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Assembly California Legislature



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INCARCERATED WOMEN

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Chair and Members
Joint Legislative Audit Committee
1020 N Street, Room 107
Sacramento, CA 95816

Dear Chair Salas and Members of the Committee:

I respectfully request that the Joint Legislative Audit Committee approve an audit of the Fresno County Sheriff's Department, the Alameda County Sheriff's Department and the Los Angeles County Sheriff's Department in an effort to increase transparency and provide state oversight of prison realignment fund spending.

Since the passage of prison realignment legislation (Assembly Bill 109) in 2011, California has sent more than \$8 billion to counties to cover the costs of prison diversion. The following year, Proposition 30 was passed with 54% voter approval, securing State Constitutional protection for prison realignment funding. There has, however, been limited oversight as local governments continue to move prison realignment funds from one law enforcement purpose to another.

Background

There are currently more than 110 long-term jail facilities in the state of California. The state jail population decreased in the four years between 2007 and 2011, but sharply increased following prison realignment. As a result, many Sheriff's Departments are now responsible for a population that is not only larger, but also much more diverse. The efficient and responsible spending of prison realignment funds is therefore critical.

Conditions such as overcrowding, poor physical and mental health treatment and mismanagement of funds by Sheriffs' Departments have become far too frequent in jails across the state.

For example, Fresno County Jail (which houses over 3,000 inmates) has reported 23 deaths in the seven years preceding prison realignment. Only one death was caused by a fellow incarcerated person. In the years since prison realignment, the number of incarcerated people that have died while in jail custody has more than doubled to 47— four of which were at the hands of other inmates. Eleven incarcerated people died last year from drug and alcohol withdrawal, suicide, medical complications and murder. Thirteen other people were beaten and hospitalized for multiple days. Fresno County deaths outnumber those in many larger jail systems.

Alameda County's jail population has decreased by half since prison realignment took effect. Yet, even with the population decrease, Alameda County Sheriff Gregory Ahern has experienced budget growth by \$144 million in the past 10 years, totaling \$443 million in 2019. Forty-five incarcerated people died while held at Santa Rita jail in the 5 years between 2014 and 2019 (the highest death rate in the Bay Area).

The Los Angeles County jail system is the largest jail system in the world. In October of 2019, the Los Angeles County Board of Supervisors voted unanimously to impose a partial freeze-- \$143.7 million— of the Sheriff Department's budget. Overtime pay accounted for much of the spending, despite new positions (required to comply with settlement agreements and changing state laws) already having been filled.

California adopted Assembly Bill 109 Public Safety Realignment in the spirit of progressive criminal justice reform. Similarly, Governor Newsom's recently unveiled budget seeks to push our state toward a criminal justice system rooted in humanity and compassion. Without proper oversight at the state-level, there is little to no accountability for county sheriffs to ensure they are properly spending prison realignment funds as intended— the vastly different ways the three aforementioned counties have spent their funds attest to this. It is not only cynical, but also inhumane, to assume the inevitability of tragedies such as inmate deaths and suicides. Such thinking only works to undo the hard-fought progress achieved by legislators and advocates and stifle the further change we so desperately need.

It is imperative that we work to support the dignity and health of incarcerated Californians. And there can be no meaningful legislative solution(s) if we do not first have access to data that is full and transparent.

Request and Scope of Audit

I respectfully request that the Joint Legislative Audit Committee approve an audit of the Fresno County Sheriff's Department, the Alameda County Sheriff's Department and the Los Angeles County Sheriff's Department relative to prison realignment. At a minimum, the audit should address the following questions:

1. What was the jail's population prior to prison realignment? What is the jail's current population?
2. Are there any trends in population number, racial and ethnic makeup of population, and inmate deaths by category?
3. How much state prison realignment funding has each County Sheriff's Department received each year? Are there any projections of future funding?
4. Is every Sheriff's Department currently experiencing a surplus or deficit, and by how much?
5. Is the Department using the entirety of the prison realignment funding allocated to them? If not, what portion are they spending?
6. What are the major categories of spending of prison realignment funds? Categories to be broken down include areas such as enforcement, treatment, and jail operations.
7. Are the expenditures in line with how prison realignment funding is to be spent? If not, what explanation does each respective Sheriff's Department offer?
8. Are there any recommendations to improve the accountability, transparency, and oversight of prison realignment?
9. To the extent that is available, what has been the impact of prison realignment on jail populations, jail staff, enforcement personal and surrounding communities?

Thank you for your consideration of my audit request. If you have any questions, please do not hesitate to contact me.



Assemblymember, 54th District

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