

Realignment Q & A

What are you asking for?

A new state law called realignment shifts greater responsibility to counties for providing law enforcement services, care for neglected children and seniors, and other social safety net programs that state government had historically provided. However, the state has **not** provided counties with a reliable funding source to pay for these services beyond this year. We are seeking voter approval for a ballot measure in November 2012 to protect the existing revenues now dedicated to counties to fund these services. The measure would prevent the legislature from being able to redirect or raid these revenues in the future.

Can you count on the legislature to put this on the ballot?

We're hopeful the legislature will act to place a measure on the ballot and are working with the Governor and elected leaders. At the same time, we are considering going directly to the voters via the signature gathering route if the legislature fails to act.

Are you asking for new revenues or taxes?

The state has already directed revenues to fund realignment, out of existing state funds, but the legislature only provided assurances of those revenues for one year. As envisioned, our measure would simply ensure these existing revenues would be continually dedicated to counties and local governments and could not be raided or redirected by future legislatures.

Why did counties support realignment if the funding wasn't adequately protected?

We fundamentally believe that local governments are better equipped to provide these vital local services. But we can only do so if we have a guaranteed source of funding that the state cannot raid. We are working through the legislature or to go directly to the people to get the second half of this important package passed.

Will your measure reduce funding for education or other state services?

No. We are simply seeking to protect the existing funding that the state has dedicated to realignment. We support getting schools the resources they need to educate our children.

Will the State be dumping felons on our streets starting October 1?

No. AB 109/AB 117 does not result in the early release of any currently sentenced felons. It changes the jurisdiction of specified populations from state to local control to complete their sentences. No inmates currently in state prison will be released early. All felons sent to state prison will continue to serve their entire sentence in state prison.

Who are the offenders that counties will be overseeing?

Counties will be taking over responsibility for non-violent, non-serious, and non-sex offenders as defined in the Penal Code, for example, those who commit drug offenses or prostitution. People who commit these offenses and are sentenced after October 1 will be eligible for time in county jail instead of state prison. Additionally, non-violent, non-serious, and non-sex offenders released from state prison after October 1 will be supervised locally instead of by state parole.

Violent offenders currently in state prison or under the supervision of parole officers will continue to be the responsibility of the state, as will persons who commit violent crimes in the future. Rapists, murders and other violent offenders will serve their time in state prison.

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Are counties equipped to handle the prisoners that are being released into our local communities? The fact is, because of the US Supreme Court decision and state actions, counties and local governments will take over responsibility for low-risk offenders who were previously the responsibility of the state. Each county has been preparing to accept these new responsibilities and are designing plans that best meet the needs of their local jurisdictions. But County sheriffs, probation officers and local law enforcement need guaranteed revenues to track, monitor, incarcerate or rehabilitate these criminals. Without the funding, public safety is at risk.

School officials recently filed a lawsuit to restore over \$2 billion in funds they say should go to schools under Prop. 98, money that was directed to realignment. What do counties and law enforcement think of this law suit?

We cannot comment specifically on the litigation. But we can say that we support local schools and support getting schools the resources they need to educate our kids. However, we don't think it's an "either or" question. Local governments absolutely need revenues provided under realignment to deal with the tens of thousands of criminals that the U.S. Supreme Court said must be released from state prisons and that will now be the responsibility of counties. And we need revenues to uphold vital programs for abused and neglected children, seniors and other vital services.

We believe the state needs to work on a solution that provides locals the resources to protect public safety and carry out realignment, while also ensuring our schools have the resources they need.

Further, this series of lawsuits against the state just underscores why it is so important for the voters to act to provide reliable revenues for critical local services that cannot be taken, redirected or shifted by the legislature.