justice • Source: BSCC, 2013; 2023b. • Created with Datawrapper

Recommendations

AB 109 funding has provided an opportunity to rethink criminal justice and shift to an evidence-based approach amid reduced incarceration and probation caseloads. However, it is difficult to assess whether the promise of AB 109 funding has been realized—many of its uses and outcomes remain unclear. To address the issues laid out in this report, we offer three recommendations: 1) Standardize CCP reports across all counties; 2) Require BSCC to produce accessible annual budget summaries; and 3) Boost community involvement in local spending decisions.

By implementing these recommendations, California can move towards truly understanding the impacts of AB 109 funding, and counties can make more prudent and transparent spending decisions.

1. Standardize reporting

The first step towards true transparency is structured and organized budget data that is meaningful to the public. For this reason, CCP reports should be standardized across counties and include a straightforward classification of spending. This means having clearly defined categories and subcategories that counties are required to use in their annual plan. One method of standardization would be to have the organization type, that is the organization running the service, as a major category (for example, “probation,” “community-based organizations,” or “health and human services”) and the type of services as a sub-category. For example, a program that provides transitional housing and is run by a for-profit organization may be in the sub-category of transitional housing or re-entry services, then grouped in the larger category of for-profit organizations.

In addition to standardizing how the data is organized, reports should be transparent about roll-over monies and any subcontracting of services delivered through AB 109 funds. This information is critical in understanding whether funds are being spent as intended. Any recipients of AB 109 funding, whether they receive funding directly or through a contract, should be looked at critically to ensure 1) the focus of said program continues to be reducing recidivism with a rehabilitative approach; and 2) the program serves Californians affected by AB 109 reforms. This would ensure that the program’s framework reduces recidivism through an evidence-based approach.

Another component to transparent data is making CCP reports easily downloadable in formats that allow for filtering, the creation of graphs, and easy computations. An example of this would be Microsoft Excel, Google Sheets, or a dashboard with spreadsheets that can be downloaded. These formats allow for multiple options to view the data, making it easy for the public or state lawmakers to quickly determine a county’s AB 109 spending priorities. This is very different from viewing a CCP report in PDF format, which prevents readers from easily adding up budgets and generating a visual representation of funding allocations, without tedious reformatting. The standardization of data categories and easily downloadable formats will help create a statewide picture of AB 109 funds.

2. Require BSCC to produce accessible annual budget summaries

The second recommendation is to have one sole agency, such as the BSCC, review and summarize submitted plans and surveys into an accessible dashboard. This will add an additional layer of standardization and accountability. The dashboard could allow users to view summarized budget information by county or across the state. This would offer the public and state officials a holistic view of AB 109 funding. The dashboard should include 1) simplified budgets by county and programs allocations, with a mention of any rollover monies and subcontracting, 2) program successes (this can be based on completion rates, county and program recidivism rates, and program participants successes), and 3) the option to analyze how county spending priorities have changed over time and how budgets and outcomes compare to other counties. This recommendation will only be successful if accompanied by the first recommendation of standardization.

Obscure budget data is not much better than absent data. In both cases, the public is left in the dark about how counties allocate funds. In the case of AB 109 funding, a lack of transparency creates barriers to interpreting and assessing county decisions and statewide impact. For these reasons it is vital that the state improve its reporting requirements and practices. This ensures that publicly available data is accurate, understandable, and in a format conducive to further analysis.

3. Boost community involvement in local spending decisions

Lastly, we recommend that the state ensure there is more community representation at the local CCP. It will require a change in the law to ensure more designated seats for non-law enforcement leaders.¹¹ However, this is a

¹¹ Current law requires the CCP be chaired by the chief probation officer and have the following membership: a presiding judge of the superior courts or their designee, a county supervisor, the district attorney, the public defender, the sheriff, the chief of police, the heads of the following county departments: social services, mental health, employment, alcohol and

necessary change to ensure more community involvement and more equitable spending allocations. Currently, California Assembly Bill 2882 proposes to do this by adding an additional seat for a member of a community-based organization with experience providing behavioral health treatment services (AB 2882, 2024). This is one step in diversifying the seats at the CCP level, which supports impartial funding allocations and more reliance on non-carceral approaches. In turn, adding more community representation to these partnerships will provide a space where stakeholders, who are usually at odds with one another, can collaborate and come to mutual agreement about the best action plans for their respective counties.

The state can improve AB 109 funding by implementing all three of these recommendations.¹² California needs to ensure that the CCP decision-making process is fair and that these decisions are shared with the public in an accessible format. Overall, the goal is more uniform reporting so that data can be analyzed across counties and statewide, while ensuring that AB 109 spending is being allocated even-handedly and is representative of the community members' needs.

Conclusion

California is in a budget crisis. As of February 2024, the Legislative Analyst's Office estimated the deficit at a staggering \$78 billion (LAO, 2024). In response, Governor Gavin Newsom has proposed cuts to schools and community colleges, child welfare programs, and the State Office of the Public Defender, among other critical programs. AB 109-funded programs, which enjoy a dedicated funding stream through the state sales tax, will become increasingly important to the public safety landscape as other programs are scaled back or delayed. Yet AB 109 funding remains rooted in a decade-old view of the justice system. In this moment, upholding community welfare and public safety depends on making prudent investments in what we know works: community programs that serve the state's most vulnerable people.

Despite this pressing need, it is currently not possible to take a full accounting of AB 109 spending. County plans are haphazard and lack transparency, and the state has not taken the necessary steps to require and standardize counties' reporting. This is a crucial first step to ensure that lawmakers, the BSCC, and the public can advocate for spending plans that truly serve the interests of counties.

Better reporting also needs to be paired with better decision-making. As long as the main beneficiaries of AB 109 are also leading the planning process, law enforcement will maintain its funding dominance. Only by diversifying CCPs and building out a stronger non-law enforcement voting bloc, can counties expect meaningful change to the partnerships' long-standing priorities.

AB 109 was groundbreaking legislation. It helped to end inhumane and deadly overcrowding in state prisons and brought more Californians closer to their loved ones and back into their communities. It also brought unprecedented investments to local systems to support this reorganization. But these local systems have continued to change. Today's spending priorities should reflect these shifts by supporting recidivism-prevention approaches suited to a world with less incarceration.

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substance abuse programs and education, a representative from a community-based organization and a person who represents the interests of victims. See *CA. Penal. Code PEN § 1230*.

¹² However, the last recommendation can be done in any order, but the first and second recommendation must be done chronologically as they will only be effective when done simultaneously.

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Please note: Jurisdictions submit their data to the official statewide or national databases maintained by appointed governmental bodies. While every effort is made to review data for accuracy and to correct information upon revision, CJCJ cannot be responsible for data reporting errors made at the county, state, or national level.

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