



Administration of Justice Policy Committee

130th CSAC Annual Meeting

Wednesday, November 20, 2024 · 8:30 – 10:00 a.m.

Pasadena Convention and Conference Center, Ballroom H

AGENDA

Supervisor Rich Desmond, Sacramento County, Chair
Supervisor Bruno Sabatier, Lake County, Co-Vice Chair
Supervisor Eddie Valero, Tulare County, Co-Vice Chair

8:30-8:35 a.m.

Welcome

*Supervisor Rich Desmond, Sacramento County, Chair
Supervisor Bruno Sabatier, Lake County, Co-Vice Chair
Supervisor Eddie Valero, Tulare County, Co-Vice Chair*

8:35-9:30 a.m.

Human Trafficking and the Victims of Crime Act (VOCA)

*Sgt. Nate Grgich, Sacramento County Sheriff's Office, Special Investigations Bureau, FBI-Violent Crimes Task Force
Faith Whitmore (Ret.), Sacramento Regional Family Justice Center
Michelle Vasquez, Sacramento Regional Family Justice Center
Sgt. Jeffery Hammond, Riverside County Sheriff
Tanishia Wright, Los Angeles County District Attorney's Office, Bureau of Victim Services
Ismael Zepeda, Los Angeles County District Attorney's Office, Bureau of Victim Services
Monica Sebastian, Los Angeles County District Attorney's Office, Bureau of Victim Services*

9:30-9:45 a.m.

Panel Questions and Answers

9:45-9:55 a.m.

Administration of Justice Platform and Policy Priorities

*Supervisor Rich Desmond, Sacramento County, Chair
Ryan Morimune, CSAC Senior Legislative Advocate*

9:55-10:00 a.m.

Closing Remarks

*Supervisor Rich Desmond, Sacramento County
Supervisor Bruno Sabatier, Lake County
Supervisor Eddie Valero, Tulare County*

ATTACHMENTS & ADDITIONAL RESOURCES

Attachment One

Human Trafficking in California

- [What is Human Trafficking? Office of the Attorney General, California Department of Justice](#)
- [The National Human Trafficking Hotline: Human Trafficking](#)
- [Human Trafficking in California, Public Policy Institute of California, February 2023](#)
- [Human Trafficking, FBI](#)
- [What is Human Trafficking? National Institute of Justice](#)

Additional Resources

Role of Law Enforcement / Response

- [Riverside County Sheriff's Office Anti-Human Trafficking Task Force \(RCAHT\)](#)
- [Sacramento County Sheriff's Office Victim Resources](#)
- [Los Angeles County District Attorney Victim Services](#)
- [Tulare County District Attorney's Office, Human Trafficking](#)

Additional Resources

Role of Community Based Organization / Response

- [Sacramento Regional Family Justice Center](#)
- [Barbara Sinatra Children's Center](#)

Attachment Two

Victims of Crime Act (VOCA)

- [Overview, Crime Victims Fund. Office of Victims of Crime](#)
- [Responding to Homelessness, Police-Mental Health Collaboration \(PMHC\) Toolkit, Bureau of Justice Assistance](#)
- [Victims' Services Unit, Office of the Attorney General, California Department of Justice](#)
- [Victim Services, California Office of Emergency Services](#)
- [Victim/Witness Assistance Program, Central District of California, United States Attorney's Office](#)
- *Legislation:* Federal: [H.R. 8061](#) & [S. 4514](#); State: [AB 2432 \(Chapter 651, Statutes of 2024\)](#) & [AB 1956 \(Reyes, 2024\)](#)
- [WHAT IS HUMAN TRAFFICKING? National Network for Youth](#)



View all conference materials on the CSAC website via the QR code above

ATTACHMENT ONE

Human Trafficking in California



OFFICERS

President

Bruce Gibson
San Luis Obispo County

1st Vice President

Jeff Griffiths
Inyo County

2nd Vice President

Susan Ellenberg
Santa Clara County

Past President

Chuck Washington
Riverside County



CEO

Graham Knaus

November 20, 2024

To: Administration of Justice Policy Committee

From: Ryan Morimune, CSAC Senior Legislative Advocate, Administration of Justice
Michaela Stone, CSAC Legislative Analyst, Administration of Justice

RE: Human Trafficking in California

OVERVIEW

Human trafficking in California is widespread. According to the National Human Trafficking Hotline (NHTH) per the California Department of Justice (DOJ)¹, over 10,949 cases of human trafficking were reported *within* the United States in 2018; of that amount, 1,656 cases of human trafficking were from California. This amounts to approximately *fifteen percent* of all cases reported nationwide. The DOJ reiterates this with sobering details from NHTH: not only is California itself “one of the largest sites of human trafficking in the United States,” but the “United States [itself] is widely regarded as a destination country for human trafficking.”² Federal reports, to compare, estimate the number of individuals trafficked *into* the U.S. as upwards of approximately 14,000 to 17,000 annually.³

The DOJ defines human trafficking as such:

“...anyone who deprives or violates the personal liberty of another with the intent to obtain forced labor or services, procure or sell the individual for commercial sex, or exploit the individual in obscene matter, is guilty of human trafficking. Depriving or violating a person’s liberty includes “substantial and sustained restriction of another’s liberty accomplished through fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to the victim or to another person, under circumstances where the person receiving or apprehending the threat reasonably believes that it is likely that the person making the threat would carry it out. However, sex trafficking of juveniles is separately defined as causing, inducing, persuading, or attempting to cause, induce or persuade a minor to engage in a commercial sex act. Forced labor or services include “labor or services that are performed or provided by a person and are obtained or maintained through force, fraud, or coercion, or equivalent conduct that would reasonably overbear the will of the person.”⁴

Various resources indicate that perpetrators of human trafficking do not subscribe to a singular religion or race. Rather, they are integrated throughout communities, including within one’s own family. Critically, the pendulum often swings in the opposite direction: victims may take any form, although some specific populations may be more vulnerable than others per the NHTH, including those experiencing unstable living situations.

In California, NHTH statistics reflect an overwhelmingly amount of sex trafficking (as compared to labor trafficking) in 2023. Demographic information from the same year on victims and survivors

¹ **Note:** the acronym “DOJ” appears throughout this packet within different contexts. This memo uses DOJ to refer to the California Department of Justice. Comparatively, the corresponding memo on VOCA uses DOJ to refer to the U.S. Department of Justice.

² [What is Human Trafficking?](#) Office of the Attorney General, California Department of Justice.

³ [What is Human Trafficking?](#) Office of the Attorney General, California Department of Justice.

⁴ [Penal Code Section 236.1](#)

as reported by the NHTH reflect a majority of victims as female and of adult age. Additionally, the Public Policy Institute of California (PPIC) reported in February 2023 that victims of trafficking, including more than half of all victims trafficked in California, are increasingly foreign-born (54% as of 2021, compared to 36% in 2015). For victims, residential-based commercial sex comprised the vast majority of venues of sex trafficking, whereas domestic workplaces have provided the majority of venues for labor trafficking.

ROLE OF LAW ENFORCEMENT / RESPONSE

The Federal Bureau of Investigation (FBI) notes the importance of cross-jurisdictional collaboration to effectively combat human trafficking, including alongside local and tribal partners. While local law enforcement agencies throughout California respond to human trafficking in their communities in a variety of ways, there are often similarly effective tools used throughout California's distinct counties: public awareness and educational campaigns, resource dashboards, comprehensive directories of federal, state, and local resources, and more. What follows is a short description of how some counties' law enforcement agencies approach human trafficking; this is *not inclusive* of all techniques, strategies, or best practices.

Several counties, such as Napa, Riverside, San Diego, and Ventura, utilize the efforts of task forces. For example, the [Riverside County Sheriff's Department](#) worked hand-in-hand with the Barbara Sinatra Children's Center (Center) in the formation of the Coalition to End Human Trafficking Coachella Valley (Coalition). Not only does this example display the interconnected relationship between law enforcement and community providers in combining efforts to respond to human trafficking, but the Riverside County Anti-Human Trafficking (RCAHT) Task Force also continues to work closely with the Center for the provision of victim services. The [San Diego Human Trafficking Task Force \(HTTF\)](#) functions alongside numerous law enforcement agencies, including but not limited to the California Department of Justice/Attorney General's Office (DOJ/AGO), California Highway Patrol (CHP), Federal Bureau of Investigation (FBI), San Diego City Attorney's Office (SDCAO), San Diego Sheriff's Department (SDSD), San Diego Police Department (SDPD), United States Attorney's Office, Southern District of California (USAO), and other supporting agencies. Another tool commonly used by law enforcement task forces is a data or information portal. For example, the Ventura County Human Trafficking Task Force and its [interactive data portal](#) allows users to navigate virtual dashboards that provide data from the Ventura County Sheriff's Office Human Trafficking Data on specific jurisdictions, arrests, human trafficking violations, and more. Comparatively, the [Napa County Human Trafficking Task Force's Human Trafficking Information Portal](#) is designed to provide information on not only human trafficking itself, but importantly, tips on recognizing human trafficking and resources available for those in need.

Local district attorney offices also play a large role in combatting human trafficking across California. For example, the [Los Angeles County District Attorney's Office \(LADA\)](#) has multiple divisions to combat human trafficking, such as the Human Sex Trafficking Section, which prosecutes exploiters, and the Organized Crime and Consumer Protection Division, which prosecutes those who profit from human trafficking. Additionally, the LADA also has the Human Trafficking Victim Assistance Program, which provides services to victims and survivors of all ages. As it relates to the importance of collaborating cross-jurisdictionally, the [Sacramento County District Attorney's Office](#) offers examples of this strategy put into action: the office's Human Trafficking Unit offers trainings to members of law enforcement while the Sacramento Child Exploitation Task Force (CETF), which includes the FBI, the Sacramento Police Department, and Sacramento County Sheriff's Department, work together to combat these crimes.

ROLE OF COMMUNITY BASED ORGANIZATIONS / RESPONSE

Community based organizations (CBOs) are integral in responding to human trafficking throughout California's communities. Some work in tandem with local law enforcement agencies, such as the above-referenced Center, which remains the lead victim service provider for both the Coalition and RCAHT. Another example is the Sacramento Regional Family Justice Center, which offers services on crisis intervention, safety planning, and more, working collaboratively alongside the Sacramento County District Attorney. Many CBOs provide similar services or programming as law enforcement or county partners, such as assistance in filing claims with the California Victim Compensation Board (CalVCB), information about the judicial process, or simply making first contact with a victim or witness. As noted above relating to the role and response of law enforcement, the above short description of how some counties' community-based organizations utilize resources and capacity approach human trafficking; this is not inclusive of *all* techniques, strategies, or best practices.

OVERLAP WITH THE VICTIMS OF CRIME ACT

As it relates to human trafficking, the Victims of Crime Act (VOCA) funds provide support to victims of crime, a critical component of which is direct support for providers, such as retaining dedicated staff and victim advocates. Further, when surveyed by CSAC on the impact of VOCA on-the-ground in May 2024, counties across the state attested to the positive impact and necessity of these dollars. One county reported that estimated shortfalls would result in the loss of staff and the reduction or elimination of services for over 3,600 victims of assault, child physical abuse or neglect, sexual assault, domestic violence, elder abuse or neglect, human trafficking (both for labor and sex), attempted homicide survivors, LGBTQ+ survivors of discrimination and abuse, and individuals experiencing homeless. Declines in VOCA funding will result in many counties facing severe budget shortfalls in the victim services space, directly and immediately impacting service delivery due to lack of treatment capacity. Please find additional information on VOCA on the following memo.

RESOURCES

- [What is Human Trafficking? Office of the Attorney General, California Department of Justice](#)
- [The National Human Trafficking Hotline: Human Trafficking](#)
- [Human Trafficking in California, Public Policy Institute of California, February 2023](#)
- [Human Trafficking, FBI](#)
- [What is Human Trafficking? National Institute of Justice](#)

RESOURCES FOR VICTIMS

If you are a victim of sex or labor trafficking, or you suspect that you know someone who is, please call law enforcement and any of the following free, anonymous hotlines:

- FBI: (310) 996-6565
- Local Law Enforcement or emergencies: call 9-1-1
- National Human Trafficking Hotline: (888) 373-7888
- TTY: 711
- Text* 233733

CSAC STAFF

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Michaela Stone, CSAC Legislative Analyst: mstone@counties.org

ATTACHMENT TWO

Victims of Crime Act (VOCA)



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Past President

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Riverside County



CEO

Graham Knaus

November 20, 2024

To: Administration of Justice Policy Committee

From: Ryan Morimune, CSAC Senior Legislative Advocate, Administration of Justice
Michaela Stone, CSAC Legislative Analyst, Administration of Justice

RE: Victims of Crime Act (VOCA)

VICTIMS OF CRIME ACT (VOCA)

The Victims of Crime Act (VOCA) established the Crime Victims Fund (CVF) in the mid-1980s; VOCA grants offer support nationwide for victims of crime. The CVF is a nontaxpayer source of funding that is financed by monetary penalties associated with federal criminal convictions, as well as penalties from federal deferred prosecution and non-prosecution agreements. Deposits into the CVF fluctuate based on the number of criminal cases that are handled by the United States Department of Justice (DOJ), with Congress determining on an annual basis how much to release from the CVF to states.

While funded by federal criminal conviction fines and penalties, the CVF also faces a strict *annual cap* instituted in Fiscal Year (FY) 2000, which limits the distribution of funds to conserve resources for future use. Historically, the cap has exceeded \$4 billion; recently, the cap has decreased to \$1.9 billion in FY 2023.¹ In 2021, President Biden responded by signing the VOCA Fix to Sustain the Crime Victims Fund, which, among other things, mandated funds from federal deferred prosecution and non-prosecution agreements to be placed into the CVF to supplement falling funds, rather than depositing these dollars into the U.S. Treasury.² Administered at the federal level by the Office for Victims of Crime (OVC), the California Office of Emergency Services (Cal-OES) serves as the conduit of funds within California to various on-the-ground providers. Below is additional information on the intersection between VOCA [dollars] and human trafficking in California, prefaced by recent budget advocacy efforts.

VOCA BUDGET ADVOCACY

CSAC, alongside a broad coalition of victim advocacy organizations, supported state backfill to supplement the above-described recent decreases in VOCA funding. This coordinated effort resulted in the inclusion of \$103 million one-time funding for VOCA backfill. These critical funds will allow local district attorneys, community-based organizations (CBOs), and law enforcement agencies to continue their vital work in protecting and assisting victims of crime.

VICTIM SERVICES / PROVIDERS

Victim service providers do not fit within one narrow category; providers may take many forms dependent on local or regional needs. Providers may be within various county departments, including but not limited to law enforcement, who often operate within Task Forces to identify and apprehend offenders; CBOs or nonprofits, providing case management and comprehensive wraparound services; providers may take the form of victim advocates, working in various capacities on behalf of their clients: to receive financial restitution, to assist in navigating the criminal justice system, crisis resolution, and more. Providers work in many aspects throughout

¹ Overview, Crime Victims Fund. Office for Victims of Crime. <https://ovc.ojp.gov/about/crime-victims-fund>

² The VOCA Fix. Office for Victims of Crime. <https://ovc.ojp.gov/about/crime-victims-fund/voca-fix>

the continuum of victim recovery, assistance, support, and empowerment services. Critically, victim service providers in California are supported, in part or in whole, by VOCA funds. On the ground across all 58 counties, VOCA helps to support victims of human trafficking via the work of district attorney offices, victim witness advocates, legal advocacy, crisis centers that offer rehabilitative assistance to all crime victims, such as crisis intervention and counseling, clinical case management, task forces, and more. Thousands of victims across California are served annually in programs that are supported by VOCA funding. Counties throughout California are not immune to human trafficking and largely or in part depend on VOCA funding to support the provision of services to crime victims. As counties are the de facto provider of many community services, local government involvement in the continuum of combatting human trafficking is inescapable.

VICTIMS OF CRIME / HOMELESSNESS

As homelessness remains one of the most challenging and unrelenting concerns facing California, the inextricable intersection between crime victim [services] and homelessness, which includes victims of sex and labor trafficking, requires consideration when understood within the broader context of human trafficking and VOCA funding.

The federal Bureau of Justice Assistance (BJA) portrays a cyclical pattern of homelessness and justice involvement, with the understanding that other factors may perpetuate to this cycle, including historical racial disparities as well as high levels of serious mental health illnesses. The BJA further describes how an understanding of the nuances between *unsheltered* versus *sheltered* living status can contribute to crime victimization and homelessness.³

According to the National Network for Youth (NN4Youth), “One in five runaway and homeless youth are a victim of human trafficking - inclusive of sex and labor trafficking,” and “68 percent of the youth who had either been trafficked or engaged in survival sex or commercial sex had done so while homeless.”⁴ In addition, NN4Youth reports that, if unhoused, there are certain factors that may exacerbate one’s vulnerability to be a victim of trafficking, including but not limited to time spent in foster care or early childhood trauma.

RECENT LEGISLATION & RESOURCES

- [Overview, Crime Victims Fund, Office of Victims of Crime](#)
- [Responding to Homelessness, Police-Mental Health Collaboration \(PMHC\) Toolkit, Bureau of Justice Assistance](#)
- [Victims’ Services Unit, Office of the Attorney General, California Department of Justice](#)
- [Victim Services, California Office of Emergency Services](#)
- [Victim/Witness Assistance Program, Central District of California, United States Attorney’s Office](#)
- *Legislation:* Federal: [H.R. 8061](#) & [S. 4514](#); State: [AB 2432 \(Chapter 651, Statutes of 2024\)](#) & [AB 1956 \(Reyes, 2024\)](#)
- [WHAT IS HUMAN TRAFFICKING? National Network for Youth](#)

CSAC STAFF CONTACTS

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³ Responding to Homelessness, Police-Mental Health Collaboration (PMHC) Toolkit. Bureau of Justice Assistance. <https://bja.ojp.gov/program/pmhc/responding-homelessness#background>

⁴ WHAT IS HUMAN TRAFFICKING? National Network for Youth. <https://nn4youth.org/learn/human-trafficking/>

ATTACHMENT THREE

2025 Administration of Justice Legislative Priorities and 2024 Year in Review



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November 20, 2024

To: Administration of Justice Policy Committee

From: Ryan Morimune, CSAC Senior Legislative Advocate
Michaela Stone, CSAC Legislative Analyst

RE: 2025 Administration of Justice Legislative Priorities and 2024 Year in Review

The second year of the 2023-24 legislative session presented numerous bills with significant impacts to counties. In this memo, please find the Administration of Justice (AOJ) priorities for 2025 and a review of some of the noteworthy public safety measures from 2024.

ACTION ITEM – 2025 Legislative Priorities

Juvenile Justice

Over the last two decades, California’s juvenile justice system has undergone transformative changes at the state and county level. On June 30, 2023, the state’s Division of Juvenile Justice (DJJ), which had an average daily population of roughly 600 to 700 youth over the preceding decade, ceased operations and realigned the care of these youth to counties. The youth previously adjudicated to DJJ were those with the most serious criminal backgrounds and intensive treatment needs. Since DJJ’s June 30, 2023, closure, counties are required to provide wrap-around services, programming, specialized treatment, and maintain and increase staffing where necessary, while making significant upgrades to improve design and create additional space within existing facilities. Counties will continue to work towards exceeding these goals, while improving recruitment and retention of staff, and CSAC will advocate for the necessary funding and resources to achieve this across all counties. Nevertheless, the focus of county probation departments will remain the same – to provide care for youth and young adults close to their loved ones and ensure access to effective, individualized treatment while upholding public safety. The goal is to ensure that all youth are safe, healthy, and supported to become contributing members of their community.

Felony Incompetent to Stand Trial (IST) Growth Cap and Penalty Program

Over the past few years, CSAC, with help from county affiliates and partners, have worked with the Administration to implement changes to the California Department of State Hospitals (DSH) growth cap and penalty program. This past year, an additional change to the penalty formula was accepted by DSH, which will potentially reduce the penalty amount for counties who exceed their IST commitment growth cap, if they remain below the median statewide IST commitment rate. These program improvements align with the shared goal of reducing the number of IST commitments, while also reducing the total statewide county penalty amount in the millions of dollars, which will be critical as we approach fiscal year 2026-27 when the tiered penalty rate schedule will sunset. CSAC will continue its advocacy efforts whether that is incorporating further changes to the IST growth cap and penalty program or engaging on legislation and budget items that impact local systems and the larger IST population that are served by counties.

California Advancing and Innovating Medi-Cal Justice-Involved Initiative (CalAIM JI)

In January 2023, California became the first state in the nation to be approved to begin providing specified Medicaid services in adult and juvenile correctional facilities. This is a multi-pronged initiative that endeavors to facilitate the continuous provision of healthcare services to individuals transitioning out of correctional settings; extensive readiness assessments and cross-departmental coordination are required. As counties implement this program alongside various stakeholders, CSAC will continue to provide ongoing updates and guidance from the state, convene counties for vital information sharing and learning opportunities, and advocate for adequate, long-term funding necessary for successful implementation of the CalAIM JI initiative.

2025 Federal Priorities

Victims of Crime Act (VOCA)

CSAC successfully advocated on two fronts to support victim services providers to ensure all victims of crime in California receive the support they need. The Victims of Crime Act (VOCA) provides an essential revenue stream for counties and community organizations to deliver a wide range of critical victim services. After federal cuts to the funding, CSAC, along with a broad coalition of supporters, coordinated efforts and secured a one-time \$103 million backfill of state assistance in the 2024 Budget Act.

At the federal level, CSAC continued, *and will continue throughout 2025 and onwards*, to advocate in support of legislation such as [H.R. 8061](#) and [S. 4514](#), both of which have strong bipartisan support and provide stabilization to program funding.

At a local level, CSAC also supported [AB 2432 \(Chapter 651, Statutes of 2024\)](#), which establishes the California Crime Victims Fund and authorize courts to impose additional fines on corporations convicted of a misdemeanor or felony, known as the corporate white-collar criminal enhancement. These fines would be deposited into the California Crime Victims Fund, to supplement VOCA funding. Read more about why CSAC supported AB 2432 below.

INFORMATIONAL ITEM – 2024 Administration of Justice Legislative Year in Review

SB 1057 (Menjivar) – **OPPOSED / DEAD**

Juvenile Justice Coordinating Councils: This measure would have dramatically recast the composition of multiagency juvenile justice coordinating councils, which are designed to develop and implement a continuum of county-based responses to address the needs of justice system-involved youth. CSAC strongly opposed SB 1057 on the grounds that it would have impacted the deployment of Juvenile Justice Crime Prevention Act funds, constituted a higher level of service with respect to a realigned program pursuant to Proposition 30, and ultimately arrives at a time when neither the state nor the counties have sufficient resources. SB 1057 was held in the Assembly Appropriations Committee on August 15, 2024.

AB 2882 (McCarty) – **OPPOSED / DEAD**

California Community Corrections Performance Incentives: This measure would have changed the composition of Community Corrections Partnerships (CCP), specified new plan development

and processing requirements at the local level, and added considerable new CCP data collection and reporting requirements. CSAC opposed AB 2882 on the grounds that it was duplicative of existing reporting requirements, targeted at a specific justice-involved population and 2011 Realignment subaccount, and saddled counties with new duties and responsibilities at a time when funding that accompanied our existing reporting responsibilities for the same program has been cut. AB 2882 was held in the Senate Appropriations Committee on August 15, 2024.

[AB 2432 \(Gabriel\) \(Chapter 651, Statutes of 2024\)](#) – **SUPPORTED / CHAPTERED**

California Victims of Crime Act: As noted above, this measure establishes the CVF in the California State Treasury and authorizes additional fines on corporations convicted of a misdemeanor or felony, with the fines deposited into the California Crime Victims Fund. CSAC supported this measure as it strengthens existing services for crime victims, as well as to help ensure that victim advocates, district attorneys, and other providers have resources to continue delivering critical services. AB 2432 was signed by the Governor on September 27, 2024.

[SB 1144 \(Skinner\) \(Chapter 172, Statutes of 2024\)](#) – **SUPPORTED / CHAPTERED**

Marketplaces: online marketplaces: CSAC supported SB 1144 as this measure expands existing provisions on online marketplaces and improves enforcement authority over illegitimate operations. This measure also modifies current definitions to apply to a broader range of sellers and consumers and expands protections and transparency for consumers by ensuring that online marketplaces create both a policy that prohibits the sale of stolen goods, and a mechanism in which individuals may report the sale of stolen goods. Further, this bill requires that online marketplaces notify law enforcement of illegal transactions and extends the Attorney General's current authority to take civil action against those utilizing online marketplaces to sell stolen goods to district attorneys, county counsel, and city attorneys. This measure becomes operative on July 1, 2025. SB 1144 was signed by the Governor on August 16, 2024.

The below public safety bills were signed into law by the Governor:

RETAIL THEFT

[AB 1779 \(Irwin\) \(Chapter 165, Statutes of 2024\)](#)

Theft: jurisdiction: This measure removes jurisdictional rules for specified crimes; if multiple offenses are committed by the same individual in multiple jurisdictions, action may be brought in any jurisdiction, subject to a consolidation of the offenses and agreement across all involved district attorneys, effectively allowing criminal action by all impacted counties. AB 1779 was signed by the Governor on August 16, 2024.

[AB 1802 \(Jones-Sawyer\) \(Chapter 166, Statutes of 2024\)](#)

Crimes: organized crime: This measure extends the operation of both the crime of organized retail theft, as well as the Department of California Highway Patrol and Department of Justice's regional property crime task force, indefinitely. AB 1802 was signed by the Governor on August 16, 2024.

[AB 1960 \(Rivas, Robert\) \(Chapter 220, Statutes of 2024\)](#)

Sentencing enhancements: property loss: This measure authorizes sentencing enhancements for the unlawful taking, damaging, or destroying of property while attempting or committing a felony, until January 1, 2030. Allows for aggregation in situations that arise from a common scheme or plan or exceed certain financial losses. AB 1960 was signed by the Governor on September 12, 2024.

[AB 1972 \(Alanis\) \(Chapter 167, Statutes of 2024\)](#)

Regional property crimes task force: The regional property crimes task force, as convened by the California Department of Highway Patrol and the Department of Justice, is required to assist railroad law enforcement; this measure also specifies that cargo theft is to be a property crime for consideration by the task force. AB 1972 was signed by the Governor on August 16, 2024.

[AB 2943 \(Zbur, Rivas\) \(Chapter 168, Statutes of 2024\)](#)

Crimes: shoplifting: Among other things, this measure makes it a crime to possess and intend to sell unlawfully acquired property that exceeds \$950, as well as authorizing the aggregation of that property's value, if acting in coordination with others. This measure authorizes a warrantless arrest for a misdemeanor shoplifting offense by a peace officer, prohibits local jurisdictions from levying nuisance actions against a business for reporting retail crime, and expands probationary terms in specified circumstances. AB 2943 was signed by the Governor on August 16, 2024.

[AB 3209 \(Berman\) \(Chapter 169, Statutes of 2024\)](#)

Crimes: theft: retail theft restraining orders: This measure authorizes courts to issue a criminal protective order when sentencing for an offense that involves theft or vandalism from of a retail establishment, as well as battery of an employee of the establishment. Prosecutors may file a criminal protective order against a defendant who committed multiple offenses at the same establishment. AB 3209 was signed by the Governor on August 16, 2024.

OTHER MEASURES

[AB 628 \(Wilson\) \(Chapter 54, Statutes of 2024\)](#)

Prisons: employment of inmates: This measure requires that the California Department of Corrections and Rehabilitation (CDCR) develop a voluntary [paid] work program, which would include wages as determined by local ordinance. **This measure is contingent on passage of Proposition 6 in the 2024 General Election on November 5.** AB 628 was signed by the Governor on July 2, 2024.

[SB 1400 \(Stern\) \(Chapter 647, Statutes of 2024\)](#) – **OPPOSED UNLESS AMENDED**

Criminal procedure: competence to stand trial: This measure requires hearings for misdemeanor incompetent to stand trial (IST) defendants to determine diversion eligibility, and if ineligible, to determine appropriate referrals. Amongst other provisions, this measure makes considerable changes to the Community Assistance, Recovery and Empowerment (CARE) Act. The measure requires that counties report specified data elements for both active and former CARE participants; some of the added requirements are not Medi-Cal reimbursable activities nor is some of the data accessible to counties. CSAC and a county coalition took an opposed unless amended position to this measure. SB 1400 was signed by the Governor on September 27, 2024.

[SB 1323 \(Menjivar\) \(Chapter 646, Statutes of 2024\)](#)

Criminal procedure: competence to stand trial: Among other provisions, this measure allows evaluation of a defendant's mental competency by up to two licensed medical professionals, as well as a subsequent report of this evaluation to be submitted to the court for determination, in lieu of a traditional hearing to determine competency. Should a felony defendant be found to be incompetent [to stand trial], the court would be required to ascertain if attaining competency is in the interest of the justice system. SB 1323 was signed by the Governor on September 27, 2024.

[SB 42 \(Umberg\) \(Chapter 640, Statutes of 2024\)](#)

Community Assistance, Recovery, and Empowerment (CARE) Court Program: process and proceedings: This measure expands on various components of the CARE Act process, including that notice of continuances must be provided to specified individuals commencing July 1, 2025, and that specified facilities may refer involuntarily treated individuals to the local county behavioral health agency; other provisions include the ability for petitioners to amend petitions without refiling, authorization of expanded communications between involved courts, and more. *Importantly, this bill takes effect immediately as an urgency statute.* SB 42 was signed by the Governor on September 27, 2024.

[SB 1025 \(Eggman\) \(Chapter 924, Statutes of 2024\)](#)

Pretrial diversion for veterans: This measure adds felony offenses to pretrial diversion programs for a defendant currently, or having previously served as a member of the U.S. Armed Forces, and when the defendant's condition played a significant role in the offense. This measure also authorizes prosecutors to request a court order to prohibit firearm use by veteran defendants until restoration. SB 1025 was signed by the Governor on September 29, 2024.

[SB 989 \(Ashby\) \(Chapter 654, Statutes of 2024\)](#)

Domestic violence: deaths: Among other things, this measure expands processes and guidelines for law enforcement, such as relating to training to recognize signs of domestic homicides, and to undergo additional steps, such as interviewing family members, when involved in an investigation into a domestic violence death. Additionally, this measure authorizes coroners to follow specific procedures if there is reasonable belief that the death was caused or related to domestic violence, including in instances of suicide. SB 989 was signed by the Governor on September 27, 2024.

[AB 3042 \(Nguyen\) \(Chapter 428, Statutes of 2024\)](#)

County penalties: This measure extends the sunset date for the DNA Identification Fund from January 2025 to January 2028 (and potentially longer in specific situations.) This fund requires that additional one-dollar penalties be added to every ten dollars that comprise fines, penalties, or forfeitures as collected by courts in criminal offenses to reimburse local law enforcement and crime laboratories for work relating to DNA processing and maintenance. Additional penalties do not apply to restitution fines, parking offenses, and more. AB 3042 was signed by the Governor on September 22, 2024.

[AB 1186 \(Bonta\) \(Chapter 805, Statutes of 2024\)](#)

Restitution fines: Among other things, this measure makes restitution fines uncollectible ten years post imposition of said fine; this also applies to *minors adjudged a ward of the court*, and these specific minors are also not held responsible for restitution fines. Additionally, minor defendants are to be considered severally liable, rather than jointly with co-defenders, as it relates to victim restitution. AB 1186 was signed by the Governor on September 28, 2024.

[AB 2106 \(McCarty\) \(Chapter 1007, Statutes of 2024\)](#)

Probation: This measure authorizes courts to order drug treatment or education, *if* a defendant is charged with a controlled substance and is granted probation, and *if* an applicable program can accept the defendant. AB 2106 was signed by the Governor on September 30, 2024.

[AB 2176 \(Berman\) \(Chapter 385, Statutes of 2024\)](#)

Juvenile court schools: chronic absenteeism rates: This measure requires the Office of Youth and Community Restoration (OYCR) to annually report on chronic absenteeism rates in juvenile court schools. Subject to funding availability, OYCR is required to investigate reasons for specific chronic absences and provide technical assistance in situations that are found to contribute to

chronic absenteeism, such as insufficient staffing. AB 2176 was signed by the Governor on September 22, 2024.

[AB 3013 \(Maienschein\) \(Chapter 250, Statutes of 2024\)](#)

Courts: remote court reporting: This measure authorizes Superior Courts in thirteen counties to undergo pilot projects dedicated to studying the use of remote court reporting to make verbatim records. AB 3013 was signed by the Governor on September 14, 2024.

[AB 2645 \(Lackey\) \(Chapter 730, Statutes of 2024\)](#)

Electronic toll collection systems: information sharing: law enforcement: This measure authorizes transportation agencies that utilize electronic toll collection systems to provide identifiable information of a vehicle license plate reader to a peace officer. Existing law prohibits transportation agencies from providing identifiable information to law enforcement with limited exceptions, such as pursuant to a search warrant or in the event of the activation of the Emergency Alert System. AB 2645 was signed by the Governor on September 27, 2024.

[AB 1859 \(Alanis\) \(Chapter 684, Statutes of 2024\)](#)

Coroners: duties: This measure authorizes coroners to test for the presence of xylazine *if* there is reasonable belief of an accidental or intentional opioid overdose, or if intervention efforts were unsuccessful. Positive results must be provided to the California Department of Public Health (CDPH), which must make such information available (note: CDPH is to post information on the total number of xylazine-positive results, the number of xylazine-positive results by county, and the number of xylazine-positive overdose deaths, per 100,000 population.) AB 1859 was signed by the Governor on September 27, 2024.

[AB 1976 \(Haney\) \(Chapter 689, Statutes of 2024\)](#)

Occupational safety and health standards: first aid materials: opioid antagonists: This measure requires that the California Department of Occupational Safety and Health (Cal-OSHA) to submit a draft rulemaking proposal to revise regulations relating to first aid materials, to require opioid antagonists, as well as instructions for usage and guidance for storage. A notable component of this measure is the limited liability of those who administer, or attempt to administer, opioid-antagonists. AB 1976 was signed by the Governor on September 27, 2024.

[SB 908 \(Cortese\) \(Chapter 867, Statutes of 2024\)](#)

Fentanyl: child deaths: This measure requires the California Department of Public Health to monitor and identify trends in child deaths related to fentanyl in youth ages 0 to 5 years, with guidance to local health departments issued annually. SB 908 was signed by the Governor on September 28, 2024.

The below public safety bills were vetoed by the Governor:

[AB 2693 \(Wicks\)](#)

Childhood sexual assault: statute of limitations: Current law indefinitely authorizes the commencement of the recovery of damages as a result of childhood sexual assault in a county owned or operated juvenile probation camp/detention facility that occurred *after* January 1, 2024. For all instances of childhood sexual assault that occurred before December 31, 2023, current law stipulates specified timelines to commence legal action relating to damages. This measure would have removed the timelines for pursuing recovery of damages for the victims of childhood sexual assault that occurred within a county owned or operated juvenile probation camp/detention

facility *before* December 31, 2023. AB 2693 was vetoed by the Governor on September 29, 2024, and the veto message can be found [here](#).

[AB 544 \(Bryan\)](#)

Voting pilot program: county jails: This measure would have authorized a pilot program to provide grants to three counties, San Benito, San Mateo, and Santa Cruz, to improve voter participation within jail facilities. AB 544 was vetoed by the Governor on September 22, 2024, and the veto message can be found [here](#).

[SB 1133 \(Becker\)](#)

Bail: This measure would have required courts to review evidence indicating risk of flight or to public safety, including that of the victim, and to consider less restrictive placements. This measure also entitled defendants who have a nonmonetary condition of release to undergo another review of the above conditions, if the defendant has been compliant, for sixty days, to conditions set by prior judicial proceedings. SB 1133 was vetoed by the Governor on September 22, 2024, and the veto message can be found [here](#).

[AB 2120 \(Chen\)](#)

Trespass: Current law prohibits willful trespass on real property. This measure specified that existing provisions prohibiting trespass do not apply to repossession agencies, if employees are undertaking action within the scope of their roles and leave the property in a timely fashion. AB 2120 was vetoed by the Governor on September 22, 2024, and the veto message can be found [here](#).

[AB 2681 \(Weber\)](#)

Weapons: robotic devices: This measure would have prohibited the manufacturing, modification, sale, transfer, or operation of robotic devices equipped with a weapon. AB 2681 was vetoed by the Governor on September 23, 2024, and the veto message can be found [here](#).

ATTACHMENT FOUR

ACTION ITEM: Approval of Proposed Changes to the Administration of Justice Policy Platform



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Graham Knaus

November 20, 2024

To: Administration of Justice Policy Committee

From: Ryan Morimune, CSAC Senior Legislative Advocate, Administration of Justice
Michaela Stone, CSAC Legislative Analyst, Administration of Justice

RE: ACTION ITEM: Approval of Proposed Changes to the Administration of Justice Policy Platform

RECOMMENDATION

Staff recommends that the Administration of Justice (AOJ) Policy Committee approve the attached recommended changes to the California State Association of Counties (CSAC) policy platform and forward it to the CSAC Board of Directors for final approval.

BACKGROUND

The California County Platform is a statement of basic policies on issues of concern and interest to California’s 58 counties. CSAC’s policy committees and Board of Directors review the platform regularly, amending and updating when necessary. In addition, the CSAC policy committee recommends updates to their relevant platform chapters every two years, with action taken at the Annual Meeting by the respective committees.

As part of this biannual process, in early October, the AOJ staff and chairs reviewed and recommended changes to the AOJ platform chapter, and we invited committee members and county affiliates to provide any additional feedback. Most of the proposed edits are technical or stylistic changes, removal of unnecessary or outdated language, and restructured sections or sentences.

Below is a summary of notable changes:

SECTION 2: LEGISLATIVE AND EXECUTIVE MATTERS

- *Public Defense Services* – underscores the importance of prosecutorial and defense services and highlights support for equitable funding opportunities between district attorneys and public defenders.
- *General Principles for Local Corrections – Medical Services* – as counties implement the California Advancing and Innovating Medi-Cal Justice-Involved Initiative (CalAIM JI), counties urge the state to consider ongoing impacts to counties, specifically related to long-term funding and resources.
- *Division of Juvenile Justice Realignment* – Updates language to reflect counties’ full responsibility for the entire juvenile justice continuum.

SECTION 5: VIOLENCE PREVENTION

- Adds language to reflect the inclusion of “hate crimes” to an understanding of violence and captures all groups of people who are often impacted by violence by including “other marginalized groups.”

SECTION 6: HOMELESSNESS

- Adds language to reflect that the *Homelessness Principles* approved by the CSAC Board of Directors in September 2022 were utilized to develop CSAC's "AT HOME plan" unveiled in March 2023.

ACTION REQUESTED

Staff requests approval from the committee to advance the proposed changes to the CSAC Board of Directors.

ATTACHMENT

A marked-up copy of the AOJ platform chapter to illustrate the proposed changes to Chapter 2 – Administration of Justice.

CSAC STAFF

Ryan Morimune, CSAC Senior Legislative Advocate, rmorimune@counties.org

Michaela Stone, CSAC Legislative Analyst, mstone@counties.org



The California County Platform | Chapter 2 Administration of Justice

Adopted by the CSAC Board of Directors March 2023

SECTION 1: GENERAL PRINCIPLES

This chapter is intended to provide a policy framework to direct needed and inevitable change in our justice system without compromising our commitment to both public protection and the preservation of individual rights. CSAC supports and strives to improve the efficiency, effectiveness, quality, and equity within our California justice systems.

The Role of Counties

The unit of local government that is responsible for the administration of the justice system must be close enough to the people to allow direct contact, but large enough to achieve economies of scale. While acknowledging that the state has a constitutional responsibility to enact laws and set standards, California counties are uniquely suited to continue to have major responsibilities in the administration of justice. However, the state must recognize differences arising from variations in population, geography, industry, and other demographics and permit responses to statewide problems to be tailored to the needs of individual counties.

CSAC believes that delegation of the responsibility to provide a justice system is meaningless without provision of adequate sources of funding.

SECTION 2: LEGISLATIVE AND EXECUTIVE MATTERS

Board of Supervisors Responsibilities

It is recognized that the state, and not the counties, is responsible for trial court operations costs and any growth in those costs in the future. Nevertheless, counties continue to be responsible for justice-related services, including, but not limited to, probation, prosecutorial and defense services, as well as the provision of local juvenile and adult detention facilities. Therefore, county boards of supervisors should have budget control over all executive and administrative elements of local justice programs for which we continue to have primary responsibility.

Law Enforcement Services

While continuing to provide the full range of police services, county sheriffs should move in the direction of providing less costly specialized services, which can most effectively be managed on a countywide basis. Cities should provide for patrol and emergency services within their limits or spheres of influence, as well as working collaboratively with sheriffs and counties, sharing the common goal of matching justice-involved individuals with appropriate rehabilitative treatment and support services where available. However, where deemed mutually beneficial to counties and cities, it may be appropriate to

establish contractual arrangements whereby a county would provide law enforcement services within incorporated areas. Counties should maintain maximum flexibility in their ability to contract with municipalities to provide public safety services.

District Attorney Services

The independent, locally elected nature of the district attorney must be protected. This office must have the capability and authority to review suspected violations of [lawthe law](#) and bring its conclusions to the proper court.

Victim Indemnification

Government should be responsive to the needs of victims. Victim indemnification should be a state responsibility, and the state should adopt a program to facilitate receipt of available funds by victims, wherever possible, from the perpetrators of the crime who have a present or future ability to pay, through means that may include, but are not limited to, long-term liens of property and/or long-term payment schedules.

Witness Assistance

Witnesses should be encouraged to become more involved in the justice system by reporting crime, cooperating with law enforcement, and participating in the judicial process. A cooperative anonymous witness program funded jointly by local government and the state should be encouraged, where appropriate, in local areas.

Grand Juries

Every grand jury should continue to have the authority to report on the needs of county offices, but no such office should be investigated more than once in any two-year period, unless unusual circumstances exist. Grand juries should be authorized to investigate all local government agencies, not just counties. Local government agencies should have input into grand jury reports on non-criminal matters prior to public release. County officials should have the ability to call the grand jury foreman and their representative before the board of supervisors, for the purpose of gaining clarification on any matter contained in a final grand jury report. Counties and courts should work together to ensure that grand jurors are properly trained and that the jury is provided with an adequate facility within the resources of the county and the court.

Public Defense Services

Adequate legal representation must be provided for indigent persons as required by constitutional, statutory, and case law. Such representation includes both criminal and mental health conservatorship proceedings. The mechanism for meeting this responsibility should be left to the discretion of individual counties.

Counsel should be appointed for indigent juveniles involved in serious offenses and child dependency procedures. The court-appointed or -selected attorney in these procedures should be trained specifically to work with juveniles.

Adult defendants and parents of represented juveniles who have an ability to pay part of the costs of defense should continue to be required to do so as determined by the court. The state should increase its participation in sharing the costs of public defense services.

Should the Legislature require counties to collect and report data to the state regarding effective and equitable indigent defense, then the Legislature should provide sufficient funding for the staffing and resources necessary to do so. [In the interests of justice, CSAC supports equitable funding opportunities between district attorneys and public defenders.](#)

Coroner Services

The independent and investigative function of the coroner must be assured. State policy should encourage the application of competent pathological techniques in the determination of the cause of death.

The decision as to whether this responsibility is fulfilled by an independent coroner, sheriff-coroner combination, or a medical examiner should be left to the individual boards of supervisors. In rural counties, the use of contract medical examiners shall be encouraged on a case-by-case basis where local coroner judgment is likely to be challenged in court. A list of expert and highly qualified medical examiners, where available, should be circulated to local sheriff-coroners.

Pre-Sentence Detention

Adults

1) Facility Standards

The state's responsibility to adopt reasonable, humane, and constitutional standards for local detention facilities must be acknowledged.

Recognizing that adequate standards are dynamic and subject to constant ~~review~~ review; local governments must be assured of an opportunity to participate in the development and modification of standards.

It must be recognized that the cost of upgrading detention facilities presents a nearly insurmountable financial burden to most counties. Consequently, enforcement of minimum standards must depend upon state financial assistance, and local costs can be further mitigated by shared architectural plans and design.

2) Pre-sentence Release

Counties' discretion to utilize the least restrictive alternatives to pre-sentence incarceration that are acceptable, in light of legal requirements and counties' responsibility to protect the public, should be unfettered.

3) Bail

CSAC supports a pre-trial and bail system that would validate the release of presentence persons using risk assessment tools as a criteria for release. Risk assessment tools and pre-trial release assessments should be designed to mitigate racial and economic disparities while maintaining public safety.

Any continuing county responsibility in the administration or operation of the bail system must include: 1) a state mechanism to finance the full costs of such a system at a level that does not require counties to supplement and 2) provide counties with adequate local flexibility.

Juveniles

1) General

CSAC views the juvenile justice system as being caught between changing societal attitudes calling for harsher treatment of serious offenders and its traditional orientation toward assistance and rehabilitation. CSAC must be involved in state-level discussions and decision-making processes regarding changes to the juvenile justice system that will have a local impact. There must also be recognition that changes do not take place overnight and that an incremental approach to change may be most appropriate.

We support a juvenile justice system that is adapted to local circumstances and increased state and federal funding support for local programs that are effective.

2) Facility Standards

The state's responsibility to adopt reasonable, humane, and constitutional standards for juvenile detention facilities is recognized. The adoption of any standards should include an opportunity for local government to participate. The state must recognize that local government requires financial assistance in order to modernize facilities and effectively implement state standards, particularly in light of the need for separating those who committed less serious offenses from those who committed more serious offenses.

CSAC supports the separation of juveniles into classes of sophistication. Separation should be based upon case-by-case determinations, taking into account age, maturity, need for secure custody, among other factors to keep juveniles and staff safe.

Due to the high cost of constructing separate juvenile hall facilities, emphasis should be placed on establishment of facilities and programs that allow for separation.

3) Treatment and Rehabilitation

As with the adult system, counties should have broad discretion in developing programs for juveniles, but with a focus on treatment, rehabilitation, and reentry.

To reduce overcrowding of juvenile institutions and to improve the chances for treatment and rehabilitation of those who commit more serious offenses, it is necessary that individuals with lower-level offenses are diverted from the formal juvenile justice system to their families and appropriate community-based programs. Each juvenile should receive individual consideration and, where feasible, a risk assessment.

Counties should pursue efficiency measures that enable better use of resources and should pursue additional funding from federal, state, and private sources to establish appropriate programs at the county level.

Prevention and diversion programs should be developed by each county or regionally to meet the local needs and circumstances, which vary greatly among urban, suburban, and rural areas of the state. Programs should be monitored and evaluated on an ongoing basis for their effectiveness to ensure their ability to protect public safety and to ensure compliance with applicable state and federal regulations.

4) Bail

Unless transferred to adult court, juveniles should not be entitled to bail. Release on their own recognizance should be held pending the outcome of the proceedings.

5) Removal of Juveniles to Adult Court

To the greatest extent possible, determinations regarding the fitness of juveniles who have committed serious offenses should be made by the juvenile court on a case-by-case basis.

6) Jury Trial for Juveniles

Except when transferred to adult court, juveniles should not be afforded the right to a jury trial — even when charged with a serious offense.

General Principles for Local Corrections

Definition

Local corrections include maximum, medium and minimum-security incarceration, work furlough programs, home detention, county parole, probation, Post Release Community Supervision (PRCS) and community-based programs for convicted persons.

Purpose

CSAC believes that swift and certain arrest, conviction, and punishment is important to meet immediate public safety needs. However, we also believe that appropriate, individualized treatment and

rehabilitative programming are also key to the prevention of crime and reduction of recidivism. Pragmatic experience justifies the continuation of rehabilitative programs for those convicted persons whom a court determines must be incarcerated and/or placed on local supervision.

In light of the state's recent efforts on corrections reform — primarily on recidivism and overcrowding in state detention facilities, counties feel it is essential to articulate their values and objectives as vital participants in the overall corrections continuum. Further, counties understand that they must be active participants in any successful effort to improve the corrections system in our state. Given that local and state corrections systems are interconnected, true reform must consider the advantage — if not necessity — of investing in local programs and services to help the state reduce the rate of growth in the prison population. Emphasizing front-end investment in local programs and initiatives, will yield greater long-term economic and social dividends that benefit communities across the state.

An optimum corrections strategy must feature a strong and committed partnership between the state and local governments. State and local authorities must focus on pro-social behavior and productive use of time while individuals are in custody or under state or local supervision. A shared commitment to rehabilitation can help address the inextricably linked challenges of recidivism and facility overcrowding. The most effective method of rehabilitation is one that maintains ties to the community.

Programs and services must be adequately funded to enable counties to accomplish their functions in the corrections system and to ensure successful outcomes. To the extent that new programs or services are contemplated, or proposed for realignment, support must be in the form of a dedicated, new and sustained funding source specific to the program and/or service rather than a redirection of existing resources, and adequate to achieve specific outcomes. In addition, any realignment must be examined in relation to how it affects the entire corrections continuum and in context of sound, evidence-based practices. Any proposed realignment of programs and responsibility from the state to counties must be guided by CSAC's existing Realignment Principles.

System and process changes must recognize that the 58 California counties have unique characteristics, differing capacities, and constituents with varying views on public safety and our criminal justice system. Programs should reflect this diversity and be designed to promote innovation at the local level and to permit maximum flexibility, so that services can best target individual community needs and capacities. Data collection and data sharing are critical components as counties implement new criminal justice efforts.

Equal Treatment

Policies that reinforce equitable conditions, treatment, resources, and opportunities are strongly supported. State policy must uphold individuals' right to privacy and acknowledge the programmatic needs of those in custody.

Community-Based Programs

The most cost-effective method of rehabilitating convicted persons is the least restrictive alternative that is close to the individual's community and should be encouraged where possible.

State policy must recognize that correctional programs must always be balanced with the need for public safety and that community-based programs are only successful to the extent that they are sufficiently funded.

Relationship to Human Services Systems

State policy toward corrections should reflect a holistic philosophy, which recognizes that persons entering the correctional system should be provided welfare, medical, mental health, vocational, and educational services. Efforts to rehabilitate persons entering the correctional system should involve these services, based on the needs — and, when possible, a risk assessment — of the individual.

Relationship to Mental Health System: Mental Health Diversion Programs

Adequate mental health services can reduce criminal justice costs and utilization. Appropriate diagnosis and treatment services, as well as increased use of diversion programs, will result in positive outcomes for individuals with a mental illness and ultimately, the [public](#). Counties continue to work across disciplines to achieve positive outcomes for persons with mental health and/or co-occurring substance use disorder [\(SUD\)](#) issues.

Medical Services

CSAC supports efforts at the federal level to permit local governments to access third-party payments for health care provided in detention facilities. CSAC also supports efforts to ensure continuity of benefits for those detained in county detention facilities – adult and juvenile – and for swift reenrollment in the appropriate benefits program pre-release. [With the implementation of the California Advancing and Innovating Medi-Cal Justice-Involved initiative \(CalAIM JI\) – which authorizes counties to provide a specific set of services to Medi-Cal eligible youth and adults 90 days prior to their release – the state should consider the ongoing impacts to counties with regards to staffing, system infrastructure, treatment capacity, and the sustainability of programming and services beyond the initial implementation phase. All qualifying prerelease services, coordinated community reentry processes, and Medi-Cal billing requirements under the CalAIM JI cannot be seamlessly integrated with existing systems and supported by current staffing and resources. Long term funding should be a state and federal priority for successful implementation, which has the ability to reduce the risks of poor health outcomes and incarceration due to mental health issues and SUD.](#)

Investment in Local Programs and Facilities

The state's investment in local programs and facilities returns an overall benefit to the state corrections system and community safety. State support of local programs and facilities will aid materially in addressing the “revolving door” problem in state and local detention facilities.

The state should invest in improving, expanding, and renovating local detention facilities to address overcrowding, early releases, and improved delivery of health care for incarcerated persons. Incentives should be included to encourage in-custody treatment programs and other services.

The state should invest in adult probation services — using as a potential model the Juvenile Justice Crime Prevention Act (JJCPA) — to build a continuum of intervention, prevention, and supervision services for adults.

The state should continue to fully support the successful JJCPA initiative, which provides a range of juvenile crime prevention and intervention ~~programs~~ programs, and ~~which~~ represents a critical component of an overall crime reduction and public safety improvement strategy. Diverting juveniles will help reduce pressure on the adult system.

The state should invest in mental health and SUD in-custody treatment and jail diversion programs, where treatment and services can help promote long-term stability and co-occurring mental health and SUD treatment services can be deployed.

This includes but is not limited to further investment in outpatient treatment facilities, given that many incarcerated persons in state and local systems struggle with co-occurring disorders, which may be a primary factor in their criminality.

Reentry Programs

Reentry programs represent a promising means for preventing recidivism by providing a continuum of care that facilitates pre-sentence assessment, prevention, and transition of persons back into the community through appropriate treatment, life skills training, job placement, and other services and supports. Given the short length of stay for many held in county jail, a robust continuum of care should begin with reentry planning, assessment, and connection to services upon booking. The state should consider further investment in multiagency programs authorized under SB 618¹, which are built on proven, evidence-based strategies including comprehensive pre-sentence assessments, in-custody treatment, targeted case management, and the development of an individualized life plan. These programs promote a permanent shift in the way individuals who have committed nonviolent felonies are managed, treated and released into their respective communities. Examples of program elements that have been demonstrated to improve chances for successful community reintegration include, but are not limited to, the following:

- 1) Early risks and needs assessment that incorporates assessments of the need for treatment of alcohol and SUD, and the degree of need for literacy, vocational, and mental health services;
- 2) In-custody treatment that is appropriate to each individual's needs — no one-size-fits-all programming;

¹ Chapter 603, Statutes of 2005.

- 3) After care and relapse prevention services to maintain a “clean and sober” lifestyle;
- 4) Strong linkages to treatment, vocational training, and support services in the community;
- 5) Prearranged housing and employment (or vocational training) for offenders before release into their communities of residence;
- 6) Completion of a reentry plan prior to the offenders’ transition back into the community that addresses the following, but is not limited to: an offender’s housing, employment, medical, dental, and rehabilitative service needs;
- 7) Preparation of the community and families to support reintegration by utilizing available counseling [services](#) and public education, which targets inter-generational impacts and cycles of criminal justice system involvement;
- 8) Long-term mentorship and support from faith-based and other community and cultural support organizations that will last a lifetime, not just the duration of the parole period;
- 9) Community-based treatment options and sanctions; and
- 10) Reentry programs that include incentives for participation.

Siting of New Facilities

Counties acknowledge that placement of correctional facilities is controversial. However, the state must be sensitive to community response to changing the use of, expanding, or siting new correctional facilities (prisons, community correctional facilities, ~~juvenile facilities~~ or reentry facilities). Counties and other affected municipalities must be involved as active participants in planning and decision-making processes regarding site selection. Providing for security and appropriate mitigations to the local community are essential.

Impact on Local Treatment Capacity

Counties and the state must be aware of the impact on local communities’ existing treatment capacity (e.g., mental health, SUD treatment, vocational services, sex offender treatment, indigent healthcare, developmental services, and services for special needs populations) if ~~the~~ correctional reforms contemplate a ~~major~~ new [and significant](#) demand on services as part of [the](#) development of community correctional facilities, reentry programs, or other locally based programs. Specialized treatment services that are not widely available are likely the first to be overtaxed. To prevent adverse impacts upon existing alcohol and SUD and mental health treatment programs for primarily non-criminal justice system participants, treatment capacity shall be increased to accommodate criminal justice participants.

Treatment capacity ~~shall be separately developed and funded, and~~ is determined by facility space, existing workforce or expansion of the workforce, as well as funding for slots.

Impact on Local Criminal Justice Systems

Proposals must adequately assess the impact on local criminal justice systems (courts, prosecution and defense, probation, detention systems and local law enforcement).

Emerging and Best Practices

Counties support the development and implementation of a mechanism for collecting and sharing of best practices and data that can help advance correctional reform efforts.

Adult Correctional Institutions

Counties should continue to administer adult correctional institutions for those whose conviction(s) require and/or results in local incarceration.

The state and counties should establish a collaborative planning process to review the relationship between local and state corrections programs.

Counties should continue to have flexibility to build and operate facilities that meet local needs. Specific methods of administering facilities and programs should not be mandated by statute.

Adult Probation

Counties should continue to provide adult probation services as a cost-effective alternative to post-sentence incarceration and to provide services—as determined appropriate—to persons released from local correctional facilities. Counties should be given flexibility to allocate resources at the local level according to the specific needs of their probation population and consideration should be granted to programs that allow such discretion. State programs that provide fiscal incentives to counties for keeping convicted persons out of state institutions should—on balance—result in system improvements. State funding should be based upon a state-county partnership effort that seeks to protect the public and to address the needs of individuals who come into contact with the justice system. Such a partnership would acknowledge that final decisions on commitments to state institutions are made by the courts, a separate branch of government, and are beyond the control of counties. Some integration of county probation and state parole services should be considered. Utilization of electronic monitoring for individuals on probation and parole should be considered where-when cost-effective and necessary to uphold public safety.

General Principles for Juvenile Corrections

CSAC believes that efforts to curtail anti-social, harm inducing behavior of young people are of the highest priority within juvenile corrections. The long-term costs resulting from such behavior justifies extraordinary efforts to rehabilitate them.

Counties should be given flexibility to allocate resources at the local level according to the specific needs of the juvenile population and consideration should be granted to programs that allow such discretion. State programs that provide fiscal incentives to counties for keeping convicted persons out of state institutions should – on balance – result in system improvements. Any program should recognize that final decisions on commitments to state institutions are made by the courts, a separate branch of government, and are beyond the control of counties.

Division of Juvenile Justice Realignment

~~After multiple realignments at the state level, generally counties are responsible for the custody and care of all youth adjudicated as of July 1, 2021. Counties are now responsible for the full juvenile justice continuum.~~ To carry out this responsibility, counties believe it is necessary for the state to provide adequate and sustainable funding; local flexibility to develop responses and partnerships between counties to adequately serve youth, especially those with higher-level treatment needs; and appropriate oversight and accountability that is commensurate to the responsibility and liability being realigned. Additionally, oversight and accountability measures associated with the most complex youth cases that were last to be realigned should not disrupt the success counties have proven with existing juvenile programs and funding streams.

Funding should recognize the unique position, needs, and conditions of each county, as well as their juvenile facilities, and include a growth factor so that future funding keeps pace with growing programmatic costs. To the extent the state does not provide adequate funding for counties to be successful with the realigned population, responsibility for the care and custody of the most complex juvenile cases should return to the state.

Counties support evidence-based efforts to protect against unnecessary transfers of juveniles to the adult system. However, these efforts should not reduce local flexibility or create unfunded costs for counties to build new, or retrofit existing, facilities.

Juvenile Probation

Counties should continue to provide juvenile probation services as a cost-effective alternative to post-adjudication and to provide juvenile probation services to individual youths and their families after the youth's release from a local correctional facility.

Truants, run-a-ways, and youths who are beyond the control of their parents should continue to be removed from the justice system except in unusual circumstances.

Gang Violence Prevention

Counties recognize the devastating societal impacts of gang violence – not only on the victims of gang-related crimes, but also on the lives of gang members and their families. Counties are committed to working with allied agencies, municipalities, and community-based organizations to prevent gang

violence and promote healthy and safe communities. These efforts require the support of federal and state governments and should employ regional strategies and partnerships, where appropriate.

Human Services System Referral of Juveniles

State policies should seek to prevent and minimize human services system referrals to the juvenile justice system. As counties are responsible for the entirety of the juvenile justice population, these decisions should be left to counties based on individual case factors, local needs and available treatment and resources. Given the growing research on the cognitive development of youth and their decision making, juvenile placement decisions – as well as child welfare decisions – should reflect the focus on individualized care and treatment and preventing youth from entering the justice system.

Federal Criminal Justice Assistance

The federal government should continue to provide funding for projects that improve the operation and efficiency of the justice system and that improve the quality and equitable administration of justice. Such programs should provide for maximum local discretion in designing programs that are consistent with local needs and objectives.

SECTION 3: SEX OFFENDER MANAGEMENT

For the safety and well-being of California’s citizens, especially those most vulnerable to sexual assault, it is essential for counties and the state to manage known sex offenders living in our communities in ways that most effectively reduce the likelihood that they will commit another offense, whether such reoffending occurs while they are under the formal supervision of the criminal justice system or after supervision comes to an end.

In light of this, counties seek to develop strategies to: 1) educate county residents, 2) effectively manage the sex offender population, which may or may not coincide with existing state policy, 3) assess which sex offenders are at the highest risk to re-offend and require increased monitoring, and 4) partner with other state and local organizations that assist with prevention and supervision.

To that end, CSAC has adopted the following principles and policy on sex offender management.

Any effective sex offender management policy should contain restriction clauses that do not focus on where a sex offender lives, but rather on movements and behaviors. Counties believe activities and whereabouts pose a greater danger than their residence. Therefore, any strategy should consider the specific offense/s committed and prohibit travel to areas that may pose heightened risk.

When taking actions to address and/or improve sex offender management, each county should do so in a manner that does not create difficulties for other counties to manage the sex offender population within their jurisdiction.

At minimum, any comprehensive sex offender management program must contain a community education component for it to be successful. And, ~~all~~[supervision](#)~~al~~ [supervision](#) programs administered at the local level will require stable and adequate funding from the state to ensure that the programs are appropriately staffed, accessible to local law enforcement departments, and effective.

Global Positioning Systems (GPS) devices are one of a multitude of tools that can be used simultaneously to monitor and supervise. California counties believe that if the state is to adopt the use of GPS to monitor sex offenders a common system should be developed. This system should be portable and accessible across all counties within California and regional collaboration should be encouraged to [improve](#)~~address~~ sex offender management.

Counties and the state should rely more heavily on the use of risk and needs assessments to determine how to allocate resources. These assessments will allow an agency at the local level to determine who is most at risk ~~to reoffend~~[of reoffending](#) and in need of monitoring.

Counties believe that for any policy to work, local governments and the state must work collaboratively. The passage of Jessica's Law (Proposition 83, November 2006) intensified discussions regarding sex offender management and the public's perception about effective sex offender management policies. Accordingly, state and local governments should [continually](#) reexamine sex offender management policies.

SECTION 4: JUDICIAL BRANCH MATTERS

Trial Court Management

The recognized need for greater uniformity and efficiency in the trial courts must be balanced against the need for a court system that is responsive and adaptable to unique local circumstances. Any statewide administrative structure must provide a mechanism for consideration of local needs.

Trial Court Structure

CSAC supports a unified consolidated trial court system of general jurisdiction that maintains the accessibility provided by existing trial courts. The state shall continue to accept financial responsibility for any increased costs resulting from a unified system.

Trial Court Financing

Sole responsibility for the costs of trial court operations should reside with the state, not the counties. Nevertheless, counties continue to bear the fiscal responsibility for several local judicial services that are driven by state policy decisions over which counties have little or no control. We strongly believe that it is appropriate for the state to assume greater fiscal responsibility for other justice services related to trial courts, including collaborative courts. Further, we urge that the definition of court operations financed

by the state should include the district attorney, the public defender, court appointed counsel, and probation.

Trial Court Facilities

The court facility transfers process that concluded in 2009 places responsibility for trial court facility maintenance, construction, planning, design, rehabilitation, replacement, leasing, and acquisition squarely with the state judicial branch. Counties remain committed to working in partnership with the courts to fulfill the terms of the transfer agreements and to address transitional issues as they arise.

Court Services

Although court operation services are the responsibility of the state, certain county services provided by probation and sheriff departments are directly supportive of the trial courts. Bail and own recognizance investigations, as well as pre-sentence reports, should be provided by probation, sheriff, and other county departments to avoid duplication of functions, but their costs should be recognized as part of the cost of operating trial courts.

Jurors and Juries

Counties should be encouraged to support programs that maximize use of potential jurors and minimize unproductive waiting time. These programs can reduce costs, while encouraging citizens to serve as jurors. These efforts must consider local needs and circumstances. To further promote efficiency, counties support the use of fewer than twelve person juries in civil cases.

Collaborative Courts

Counties support collaborative courts that address the needs and unique circumstances of specified populations, such as persons ~~experiencing living with a~~ [mental health concerns](#) ~~disorder~~, ~~those with~~ [SUD substance use disorders](#), [the unsheltered](#), and veterans. Given that the provision of county services is vital to the success of collaborative courts, these initiatives must be developed locally and collaboratively with the joint commitment of the court and county. This decision-making process must include advance identification of county resources – including, but not limited to, mental health treatment and alcohol and SUD treatment programs and services, prosecution, defense, and probation services – available to support the collaborative court in achieving its objectives.

Court and County Collection Efforts

Improving the collection of court-ordered debt is a shared commitment of counties and courts. An appropriately [aggressive unyielding](#) and successful collection effort yields important benefits for both courts and county [services](#). Counties support local determination of both the governance and operational structure of the court-ordered debt collection program and remain committed to jointly pursuing with the courts strategies and options to maximize recovery of court-ordered debt.

SECTION 5: VIOLENCE PREVENTION

CSAC remains committed to raising awareness of the toll of violence – in particular, family violence and cases of ongoing control and abuses of power, [hate crimes](#), and violence against women, ~~children,~~ [the children, the elderly, and other marginalized groups](#) – on families and communities by supporting efforts that target violence prevention, reporting, investigation, intervention, and treatment. Specific strategies for prevention and early intervention should be developed through cooperation between state and local governments, as well as community, and private organizations, taking into account that violence adversely impacts all Californians, particularly those in disadvantaged communities, at disproportionate rates and that these impacts have long-term and wide-ranging health and economic consequences. CSAC also supports efforts to build safe communities, use data-informed approaches, pursue trauma-informed care, ~~work,~~ [and work](#) with key partners to implement violence prevention strategies.

Since counties have specific responsibilities in certifying intimate partner batterer intervention programs, it is in the best interest of the state and counties that these programs provide treatment that addresses the criminogenic needs of individuals and looks at evidence-based or promising practices as the most effective standard for certifying batterer intervention programs.

SECTION 6: HOMELESSNESS

Given the growing magnitude of California’s homelessness crisis, CSAC reinstated the Homelessness Action Team in 2022 to develop guiding principles on homelessness. These *Homelessness Principles* were approved by the CSAC Board of Directors on September 1, 2022, [were utilized to develop the AT HOME Plan that was released in March 2023](#), and will guide advocacy efforts around homelessness policies, investments, and proposals. The principles outline the need for a statewide plan, call for multi-level partnerships and collaboration, while recognizing the need for clear lines of responsibility across all levels of government, detail the importance of building enough housing, and highlight how critical sustained and flexible state funding is to making progress.

SECTION 7: GOVERNMENT LIABILITY

The current government liability system is out of balance. It functions almost exclusively as a source of compensation for injured parties. Other objectives of this system, such as the deterrence of wrongful conduct and protection of governmental decision-making, have been largely ignored. Moreover, as a compensatory system of ever-increasing proportions, it is unplanned, unpredictable and fiscally unsound – both for the legitimate claimant and for the taxpayers who fund public agencies.

Among the principal causes of these problems is the philosophy – expressed in statutes and decisions narrowing governmental immunities under the Tort Claims Act – that private loss should be shifted to society where possible on the basis of shared risk, irrespective of fault or responsibility in the traditional tort law sense.

The expansion of government liability over recent years has had the salutary effect of forcing public agencies to evaluate their activities in terms of risk and to adopt risk management practices. However, liability consciousness is eroding the independent judgment of public decision-makers. In many instances, mandated services are being performed at lower levels and non-mandated services are being reduced or eliminated altogether. Increasingly, funds and efforts are being diverted from programs serving the public to the insurance and legal judicial systems.

Until recently, there appeared to be no end to expansion of government liability costs. Now, however, the "deep pocket" has been cut off. Insurance is either unavailable or cost prohibitive and tax revenues are severely limited. Moreover, restricted revenue authority not only curtails the ability of public entities to pay, but also increases exposure to liability by reducing funding for maintenance and repair programs. As a result, public entities and ultimately, the Legislature, face difficult fiscal decisions when trying to balance between the provision of governmental service and the continued expansion of government liability.

There is a need for data on the actual cost impacts of government tort liability. As a result of previous CSAC efforts, insurance costs for counties are fairly well documented. However, more information is needed about the cost of settlement awards, and about the very heavy "transactional costs" of administering and defending claims. We also need more information about the programmatic decisions being forced upon public entities, for example, what activities are dropped because of high liability. CSAC and its member counties must attempt to fill this information gap.

CSAC should advocate for the establishment of reasonable limits upon government liability and the balancing of compensatory function of the present system with the public interests in efficient, fiscally sound government. This does not imply a return to "sovereign immunity" concepts or a general turning away of injured parties. It simply recognizes, as did the original Tort Claims Act, that: (1) government should not be more liable than private parties, and (2) that in some cases there is reason for government to be less liable than private parties. It must be remembered that government exists to provide essential services to people and most of these services could not be provided otherwise. A private party faced with risks that are inherent in many government services would drop the activity and take up another line of work. Government does not have that option.

In attempting to limit government liability, CSAC's efforts should bring governmental liability into balance with the degree of fault and need for governmental service.

In advocating an "era of limits" in government liability, CSAC should take the view of the taxpayer rather than that of counties per se. At all governmental levels, it is the taxpayer who carries the real burden of government liability and has most at stake in bringing the present system into better balance. In this regard, it should be remembered that the insurance industry is not a shield, real or imagined, between the claimant and the taxpayer.