

Criminal Justice Realignment Timeline

2006 – Governor Arnold Schwarzenegger declares a state of emergency due to prison overcrowding and allows for the transfer of nearly 8,000 inmates to out of state prisons despite the increase cost.

2006 – Despite the efforts of Governor Schwarzenegger, a class action lawsuit is filed against the state alleging unconstitutionally poor care for mentally and physically ill inmates.

2006 – The State Chief Justices conducted research through the national center for state courts promoting public safety by reducing recidivism. The focus of their research maintain evidence based practices are essential to rehabilitation and reducing recidivism.

2007 – A special 3 judge panel was convened to address allegations that were detailed in a class action lawsuit that alleges the state failed to provide adequate health care for inmates.

2009 – The 3 judge panel rules that California State prisons are crowded and violate constitutional standards for medical and mental health care. State prison health care is placed into receivership with oversight provided by the California Health Care Receivership.

2009 – Governor Schwarzenegger signs into law SB 678 California Community Corrections Performance Incentive Act. SB 18 3X Corrections Reform which created the Parolee Reentry Pilot Court Program. The Governor also transfers more than 10,000 California inmates to private prison in Arizona, Mississippi, and Oklahoma in an effort to reduce California prison population.

2009 – The California Legislative Analyst Office completes a report titled Achieving Better Outcomes for Adult Probation. Similar to the report issued by the State Chief Justices in 2006, the LAO report determined that evidence based practices are a proven practice to rehabilitate inmates successfully and reduce recidivism.

April 2010 – Governor Schwarzenegger proposes turning over dental, medical and psychiatric care in the State's 33 prisons to the University of California. This change was meant to improve care to the inmates and would save the State of California approximately \$12 billion over the next 10 years.

April 2011 – Governor Brown signs into law AB 109, the Criminal Justice Realignment plan which takes effect October 1, 2011. AB 109 is signed prior to the Supreme Court ruling on overcrowding because the State has been preparing for the ruling, driven by persistent multi-billion dollar deficit and fears for the well being of prison inmates and employees.

May 2011 – The United States Supreme Court issues a ruling that the conditions in California's overcrowded prisons are so bad that they violate the 8th Amendment ban on cruel and unusual punishment. The Court's ruling orders the State to reduce its prison population by 33,000 inmates.

Realignment Overview

The Criminal Justice realignment Bill, known as AB 109, was signed into law by Governor Brown on April 5, 2011 and provisions of this bill took effect on October 1, 2011. It represents the most significant change to sentencing and corrections in our lifetime.

Realignment focuses on several aspects of criminal sentencing, punishment, and community supervision and certain offenders now are categorized as Post Release Community Supervision (PRCS), those convicted for various non-serious, non-violent, non-sex related offenses.

Realignment is a shift of governmental responsibilities from state government to local government. Rather than being committed to state prison as in the past, criminal offenders convicted under the three nons will now serve their sentences in county jails. The legislation also transferred the responsibility for supervising these offenders upon their release to local county jurisdiction- county probation departments rather than state parole. In addition counties will take over supervision of state parolees whose last offense was non-violent or non-sex offense, and low risk parole violators.

Other key components include a mandate that offenders be released to the counties where they lived when the crime was committed; and one that prevents them from being sent back to state prison for violation of their terms of supervision. Realignment also requires probation departments to utilize programs for the treatment and rehabilitation of these offenders.

Realignment mandates that probation departments perform the job of supervising these PRCS offenders similar to those already placed on probation. With AB 109, the California Department of Corrections and Rehabilitation (CDCR) is required to classify offenders only by the present committed offense. In other words, a person with a criminal history of violence or a serious criminal offense, but has a less serious current conviction, qualifies for local incarceration and probation supervision under AB 109. Also included within realignment was the reclassification of over 500 crimes which are now classified under 1170 (h) P.C and commonly known as the 3 non's.

A total of 1.2 billion dollars has been distributed to the 58 counties in California for realignment. The state hopes to save an estimated 450 million dollars in the first year of realignment and a total of 2 billion by October of 2015. In simple terms realignment will take approximately one-third of the current prison population and realign them from state prison to our county jails and county probation officers IN Los Angeles County.

Current Status of Realignment in Los Angeles County

Since the inception of realignment in October 2011 approximately 17,000 prisoners have been released from state prison back to Los Angeles County. Today that population is just over 14,000 as over 3,500 have been released from supervision after adhering to the terms of their release for a minimum of one year. Los Angeles County Probation is responsible for supervising this population known as Post Release Community Supervision (PRCS) or Post Supervised Person (PSP).

There are three populations that have been created under realignment. The first is the PSP or PRCS which is all of the inmates who were released from state prison to county probation and fall under the category of non violent, non serious or non sex related offender (3 nons).

The second population consists of those convicted of any 1170 (h) P.C. offense and sentenced to county jail and supervised probation. This is known as a split sentence. Currently only 4% of all 1170 (h) convictions result in a split sentence.

The third population created under realignment consists of those convicted of any 1170 (h) P.C. offense and sentenced to county jail to serve their full term. Once their term is met they are released from custody with no supervision or access to probations rehabilitation programs. This is known as a straight sentence with 96% of all 1170 (h) P.C. convictions resulting in straight sentences. Currently all misdemeanor convictions result in the offender serving only 15% of their actual sentence in the Los Angeles County jail system.

LA County Probation had 364 probation officers to supervise 96,000 probationers prior to AB 109. After AB 109 they now have 109,000 combined probationers and PRCS population with the same amount of probation officers. They are still in the process of hiring additional probation officers.

State parole had 1900 Parole Officers prior to AB 109. Their staffing is being reduced to 600 officers. Parole population in the state has gone from 108,000 to 28,000. Prior to AB 109 Los Angeles County alone had 36,000 parolees.

The LA District Attorney's office handles 60,000 felony convictions per year. Of those convictions 42,000 do not receive state prison sentences. Prior to AB 109 18,000 were sentenced to state prison. Since AB 109 7500 per year will now be sentenced to state prison. The others will be sent to county jail.

To date over 30% of the new PRCS have re-offended by committing new crimes. 60% of the PRCS population has been evaluated as High Risk and 4% Ultra High Risk by LA County Probation.

Over 500 crimes have been re-classified under 1170 (h) P.C. that do not allow for state prison sentences for a conviction of any of these crimes. There are now only 70 crimes on the books that allow for a state prison sentence if convicted.