

## Brown hails public-safety handoff to locals

By Steven Harmon  
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SACRAMENTO -- Asserting that California's corrections system has been an abject failure, Gov. Jerry Brown pledged Thursday to fully fund a vast realignment of public-safety functions from the state to local governments.

Surrounded by a phalanx of law enforcement and county officials, Brown vigorously defended the controversial new system, which beginning on Saturday will place low-level offenders in county jails and under county supervision for probation, drug treatment and other services.

"It's not trouble free -- there will be bumps along the road, but (from) everything I can tell, this is a viable plan that will not only ensure public safety but ... will fix a prison system that's been profoundly dysfunctional for decades," the governor said.

The state's nearly 70 percent recidivism rate is proof enough the correctional system was in need of a drastic overhaul, said Brown, who on Thursday signed 10 public-safety bills and vetoed one.

Critics have decried "realignment," saying that counties will be unable to house the number of criminals that will come their way -- and that crime will inevitably increase. More than 30 of the state's 58 counties already have little or no room in their jails, the critics point out.

"The law-abiding public is going to pay a huge price as they become the victims of a tremendously spiking crime rate," said Los Angeles County District Attorney Steve Cooley, who said that recent crime rates have plummeted

in California because of sentencing enhancements available to prosecutors.

"We are abandoning a system that was working," Cooley said.

But the Supreme Court earlier this year upheld a federal court's order that California must reduce its prison population by more than 30,000 inmates to alleviate an overcrowded system that has failed to provide adequate care for those with serious medical or mental health problems.

Realignment shifts responsibilities for supervising thousands of parolees and nonviolent offenders. The counties will also begin providing more foster care, adult protective, child welfare, mental health and substance abuse services.

Low-level offenders who are released from prison will be supervised by county probation departments instead of the state. And most will serve their terms in county jails rather than state prisons.

Judges will no longer sentence nonviolent offenders to state prison for crimes such as auto theft, burglary, grand theft, forgery, counterfeiting and possessing drugs for sale. Instead, nearly 26,000 criminals who would previously have gone to state prison are expected to serve their time in county jails where, proponents say, they will be closer to home, jobs and rehabilitation programs and thus less likely to commit new crimes after they're released.

No one will be released early from prison, said Matt Cate, the secretary of the California Department of Corrections and Rehabilitation.



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The realignment, he said, will avoid a massive early release of prisoners. And counties will receive \$400 million this fiscal year, \$850 million next year and \$1 billion each year thereafter, administration officials say.

Critics such as Cooley have said that sending inmates out of state or building new prisons would be a safer approach. But Brown argues that it's more costly to send inmates out of state and that voters have long opposed spending on more prison construction.

"Most experts say we can't incarcerate our way out of this criminal justice challenge," Brown said. "We need more ways of handling individuals who do things in society they shouldn't. The most serious, we lock up in prison. The less, though quite troublesome, handle at the local level."

Though Brown hasn't worked out the details of a campaign, he vowed to seek a November 2012 ballot measure to constitutionally protect funding for realignment.

Law enforcement and county officials said Thursday it was imperative that Brown follow through with a constitutional guarantee to fund the new mandates.

"Local sheriffs and other public safety officials need assurances the money will be there every year. If not, realignment will be a public safety disaster," said Mark Pazin, Merced County's sheriff and president of the California State Sheriffs' Association.

Brown was vague on whether pursuing a constitutional amendment on guaranteeing funding for realignment would complicate his plans for a tax initiative to prevent further cuts to schools, universities and social services.

"We're going to get a guarantee (on realignment funding) and we'll do it in the best way we can," the governor said.

"I'll present it to the people and pray I have the eloquence and clarity to put it before the people and they can make their judgment," he added. "If it turns out 'no, no, no,' then we'll regroup ... and I'll tell you the austere path we'll follow."

The Associated Press contributed to this report. Reach Steven Harmon at 916-441-2101. Follow him

at [Twitter.com/ssharmon](https://twitter.com/ssharmon). Read the Political Blotter at [IBAbuzz.com/politics](http://IBAbuzz.com/politics).

- One bill, Senate Bill 852, allows the Department of Corrections and Rehabilitation to provide crime victims the option to be electronically notified when an offender's status in the correctional system changes.
- Another bill, SB 179, strengthens parole requirements for sexually violent offenders by closing a loophole that allows them to avoid court-ordered parole.

You can find the governor's actions on all the bills on the governor's website. Go to the link, Governor Brown Issues Legislative Update:

[http://gov.ca.gov/s\\_pressreleases.php](http://gov.ca.gov/s_pressreleases.php)

### The problems

The state's corrections system faces a 70 percent recidivism rate. The U.S. Supreme Court, citing overpopulated prisons, upheld an order to release 30,000 prisoners earlier this year.

### Brown's Solution

Counties will have to supervise parolees and lower-level offenders, and provide a variety of other support services.

### the Funding

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\$400 million  
2011-2012 fiscal year  
\$850 million  
2012-2013 fiscal year  
More chatter here about the \$1 billion planned thereafter.



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