



March 23, 2012

Dear California Criminal Justice Stakeholder:

Enclosed is a new report just released by the ACLU of California, **“Public Safety Realignment: California at a Crossroads.”**

This new ACLU report is the most comprehensive analysis to date of how California’s counties are actually implementing realignment.

We reviewed every publicly-available county implementation plan and describe how counties are spending the nearly \$400 million in realignment funding provided by the state last year. The report includes an appendix containing profiles of the 25 counties that received the most realignment funding, analyzing detailed local budget information from their county realignment plans and other sources.

What we’ve found is a mixed bag. Some counties are taking innovative steps toward a smarter approach to crime, punishment and rehabilitation, and our new report provides information about the “best of the best” new programs and policy shifts. But at the same time, far too many county implementation plans and budgets indicate a “business as usual” approach with a continued focus on incarceration.

Under the realignment funding formula the state used to allocate realignment monies, those counties that have historically incarcerated the most people for low-level offenses received more funding. This incentivizes the “lock ‘em up” mentality that created our prison over-crowding crisis in the first place. Our analysis reveals a pressing need for the state to develop a system to monitor and measure county criminal justice outcomes; the realignment funding formula must be revised to incentivize counties to decrease recidivism and increase the use of cost-effective alternatives to incarceration.

California’s obsession with incarceration is not working; it’s not making our communities any safer. The statewide recidivism rate is among the highest in the country at 67.5%. It doesn’t have to be this way. While many county sheriffs complain that their jails are already crowded and jail capacity must be expanded to deal with the added burden of the realigned population, the ACLU analysis in this new report reveals that over 71% of people in jail in California are awaiting trial. Most sit behind bars not because they pose a danger to the community, but because they cannot afford bail. Smart pretrial release reforms that have been implemented in a handful of California counties already as well elsewhere in the country can safely reduce the pretrial populations and free up jail space, significantly reducing or eliminating the need for jail expansion.

Simply building new jails or re-opening unused jail space treats the symptom but not the underlying disease. It’s time to confront the fact that in California, over-incarceration is itself a disease, and the way to end it is to expand the use of pretrial release, mental health services, drug treatment and job training, and to reserve prison and jail for serious crimes, as the legislature indicated realignment was intended to accomplish. We hope you will find this detailed analysis of county implementation plans useful to your own realignment-related work. We encourage you to contact us with any questions or feedback.

Yours sincerely,

ATTACHMENTS AVAILABLE
FROM CLERK

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