Final Recommendation of the Realignment Allocation Committee (RAC)

Distribution of AB 109 Funds: Community Corrections and District Attorney/Public Defender Subaccounts

2014-15 *and beyond*

Briefing Packet – Updated September 2015

Acknowledgements

The California State Association of Counties extends its sincere gratitude to the County Administrative Officers Association of California (CAOAC) for its leadership and commitment to the work of the Realignment Allocation Committee. In particular, we would like to acknowledge the work of current, past, and *ex officio* members of the RAC.

Table of Contents

Overview

This packet details the final recommendation of the Realignment Allocation Committee on:

1. A final distribution of AB 109 programmatic (base) funds;
2. An interim distribution of AB 109 growth funds; and
3. A final distribution of District Attorney/Public Defender funds associated with revocation activities.

It also includes details on the Local Innovation Subaccount that becomes available to counties during the 2016-17 fiscal year for local priorities.

The RAC worked tirelessly over the last several years, first focused on short-term distribution approaches given the breadth and newness of AB 109 responsibilities and the lack of real-time programmatic experience and related data. In 2014, the RAC focused on devising a means to distribute base funding in 2014-15, a year in which the statewide allocation dropped by approximately $60 million, and to devise a permanent base formula. The committee also finalized distribution of the funds allocated equally to district attorney and public defenders for activities associated with revocation proceedings. While the RAC recommended an interim approach for allocating growth, the committee will revisit the issue in three to five years to set a permanent growth formula. It is hoped that in the intervening years additional work and policy development will produce statewide performance metrics that can be used for allocating future growth.

Included in the pages that follow are two resources that help set the context for the final RAC recommendation:

1. Principles for the long-term AB 109 allocation developed with input of the CAOAC at its statewide business meeting in November 2013 and
2. A letter from CSAC Executive Director Matt Cate and RAC Chair Susan Mauriello to Diane Cummins of the Department of Finance outlining both the substance and rationale behind the RAC's final recommendations.

The Department of Finance concurred with the RAC's final work product detailed herein and will be making allocations based on these recommendations.

Long-term Allocation Framework (11-21-2013)
Realignment Allocation Committee with input from CAOAC

The Realignment Allocation Committee has begun its works to develop a recommended approach for the long-term AB 109 allocation, effective beginning in 2014-15. The committee will determine:

- The specific elements to be included and the weighting of such factors;
- Whether and how those factors may change within the period in which the formula is in effect;
- The duration of the proposed allocation formula;
- How to manage the step down in programmatic funding in 2014-15 tied to the natural drop-off in the locally supervised population;
- The short- and long-term role of growth during the period in which the formula is in effect; and
- How to appropriately balance the workload associated with the implementation of public safety realignment, other factors affecting counties' efforts, and appropriate incentives to encourage use of programs that have been shown to reduce recidivism and improve offender outcomes.

Principles guiding the committee's work:

1- Formula driven by data
    a. Reliable
    b. Consistent
    c. Standardized
    d. Available on a statewide basis
    e. Based upon agreed-upon data definitions
    f. Statistically relevant driving factors
2- Funding allocations
    a. Protect current funding levels to the greatest extent possible / adjust over time to avoid disproportional impacts
    b. Predictable and stable
    c. Defined by legislative intent
    d. Fair and equitable distribution
    e. One size does not fit all / need to recognize counties' different circumstances
    f. Opportunity to revisit
    g. Mechanism to adjust for changing conditions (above baseline)
3- Incentives
    a. Encourage use of defined evidence-based practices and achieved results over time
    b. Reward performance and efforts to improve justice system outcomes, such as reduced recidivism
    c. Encourage regionalized services that result in greater efficiencies and cost savings
4- Other elements
    a. Maximize flexibility and local control
    b. Maximize communication between Department of Finance, RAC, and CAOs
    c. Build services, program and facility capacity, including jails

September 3, 2014

Ms. Diane M. Cummins
Department of Finance
State Capitol, Room 1145
Sacramento, CA 95814

RE: **Recommendation from Realignment Allocation Committee (RAC) for Future AB 109**
        Programmatic and Growth Allocations

Dear Diane:

As you are aware, the nine-member Realignment Allocation Committee (RAC) – with county administrative officer representation from rural, suburban, and urban counties – has been working diligently over the past many months to recommend a long-term allocation of AB 109 growth and programmatic[1] funds, effective beginning in 2014-15. In so doing, the committee identified the following key policy issues, which have served as the work plan guiding its deliberations:

- The specific elements to be included and the weighting of such factors;
- Whether and how those factors may change within the period in which the formula is in effect;
- The duration of the proposed allocation formula;
- How to manage the drop in programmatic funding in 2014-15;
- The short- and long-term role of growth during the period for which the formula is in effect; and
- How to appropriately balance the workload associated with public safety realignment, other factors affecting counties' efforts, and appropriate incentives to encourage use of programs shown to reduce recidivism and improve offender outcomes.

We sincerely appreciate your support and guidance along the way. The committee takes very seriously its responsibilities, understands the import of its recommendations, and believes that the set of recommendations outlined below appropriately balances a variety of relevant factors and recognizes differences in counties' experiences and profiles.

I. 2014-15 Programmatic Allocations and 2013-14 Growth

Recognizing the decline in statewide funds available for the 2014-15 programmatic year (going from $998.9 million in 2013-14 to $934.1 million in 2014-15), the RAC recommends that the 2014-15 programmatic and 2013-14 growth funding be treated differently than previous and future fiscal years.

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[1] Because the base is not yet set for the Community Corrections Subaccount, we use the term programmatic allocation to differentiate from growth funds until such time as base is set.

- **2014-15 Programmatic Allocation** – Establish a "blended rate," which combines each county's share of 2013-14 programmatic funds and its share of 2012-13 growth funds. The blended rate would be applied to 2014-15 base amount of $934.1 million.
- **2013-14 Growth** – Divide growth to allocate two-thirds on a performance factor (SB 678 success, as used in the previous allocation formula) and one-third on the "base share" established in the new formula that will apply to base allocations beginning in 2015-16. This allocation attempts to both reward performance and begin to transition counties to their new 2015-16 base allocations.

We propose the above approach for the 2014-15 programmatic allocation and for the 2013-14 growth on a one-time basis.

II. 2015-16 Base and 2014-15 Growth

Each county's share of the base would be defined beginning in 2015-16 according to a new formula. The growth formula for 2014-15 (distributed to counties in October 2015) would help counties transition to the new formula ("base share").

2015-16 BASE ALLOCATION (ESTABLISHING BASE SHARE)
The new formula – which will establish each county's base share – contains factors in three categories, weighted[2] as follows:
- **Caseload: 45% (-)**
  Caseload recognizes the quantifiable effects of 2011 realignment on local public safety services. It includes 1170(h) jail inmates, the post-release community supervision population, and felony probation caseload.
- **Crime and population: 45% (-)**
  Crime and population factors recognize general county costs and the costs of diversion programs not otherwise capture in caseload data. This category includes adult population (ages 18-64) and the number of serious crimes.
- **Special factors: 10% (+)**
  The special factors category recognizes socioeconomic and other unique factors that affect counties' ability to implement realignment. This category includes poverty, small county minimums, and impacts of state prisons on host counties.

As in previous allocations, the County of Los Angeles is treated as an extreme outlier in recognition of its size and the volume of its workload. Further, the RAC deemed it both necessary and responsible to protect counties from large swings in their individual allocations. Given that beginning in 2015-16 each county's base share will be set, the RAC ensured that this formula change avoids that issue.

2014-15 GROWTH
The RAC recommends that growth be allocated differently in 2014-15 than in future years, recognizing that the redistribution of resources among counties resulting from the new formula could result in service disruptions if not moderated by one-time use of growth payments. These one-time transition

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[2] The (-) and (+) notations reflect the fact that two of the elements (representing 0.5% of the overall $934.1 million allocation) in special factors category are taken off the top, resulting in the overall percentages attributable to each of the broad categories being slightly above (+) or below (-) the total reported.

payments are made possible by the singular size of growth funds available in this year, a direct result of the drop in programmatic funding. Even after these one-time allocations, more money will be left to reward performance than in other years with similar, average revenue growth. The RAC proposes the following:

- Transition payments (35% of growth)
- From the remainder of growth:
    o 65% to performance (as per the 2015-16 growth formula below)
    o 35% to stabilization payments (using each counties' newly established base share)

Given that each county's base share would be established beginning in 2015-16, the statewide Community Corrections Subaccount would begin to grow that same year as well. Each county's base share would then be applied to the subaccount's base, calculated by adding the previous year's base and growth. However, for reasons discussed below, each county's growth amount will not adjust its individual base share until such time as a permanent growth formula is set. The committee anticipates that work currently underway to develop performance metrics and establish statewide definitions will inform a permanent approach to distributing growth. Finally, the RAC believes that counties' experiences and the benefits accrued from the Medi-Cal expansion and related substance use disorder treatment coverage may be instructive in developing a permanent growth formula.

III. 2015-16 Growth and Beyond

The RAC strongly believes that growth payments should be tied to incentives and performance. Beginning in 2015-16, growth will be distributed entirely on performance factors. However, the RAC feels more time is needed for practitioners to help define recidivism and begin collecting data and reporting on reasonable, measurable metrics. For the time being, the RAC recommends that growth be distributed beginning in 2015-16 weighted on the following factors:

- **SB 678 success – 80% (-)**
    o SB 678 success rate (60%) – *all counties*
    o SB 678 year-over-year improvement (20%) – *only those counties showing improvement*
- **Incarceration rates – 20% (+)**
    o County's reduction year-over-year in second strike admissions (fixed dollar amount per number reduced)
    o County's reduction year-over-year in overall new prison admissions (10%)
    o County's success measured by per-capita rate of prison admissions (10%)

The RAC believes that the 2015-16 growth allocation should reward improvements realized from 2012 to 2013—with future years recognizing success in consecutive years—to ensure that all successes and improvements counties have made since the beginning of realignment are addressed. Using those years will also ensure that the relevant data is available, even if it is delayed in some future year.

The RAC proposes to maintain this structure for growth distribution for several years until statewide performance factors directly related to 2011 public safety realignment are identified. The RAC intends to revisit this issue, with an expectation that the final growth formula would be in place within five years.

IV. Policy Considerations

Over the past year, the members of the RAC have considered hundreds of data sets, debated dozens of formulations, and examined both the policy and practical ramifications of their decisions. Not every discussion led to the expected answers, but each one did help the group as a whole understand the problems facing them at a higher level. Throughout, the nine county executives and staff have kept in mind three overarching goals. First, to faithfully implement the Governor's vision of funding levels that allow counties the flexibility to implement realignment consistently with local needs and values while rewarding effective use of the allotted funds. Second, to do so in a way that avoids the likelihood of disrupting services in communities that have already been living with realignment for three years. Third, to fairly and accurately approximate the workload each county has to deal with, so that every county has an opportunity to succeed, and in succeeding to improve the lives of all of our residents.

In all honesty, the task was more complex than we expected. While the allocation methods outlined above are in some ways simple and in others nuanced, we believe that together they represent the best chance for our collective success in both the short and long terms.

We undertook realignment as partners with the state, trading extraordinary risk for the chance at self-determination. In that spirit, we appreciate the chance to suggest allocations that affect us so directly. We hope you will give great weight to our recommendations.

The attachments include tables displaying the county-by-county allocations resulting from the RAC's recommendations. We would be happy to discuss the approach in greater detail with you and your staff. In the meantime, thank you for your confidence in the work of the RAC and for your continued commitment to partnering with our organizations in improving the delivery of local services and public safety outcomes.

Sincerely,

Matt Cate
CSAC Executive Director

Susan Mauriello
Santa Cruz County Administrative Officer
Chair, Realignment Allocation Committee

2014-15 Allocation (Cash)

2014-15 "Base" – paid monthly from September 2014 through August 2015

- $934,100,000 (down from $998,900,000 in 2013-14)
- Allocated based on each county's "blended rate"
  - "Blended rate" is share of cash received in the 2013-14 fiscal year: 2013-14 "base" plus 2012-13 growth

2013-14 Growth – paid in late October 2014

- $73,188,027 (previously estimated to be $50,800,000)
- 2/3 performance, 1/3 fiscal stabilization
  - Performance: Number of the county's non-failed felony probationers in proportion to the total statewide
  - Fiscal stabilization: Same as permanent base share (see next section)

County	2014-15 "Base"	2014-15 Fiscal Year		2013-14 Growth - Total	2014-15 Fiscal Year Total
		2/3 of Growth - Performance	1/3 of Growth - Fiscal Stabilization		
Alameda	$ 31,497,960	$ 2,003,069	$ 900,071	$ 2,903,140	$ 34,401,100
Alpine	$ 167,152	$ 5,130	$ 4,952	$ 10,082	$ 177,234
Amador	$ 1,368,104	$ 51,812	$ 30,371	$ 82,184	$ 1,450,287
Butte	$ 6,466,722	$ 203,145	$ 152,677	$ 355,822	$ 6,822,545
Calaveras	$ 992,402	$ 61,217	$ 24,554	$ 85,772	$ 1,078,174
Colusa	$ 589,667	$ 20,862	$ 15,270	$ 36,132	$ 625,799
Contra Costa	$ 20,669,679	$ 514,191	$ 458,858	$ 973,048	$ 21,642,727
Del Norte	$ 721,629	$ 28,557	$ 21,674	$ 50,231	$ 771,859
El Dorado	$ 3,586,615	$ 162,448	$ 79,621	$ 242,069	$ 3,828,684
Fresno	$ 24,164,305	$ 1,387,648	$ 720,559	$ 2,108,206	$ 26,272,512
Glenn	$ 846,022	$ 105,677	$ 25,410	$ 131,087	$ 977,109
Humboldt	$ 3,695,189	$ 235,806	$ 95,382	$ 331,188	$ 4,026,376
Imperial	$ 3,501,228	$ 222,639	$ 105,233	$ 327,872	$ 3,829,100
Inyo	$ 541,209	$ 35,397	$ 15,238	$ 50,634	$ 591,844
Kern	$ 31,628,367	$ 1,174,926	$ 795,290	$ 1,970,217	$ 33,598,584
Kings	$ 6,894,852	$ 279,582	$ 153,063	$ 432,644	$ 7,327,496
Lake	$ 1,934,887	$ 119,357	$ 55,012	$ 174,368	$ 2,109,256
Lassen	$ 1,080,925	$ 28,044	$ 29,933	$ 57,976	$ 1,138,901
Los Angeles	$ 290,538,549	$ 13,349,461	$ 7,588,032	$ 20,937,494	$ 311,476,043
Madera	$ 4,087,031	$ 497,775	$ 122,830	$ 620,604	$ 4,707,635
Marin	$ 4,900,330	$ 125,683	$ 108,785	$ 234,469	$ 5,134,798
Mariposa	$ 472,956	$ 18,126	$ 12,488	$ 30,614	$ 503,570
Mendocino	$ 2,205,821	$ 107,387	$ 51,167	$ 158,554	$ 2,364,375
Merced	$ 5,692,045	$ 443,226	$ 171,014	$ 614,241	$ 6,306,286
Modoc	$ 235,208	$ 7,524	$ 7,073	$ 14,597	$ 249,805
Mono	$ 428,294	$ 49,076	$ 12,866	$ 61,943	$ 490,237
Monterey	$ 8,633,838	$ 484,266	$ 245,821	$ 730,087	$ 9,363,925
Napa	$ 2,673,402	$ 202,119	$ 71,377	$ 273,496	$ 2,946,898
Nevada	$ 1,918,350	$ 78,830	$ 42,587	$ 121,417	$ 2,039,766
Orange	$ 63,045,168	$ 4,024,435	$ 1,559,850	$ 5,584,285	$ 68,629,452
Placer	$ 6,659,794	$ 353,453	$ 158,090	$ 511,543	$ 7,171,336
Plumas	$ 551,023	$ 26,676	$ 13,427	$ 40,102	$ 591,126
Riverside	$ 47,744,372	$ 3,501,352	$ 1,434,905	$ 4,936,258	$ 52,680,629
Sacramento	$ 30,485,341	$ 2,504,777	$ 915,728	$ 3,420,505	$ 33,905,846
San Benito	$ 1,203,382	$ 99,521	$ 35,091	$ 134,612	$ 1,337,994
San Bernardino	$ 68,145,357	$ 3,221,087	$ 1,844,337	$ 5,065,424	$ 73,210,781
San Diego	$ 63,164,783	$ 2,443,901	$ 1,507,974	$ 3,951,876	$ 67,116,659
San Francisco	$ 18,337,440	$ 643,978	$ 448,476	$ 1,092,454	$ 19,429,894
San Joaquin	$ 16,066,726	$ 1,149,790	$ 473,884	$ 1,623,674	$ 17,690,400
San Luis Obispo	$ 5,644,308	$ 303,521	$ 157,811	$ 461,333	$ 6,105,640
San Mateo	$ 14,450,429	$ 579,170	$ 320,793	$ 899,963	$ 15,350,392
Santa Barbara	$ 8,657,369	$ 734,265	$ 244,038	$ 978,303	$ 9,635,672
Santa Clara	$ 36,404,725	$ 2,215,106	$ 910,037	$ 3,125,143	$ 39,529,868
Santa Cruz	$ 5,637,055	$ 473,493	$ 150,496	$ 623,989	$ 6,261,044
Shasta	$ 6,741,871	$ 193,228	$ 149,667	$ 342,894	$ 7,084,765
Sierra	$ 178,831	$ 3,420	$ 5,089	$ 8,509	$ 187,340
Siskiyou	$ 1,110,942	$ 102,086	$ 28,549	$ 130,635	$ 1,241,576
Solano	$ 9,077,651	$ 356,873	$ 230,557	$ 587,429	$ 9,665,080
Sonoma	$ 9,657,516	$ 419,800	$ 214,393	$ 634,192	$ 10,291,709
Stanislaus	$ 13,899,952	$ 924,756	$ 391,314	$ 1,316,071	$ 15,216,023
Sutter	$ 2,692,639	$ 111,662	$ 59,775	$ 171,437	$ 2,864,076
Tehama	$ 2,824,325	$ 97,469	$ 62,699	$ 160,168	$ 2,984,492
Trinity	$ 427,173	$ 54,377	$ 12,779	$ 67,157	$ 494,330
Tulare	$ 12,723,594	$ 1,046,507	$ 349,704	$ 1,396,211	$ 14,119,805
Tuolumne	$ 1,389,149	$ 136,285	$ 39,123	$ 175,409	$ 1,564,558
Ventura	$ 16,115,645	$ 533,855	$ 359,054	$ 892,909	$ 17,008,555
Yolo	$ 6,506,453	$ 446,133	$ 147,344	$ 593,478	$ 7,099,931
Yuba	$ 2,424,248	$ 88,064	$ 53,817	$ 141,881	$ 2,566,129
California	$ 934,100,000	$ 48,792,018	$ 24,396,009	$ 73,188,027	$ 1,007,288,027

2015-16 Allocation (Cash)

2015-16 Base – paid monthly from September 2015 through August 2016

- $1,060,066,580 (previously assumed to remain at $934.1 million)
- Allocated based on permanent base formula
    - 22.5% jail (share of statewide 1170(h) population)
    - 22.5% probation (share of statewide PRCS and felony probation)
    - 22.5% adult population (share of people statewide aged 18-64)
    - 22.5% crime (share of statewide serious property and violent crimes)
    - 10.0% poverty (share of persons in poverty of all ages statewide)
    - Small county minimums
    - Prison host counties
    - Adjusted to prevent extraordinary drops
    - Los Angeles received special allocation

2014-15 Growth – paid in October 2015

- $125,966,580 (previously estimated to be $151.8 million)
- 35% – transition payments
    - Transition payments: One-time payments for counties where its permanent base allocation is lower than its blended rate
- 65% – 2/3 performance, 1/3 fiscal stabilization
    - Performance: Pursuant to long-term growth formula (see next section)
    - Fiscal stabilization: One-time payments allocated the same as the permanent base allocation (see above)

	2015-16 Fiscal Year					
County	2015-16 Base	35% - ONE TIME Transition Payments Growth	1/3 of 65% - ONE TIME Fiscal Stabilization Growth	2/3 of 65% - Performance Growth	2014-15 - Total Growth	2015-16 Fiscal Year Total
Alameda	$ 39,110,300	$ -	$ 1,006,944	$ 1,956,575	$ 2,963,520	$ 42,073,819
Alpine	$ 215,175	$ -	$ 5,540	$ 4,136	$ 9,676	$ 224,851
Amador	$ 1,319,708	$ 306,901	$ 33,978	$ 33,822	$ 374,701	$ 1,694,408
Butte	$ 6,634,191	$ 928,509	$ 170,806	$ 132,608	$ 1,231,923	$ 7,866,113
Calaveras	$ 1,066,943	$ 78,130	$ 27,470	$ 94,579	$ 200,178	$ 1,267,122
Colusa	$ 663,523	$ 7,462	$ 17,083	$ 204,781	$ 229,326	$ 892,849
Contra Costa	$ 19,938,497	$ 4,636,750	$ 513,342	$ 1,207,225	$ 6,357,317	$ 26,295,815
Del Norte	$ 941,790	$ -	$ 24,248	$ 313,470	$ 337,717	$ 1,279,507
El Dorado	$ 3,459,740	$ 804,572	$ 89,075	$ 454,310	$ 1,347,957	$ 4,807,696
Fresno	$ 31,310,049	$ -	$ 806,117	$ 1,043,802	$ 1,849,919	$ 33,159,968
Glenn	$ 1,104,146	$ -	$ 28,428	$ 68,983	$ 97,411	$ 1,201,557
Humboldt	$ 4,144,566	$ 64,483	$ 106,707	$ 411,069	$ 582,259	$ 4,726,825
Imperial	$ 4,572,621	$ -	$ 117,728	$ 178,130	$ 295,858	$ 4,868,478
Inyo	$ 662,111	$ -	$ 17,047	$ 27,083	$ 44,130	$ 706,241
Kern	$ 34,557,323	$ 1,760,892	$ 889,722	$ 881,627	$ 3,532,242	$ 38,089,565
Kings	$ 6,650,950	$ 1,546,696	$ 171,237	$ 182,503	$ 1,900,436	$ 8,551,386
Lake	$ 2,390,394	$ -	$ 61,544	$ 77,913	$ 139,456	$ 2,529,850
Lassen	$ 1,300,650	$ -	$ 33,487	$ 130,985	$ 164,472	$ 1,465,122
Los Angeles	$ 329,718,666	$ -	$ 8,489,025	$ 8,714,168	$ 17,203,194	$ 346,921,860
Madera	$ 5,337,246	$ -	$ 137,414	$ 324,934	$ 462,348	$ 5,799,594
Marin	$ 4,726,983	$ 1,099,272	$ 121,702	$ 647,675	$ 1,868,649	$ 6,595,632
Mariposa	$ 542,629	$ -	$ 13,971	$ 52,500	$ 66,470	$ 609,100
Mendocino	$ 2,223,334	$ 368,916	$ 57,243	$ 97,408	$ 523,567	$ 2,746,901
Merced	$ 7,430,996	$ -	$ 191,320	$ 851,056	$ 1,042,376	$ 8,473,372
Modoc	$ 307,347	$ -	$ 7,913	$ 32,220	$ 40,133	$ 347,480
Mono	$ 559,072	$ -	$ 14,394	$ 36,606	$ 51,000	$ 610,072
Monterey	$ 10,681,531	$ -	$ 275,010	$ 343,425	$ 618,434	$ 11,299,965
Napa	$ 3,101,507	$ -	$ 79,852	$ 318,478	$ 398,330	$ 3,499,837
Nevada	$ 1,850,489	$ 430,336	$ 47,643	$ 90,700	$ 568,679	$ 2,419,168
Orange	$ 67,779,309	$ 4,965,088	$ 1,745,064	$ 5,882,031	$ 12,592,184	$ 80,371,494
Placer	$ 6,869,404	$ 907,285	$ 176,862	$ 315,541	$ 1,399,688	$ 8,269,092
Plumas	$ 583,417	$ 55,234	$ 15,021	$ 80,351	$ 150,607	$ 734,023
Riverside	$ 62,350,160	$ -	$ 1,605,284	$ 2,285,588	$ 3,890,872	$ 66,241,032
Sacramento	$ 39,790,628	$ -	$ 1,024,460	$ 1,635,051	$ 2,659,511	$ 42,450,139
San Benito	$ 1,524,781	$ -	$ 39,257	$ 269,679	$ 308,936	$ 1,833,718
San Bernardino	$ 80,140,981	$ -	$ 2,063,331	$ 6,714,886	$ 8,778,217	$ 88,919,198
San Diego	$ 65,525,196	$ 8,114,441	$ 1,687,029	$ 2,222,557	$ 12,024,028	$ 77,549,223
San Francisco	$ 19,487,369	$ 1,743,365	$ 501,727	$ 2,394,118	$ 4,639,210	$ 24,126,580
San Joaquin	$ 20,591,438	$ -	$ 530,153	$ 750,552	$ 1,280,704	$ 21,872,143
San Luis Obispo	$ 6,857,291	$ -	$ 176,550	$ 218,183	$ 394,732	$ 7,252,023
San Mateo	$ 13,939,251	$ 3,241,610	$ 358,884	$ 653,201	$ 4,253,694	$ 18,192,945
Santa Barbara	$ 10,604,060	$ -	$ 273,015	$ 535,011	$ 808,026	$ 11,412,086
Santa Clara	$ 39,543,326	$ 2,333,427	$ 1,018,093	$ 2,735,102	$ 6,086,622	$ 45,629,947
Santa Cruz	$ 6,539,401	$ -	$ 168,365	$ 372,576	$ 540,941	$ 7,080,342
Shasta	$ 6,503,380	$ 1,512,378	$ 167,438	$ 126,134	$ 1,805,950	$ 8,309,330
Sierra	$ 221,132	$ -	$ 5,693	$ 60,374	$ 66,067	$ 287,199
Siskiyou	$ 1,240,516	$ 26,672	$ 31,939	$ 236,752	$ 295,363	$ 1,535,879
Solano	$ 10,018,253	$ 373,662	$ 257,933	$ 1,639,116	$ 2,270,710	$ 12,288,963
Sonoma	$ 9,315,886	$ 2,166,434	$ 239,849	$ 961,266	$ 3,367,550	$ 12,683,435
Stanislaus	$ 17,003,572	$ -	$ 437,779	$ 603,656	$ 1,041,435	$ 18,045,007
Sutter	$ 2,597,388	$ 604,030	$ 66,873	$ 72,890	$ 743,792	$ 3,341,181
Tehama	$ 2,724,416	$ 633,570	$ 70,144	$ 1,537,348	$ 2,241,061	$ 4,965,477
Trinity	$ 555,292	$ -	$ 14,297	$ 159,634	$ 173,931	$ 729,223
Tulare	$ 15,195,511	$ -	$ 391,228	$ 1,217,511	$ 1,608,738	$ 16,804,249
Tuolumne	$ 1,700,007	$ -	$ 43,769	$ 88,963	$ 132,732	$ 1,832,739
Ventura	$ 15,601,779	$ 3,541,078	$ 401,688	$ 544,142	$ 4,486,908	$ 20,088,686
Yolo	$ 6,402,470	$ 1,293,288	$ 164,840	$ 916,449	$ 2,374,577	$ 8,777,047
Yuba	$ 2,338,491	$ 543,822	$ 60,207	$ 444,086	$ 1,048,115	$ 3,386,606
California	$ 1,060,066,580	$ 44,088,303	$ 27,292,759	$ 54,585,518	$ 125,966,580	$ 1,186,033,160

Detailed Description of Growth Allocation
Beginning 2014-15

For the growth formula to function as an incentive system, as it is designed to be, the incentives must be clear enough that counties know which outcomes are rewarded.

The interim growth formula the RAC recommended to the Department of Finance incentivizes success in two broad categories: probation (80%) and incarceration (20%). In each of these categories, the formula rewards both ongoing success and year-over-year success.

That formula will begin to be implemented with 2014-15 growth, when it will be the basis for how about 43 percent of the growth funds (or $54,585,518) will be divided among counties. Beginning in 2015-16, and for the duration of the formula's effectiveness, the entire growth amount, if any, will be allocated based on the formula.

The growth formula will be recalculated each year using updated data. For 2014-15 growth (distributed in October of 2015), the formula will use data from 2013 and improvements from 2012.

For the time being, unlike other realignment allocation schemes with which counties are already familiar, the annual growth allocations will **not** affect county base allocations. The RAC expressed an interest in revisiting the growth formula in a few years when new standardized, statewide datasets are available, and they plan to begin having growth adjust base allocations after that point.

Incarceration – 20%

2nd Strikers: The first step in calculating growth allocations is to determine which counties sent fewer felons to prison with second-strike designations than in the previous year. Counties will get a direct allocation of $27,309 for each one. This allocation is taken off the top, making it technically not part of the 20% allocated to incarceration incentives.

> *Example:* Monterey County sent seventy-six felons to prison with second-strike designations in 2012, but only seventy-five in 2013. Monterey County will receive $27,309 in 2014-15 growth funds. However, **if** in 2014 the county's number rises to seventy-seven, the county will not receive any of these funds from 2015-16 growth. Fourteen counties qualify in 2014-15 for a total of $1,501,995 growth funds.

Incarceration Reduction – 10%: Counties that send fewer felons to prison on new convictions from one year to the next qualify for these funds, which total $5,308,352 for 2014-15 growth. ($54,585,518 is available for performance, minus $1,501,995 for 2nd

striker reduction, leaving $53,083,523. Ten percent of that rounds to $5,308,352.) The number fewer is calculated as a share of the number fewer sent from all qualifying counties statewide, and the county receives that share of these funds.

Example: Humboldt County sent 132 felons to prison on new convictions in 2012, but only 115 in 2013, for a reduction of 17. The sixteen counties that qualify for this funding sent a total of 374 fewer felons to prison in 2013 than they did in 2012. Humboldt's share of this is 4.55%. Since this pot of money will be $5,308,352 for 2014-15 growth, Humboldt County will receive $241,289.

Incarceration per Capita – 10%: Counties that have a lower rate of incarceration per capita than the statewide rate qualify for these funds, which total $5,308,352 (see calculation above). The rate is calculated by taking the number of felon admissions for new convictions from a county and dividing it by the county's adult population (those aged 18 to 64). We chose to multiply that result by 100,000 so the numbers would be a reasonable size and not buried in decimal places. That rate is then subtracted from the statewide rate to determine how many more people would be imprisoned if the county's rate were not lower than the statewide rate. That number is compared to the total of all counties that qualify for these funds and the county receives that share of these funds.

Example: Ventura County sent 555 felons to prison on new convictions in 2013 and has an adult population of 529,640, so Ventura's rate of prison admissions per 100,000 adults is 104.79. The statewide rate is 154.20. If Ventura's rate had been 154.20, they would have sent an additional 261.7 people to prison. If all of the 29 counties with rates lower than the statewide rate had been at 154.20 then they would have collectively sent 7,099.9 more people to prison. Ventura's share of that is 3.69% (261.7 divided by 7099.9). Since this pot of money will be $5,308,352 for 2014-15 growth, Ventura County will receive $195,656.

Probation – 80%

Felony Probation Performance – 60%: The SB 678 success criteria is one that has featured in every AB 109 formula so far, and in 2014-15 growth these funds will be $31,850,114. ($54,585,518 will be available for performance, minus $1,501,995 for 2nd striker reduction, leaving $54,585,518. Sixty percent of that rounds to $31,850,114.) The data is determined by taking the annual felony probation population for a county and subtracting the number of those revoked to prison or jail. Each county's number of non-failed probationers is then calculated as a share of the number statewide, and the county receives that share of these funds.

Example: Imperial County had 1,302 non-failed probationers. Since there were 285,337 non-failed probationers statewide in 2013, Imperial's share is 0.46%, or $145,333.

<u>Felony Probation Failure Rate Improvement – 20%</u>: Counties that improve their felony probation failure rate from one year to the next qualify for these funds, which will be $10,616,705 for 2014-15 growth. The failure rate is determined by dividing the total felony probation population by the number revoked to prison or jail. If that rate decreases from one year to the next, then the difference between the two is multiplied by the county's total felony probation population to determine how many more people would have been revoked to prison or jail if the county had not improved its failure rate. The county's number is then calculated as a share of the total number among all counties that qualify, and the county receives that share of these funds.

Example: Yuba County's failure rate decreased by 2.3% from 2012 to 2013. This represents 13.5 people that would have otherwise been revoked to prison or jail. The total among all sixteen counties statewide that improved their failure rates was 554.5, so Yuba's share is 2.44%, or $258,859.

District Attorney/Public Defender Subaccount

- Funds in this subaccount support revocation and related activities, as specified in statute.[1]

- Funds deposited into the District Attorney/Public Defender (DA/PD) subaccount are divided equally between the two departments.

- Subaccount funding levels (in millions) from 2011-12 are as follows:

2011-12	2012-13	2012-13 growth ACTUAL	2013-14	2013-14 growth ACTUAL	2014-15	2014-15 growth ACTUAL	2015-16 ACTUAL	2015-16 Growth ESTIMATE
$ 12.7	$ 14.6	$ 5.8	$ 17.1	$ 4.9	$ 15.8	$ 8.4	$ 24.2	$ 8.0

- District Attorney/Public Defender growth is distributed on the same basis as the programmatic or base allocation.

- The 2011-12 DA/PD allocation was identical to the AB 109 programmatic allocation for that fiscal year.

- In 2012-13 and 2013-14, the DA/PD allocation was allocated based on the results of the following methodology: The composite of the 2011-12 percentage share for the first $12.7 million and the remaining allocation ($1.9 million) distributed using the revised AB 109 programmatic allocation for 2012-13 and 2013-14. That approach produced a "blended rate" that was then applied to the subaccount funding level for each year.

- The permanent methodology beginning in 2014-15 for the DA/PD account remains unchanged from the previous two years. However, a small technical error discovered in the application of the formula (transposition of numbers in one county's share) has been corrected.

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[1] **Government Code Section 30025(f)(12)**: [These funds] shall be used exclusively to fund costs associated with revocation proceedings involving persons subject to state parole and the Postrelease Community Supervision Act of 2011 (Title 2.05 (commencing with Section 3450) of Part 3 of the Penal Code), and may be used to fund planning, implementation, and training costs for those proceedings. The moneys shall be allocated equally by the county or city and county to the district attorney's office and county public defender's office, or where no public defender's office is established, to the county for distribution for the same purpose.

DA/PD Subaccount Allocation

County	% Share of DA/PD Funds	2013-14	2013-14 Growth	2014-15	2014-15 Growth	2015-16	2015-16 Growth ESTIMATE
Alameda	2.7151%	$ 464,274	$ 132,473	$ 428,978	$ 228,004	$ 656,982	$ 217,204
Alpine	0.0212%	$ 3,633	$ 1,037	$ 3,357	$ 1,784	$ 5,141	$ 1,700
Amador	0.1509%	$ 25,802	$ 7,362	$ 23,840	$ 12,671	$ 36,512	$ 12,071
Butte	0.7582%	$ 129,652	$ 36,994	$ 119,795	$ 63,672	$ 183,467	$ 60,656
Calaveras	0.0984%	$ 16,824	$ 4,801	$ 15,545	$ 8,262	$ 23,808	$ 7,871
Colusa	0.0593%	$ 10,141	$ 2,894	$ 9,370	$ 4,980	$ 14,350	$ 4,744
Contra Costa	1.4205%	$ 242,903	$ 69,308	$ 224,437	$ 119,289	$ 343,726	$ 113,639
Del Norte	0.0628%	$ 10,736	$ 3,063	$ 9,920	$ 5,273	$ 15,193	$ 5,023
El Dorado	0.3486%	$ 59,617	$ 17,011	$ 55,085	$ 29,278	$ 84,362	$ 27,891
Fresno	2.4909%	$ 425,936	$ 121,534	$ 393,555	$ 209,176	$ 602,731	$ 199,268
Glenn	0.0916%	$ 15,657	$ 4,467	$ 14,467	$ 7,689	$ 22,156	$ 7,325
Humboldt	0.4264%	$ 72,916	$ 20,805	$ 67,373	$ 35,809	$ 103,182	$ 34,113
Imperial	0.3666%	$ 62,680	$ 17,885	$ 57,915	$ 30,782	$ 88,697	$ 29,324
Inyo	0.0530%	$ 9,061	$ 2,585	$ 8,372	$ 4,450	$ 12,822	$ 4,239
Kern	3.0220%	$ 516,768	$ 147,451	$ 477,481	$ 253,784	$ 731,265	$ 241,763
Kings	0.7959%	$ 136,107	$ 38,836	$ 125,759	$ 66,842	$ 192,601	$ 63,676
Lake	0.2283%	$ 39,035	$ 11,138	$ 36,068	$ 19,170	$ 55,238	$ 18,262
Lassen	0.1065%	$ 18,208	$ 5,195	$ 16,824	$ 8,942	$ 25,765	$ 8,518
Los Angeles	31.7692%	$ 5,432,533	$ 1,550,083	$ 5,019,534	$ 2,667,905	$ 7,687,439	$ 2,541,536
Madera	0.4676%	$ 79,964	$ 22,816	$ 73,885	$ 39,270	$ 113,155	$ 37,410
Marin	0.3907%	$ 66,802	$ 19,061	$ 61,723	$ 32,806	$ 94,529	$ 31,252
Mariposa	0.0459%	$ 7,841	$ 2,237	$ 7,245	$ 3,851	$ 11,096	$ 3,668
Mendocino	0.2759%	$ 47,171	$ 13,459	$ 43,585	$ 23,166	$ 66,751	$ 22,068
Merced	0.6938%	$ 118,646	$ 33,854	$ 109,627	$ 58,267	$ 167,894	$ 55,507
Modoc	0.0215%	$ 3,668	$ 1,047	$ 3,390	$ 1,802	$ 5,191	$ 1,716
Mono	0.0291%	$ 4,973	$ 1,419	$ 4,595	$ 2,442	$ 7,037	$ 2,326
Monterey	1.0670%	$ 182,450	$ 52,059	$ 168,579	$ 89,601	$ 258,180	$ 85,356
Napa	0.2964%	$ 50,676	$ 14,460	$ 46,824	$ 24,887	$ 71,711	$ 23,708
Nevada	0.1538%	$ 26,301	$ 7,505	$ 24,301	$ 12,916	$ 37,218	$ 12,305
Orange	6.5354%	$ 1,117,552	$ 318,875	$ 1,032,592	$ 548,827	$ 1,581,419	$ 522,831
Placer	0.8287%	$ 141,713	$ 40,435	$ 130,939	$ 69,595	$ 200,534	$ 66,298
Plumas	0.0432%	$ 7,395	$ 2,110	$ 6,833	$ 3,632	$ 10,464	$ 3,460
Riverside	5.8408%	$ 998,783	$ 284,986	$ 922,852	$ 490,500	$ 1,413,352	$ 467,267
Sacramento	3.6596%	$ 625,793	$ 178,560	$ 578,218	$ 307,326	$ 885,544	$ 292,769
San Benito	0.1514%	$ 25,889	$ 7,387	$ 23,921	$ 12,714	$ 36,635	$ 12,112
San Bernardino	7.1930%	$ 1,230,001	$ 350,960	$ 1,136,492	$ 604,051	$ 1,740,542	$ 575,439
San Diego	7.0768%	$ 1,210,139	$ 345,293	$ 1,118,140	$ 594,297	$ 1,712,437	$ 566,147
San Francisco	1.5035%	$ 257,098	$ 73,359	$ 237,553	$ 126,260	$ 363,813	$ 120,280
San Joaquin	1.8942%	$ 323,913	$ 92,423	$ 299,288	$ 159,073	$ 458,362	$ 151,538
San Luis Obispo	0.6202%	$ 106,061	$ 30,263	$ 97,998	$ 52,086	$ 150,085	$ 49,619
San Mateo	1.2445%	$ 212,810	$ 60,722	$ 196,631	$ 104,510	$ 301,142	$ 99,560
Santa Barbara	1.0754%	$ 183,893	$ 52,471	$ 169,913	$ 90,309	$ 260,222	$ 86,032
Santa Clara	3.6063%	$ 616,670	$ 175,957	$ 569,789	$ 302,845	$ 872,634	$ 288,501
Santa Cruz	0.4881%	$ 83,468	$ 23,816	$ 77,123	$ 40,991	$ 118,114	$ 39,049
Shasta	0.8304%	$ 141,992	$ 40,515	$ 131,198	$ 69,732	$ 200,930	$ 66,429
Sierra	0.0212%	$ 3,633	$ 1,037	$ 3,357	$ 1,784	$ 5,141	$ 1,700
Siskiyou	0.1231%	$ 21,053	$ 6,007	$ 19,452	$ 10,339	$ 29,791	$ 9,849
Solano	1.0653%	$ 182,165	$ 51,978	$ 168,316	$ 89,461	$ 257,777	$ 85,223
Sonoma	0.9350%	$ 159,877	$ 45,618	$ 147,723	$ 78,515	$ 226,238	$ 74,796
Stanislaus	1.6647%	$ 284,672	$ 81,226	$ 263,030	$ 139,802	$ 402,832	$ 133,180
Sutter	0.3254%	$ 55,639	$ 15,876	$ 51,409	$ 27,324	$ 78,733	$ 26,030
Tehama	0.3371%	$ 57,648	$ 16,449	$ 53,266	$ 28,311	$ 81,577	$ 26,970
Trinity	0.0401%	$ 6,854	$ 1,956	$ 6,333	$ 3,366	$ 9,699	$ 3,207
Tulare	1.5700%	$ 268,463	$ 76,602	$ 248,054	$ 131,842	$ 379,896	$ 125,597
Tuolumne	0.1655%	$ 28,303	$ 8,076	$ 26,151	$ 13,899	$ 40,050	$ 13,241
Ventura	1.6313%	$ 278,959	$ 79,596	$ 257,751	$ 136,996	$ 394,747	$ 130,507
Yolo	0.8235%	$ 140,826	$ 40,182	$ 130,119	$ 69,159	$ 199,279	$ 65,883
Yuba	0.2793%	$ 47,764	$ 13,629	$ 44,132	$ 23,457	$ 67,589	$ 22,346
California	**100.0%**	**$ 17,100,000**	**$ 4,879,202**	**$ 15,800,000**	**$ 8,397,772**	**$ 24,197,772**	**$8,000,000**

Local Innovation Subaccount

- The Local Innovation Subaccount exists only at the local level.

- The subaccount—funded by taking a ten percent share of four other specified realignment-related growth accounts—is intended to promote local innovation and county decision making.[2]

- Expenditure decisions for the Local Innovation Subaccount are determined by the board of supervisors. The subaccount can be used to fund any activity that is otherwise allowable for any of the underlying accounts that fund the innovation subaccount. [3]

- The authority for counties to create the subaccount and make related spending decisions begins with growth attributable to the 2015-16 fiscal year, which will be distributed to counties in October 2016.

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[2] **Government Code Section 30029.07(b):** Beginning in the 2015–16 fiscal year, each county treasurer, city and county treasurer, or other appropriate official shall transfer to the Local Innovation Subaccount 10 percent of the moneys received during a fiscal year from each of the following state accounts:
(1) The Trial Court Security Growth Special Account.
(2) The Community Corrections Growth Special Account.
(3) The District Attorney and Public Defender Growth Special Account.
(4) The Juvenile Justice Growth Special Account.

[3] **Government Code Section 30025(f)(15)**: "… [T] he moneys in the Local Innovation Subaccount shall be used to fund local needs. The board of supervisors of a county or city and county shall have the authority to spend money deposited in the Local Innovation Subaccount as it would any funds in the Juvenile Justice Subaccount, the District Attorney and Public Defender Subaccount, the Community Corrections Subaccount, or the Trial Court Security Subaccount.

Resources

<u>Base – Workload</u>

45%-	Caseload	Recognizing the quantifiable effects of 2011 Realignment on county public safety services.
45%-	Crime and Population	Recognizing both general county costs and the costs of diversionary programs not counted in caseload data.
10%+	Special Factors	Recognizing socioeconomic and other factors affecting counties' ability to implement realignment.

Caseload factors include 1170h jail inmates, PRCS, and felony probation.
Crime and population factors are the number of serious crimes and the adult population.
Special factors include poverty, small county minimums, and presence of a state prison.

<u>Growth – Performance</u>

80%-	Probation	Rewarding success and improvement in probation outcomes.
20%+	Incarceration	Rewarding success and improvement in reducing prison incarcerations.

Probation factors include the number of non-failed probationers and improvement in the success rate.
Incarceration factors include reducing the number of felons admitted to state prison, reducing felons admitted to prison as 2nd strikers, and success measured by the per capita rate of prison admissions.

<u>Transition Payments</u>

Recognizing both the decline in funding some counties will receive under the new formula and the extra one-time funds available in October of 2015, we allocate a one-time lump sum proportionately to the counties seeing a decline to help them smooth their year-to-year funding levels. Enough growth funds still remain after this allocation to fund performance incentives at a greater level than in years with similar revenue growth.

County	Base Share (Formula)
Alameda	3.6894%
Alpine	0.0203%
Amador	0.1245%
Butte	0.6258%
Calaveras	0.1006%
Colusa	0.0626%
Contra Costa	1.8809%
Del Norte	0.0888%
El Dorado	0.3264%
Fresno	2.9536%
Glenn	0.1042%
Humboldt	0.3910%
Imperial	0.4314%
Inyo	0.0625%
Kern	3.2599%
Kings	0.6274%
Lake	0.2255%
Lassen	0.1227%
Los Angeles	31.1036%
Madera	0.5035%
Marin	0.4459%
Mariposa	0.0512%
Mendocino	0.2097%
Merced	0.7010%
Modoc	0.0290%
Mono	0.0527%
Monterey	1.0076%
Napa	0.2926%
Nevada	0.1746%
Orange	6.3939%
Placer	0.6480%
Plumas	0.0550%
Riverside	5.8817%
Sacramento	3.7536%
San Benito	0.1438%
San Bernardino	7.5600%
San Diego	6.1812%
San Francisco	1.8383%
San Joaquin	1.9425%
San Luis Obispo	0.6469%
San Mateo	1.3149%
Santa Barbara	1.0003%
Santa Clara	3.7303%
Santa Cruz	0.6169%
Shasta	0.6135%
Sierra	0.0209%
Siskiyou	0.1170%
Solano	0.9451%
Sonoma	0.8788%
Stanislaus	1.6040%
Sutter	0.2450%
Tehama	0.2570%
Trinity	0.0524%
Tulare	1.4334%
Tuolumne	0.1604%
Ventura	1.4718%
Yolo	0.6040%
Yuba	0.2206%
California	**100%**

Data Sources for Elements in Permanent AB 109 Allocation Formula

Special Factors: 10%+

Small County $

Source: "State and County Population Projections by Race/Ethnicity, Age, and Gender, 2010-2060"
California Department of Finance; January 31, 2013

Totals $2,850,000 (0.31% of Base)

Total Population in 2014

$150,000 up to 40,000 (13 counties; populations from 1,079 to 36,151)

$100,000 up to 65,000 (6 counties; populations from 44,650 to 64,699)

$75,000 up to 100,000 (4 counties; populations from 73,682 to 97,225; next county at about 135,000)

Prison County $

Source: "Weekly Report of Population"
California Department of Corrections and Rehabilitation; February 19, 2014

Totals $1,868,200 (0.20% of Base)

Allocated by proportionate number of inmates

19 counties host state prisons

Poverty

Source: "Small Area Income and Poverty Estimates"
U.S. Census Bureau; 2012

Total Number of People in Poverty

10% of Base ($92,938,180 in 2015-16; actually 9.95% of Base, after Small County $ and Prison $)

Caseload: 45%-

Jail

1170h
Source: Survey Results
Chief Probation Officers of California; 2014

Jail Only and Split Sentences, July 2012 through December 2013

22.5% of Base ($209,110,905 in 2015-16; actually 22.39% of Base, after Small County $ and Prison $)

Probation

PRCS plus Felony Probation

Source (PRCS): Chief Probation Officers of California Survey Results
PRCS Releases, January 2013 through December 2013
Source (Felony Probation): Administrative Office of the Courts
Total Adult Felon Probation Population (Average of 2012 and 2013)

22.5% of Base ($209,110,905 in 2015-16; actually 22.39% of Base, after Small County $ and Prison $)

Crime and Population: 45%-

Crime

Source: *"Crimes Data File 2003-2012"*

Criminal Justice Statistics Center, California Attorney General

Violent and Property Crimes for 2010, 2011, and 2012, added together

(Violent crimes include criminal homicide, forcible rape, robbery, and aggravated assault. Property crimes include burglary, larceny-theft, motor vehicle theft, and arson.)

22.5% of Base ($209,110,905 in 2015-16; actually 22.39% of Base, after Small County $ and Prison $)

Population

Source: *"State and County Population Projections by Race/Ethnicity, Age, and Gender, 2010-2060"*

California Department of Finance; January 31, 2013

People aged 18-64 years in 2014

22.5% of Base ($209,110,905 in 2015-16; actually 22.39% of Base, after Small County $ and Prison $)

County	2013-14 Programmatic Allocation	2012-13 Growth Allocation	FY 2013-14 Total Allocation	2014-15 Programmatic Allocation	2013-14 Growth	FY 2014-15 Total Allocation	2015-16 Base Allocation	2014-15 Growth Allocation	2014-15 Growth - One-Time Portion	FY 2015-16 Total Allocation	2016-17 Base Allocation (Est.)	2015-16 Growth (Est.)
Alameda	$ 34,628,866	$ 1,979,615	$ 36,608,481	$ 31,497,960	$ 2,903,140	$ 34,401,100	$ 39,110,300	$ 2,963,520	$ 1,006,944	$ 42,073,819	$ 43,518,887	???
Alpine	$ 181,800	$ 12,472	$ 194,272	$ 167,152	$ 10,082	$ 177,234	$ 215,175	$ 9,676	$ 5,540	$ 224,851	$ 239,429	???
Amador	$ 1,339,525	$ 250,553	$ 1,590,078	$ 1,368,104	$ 82,184	$ 1,450,287	$ 1,319,708	$ 374,701	$ 340,879	$ 1,694,408	$ 1,468,468	???
Butte	$ 6,638,689	$ 877,254	$ 7,515,943	$ 6,466,722	$ 355,822	$ 6,822,545	$ 6,634,191	$ 1,231,923	$ 1,099,315	$ 7,866,113	$ 7,382,009	???
Calaveras	$ 941,963	$ 211,456	$ 1,153,419	$ 992,402	$ 85,772	$ 1,078,174	$ 1,066,943	$ 200,178	$ 105,599	$ 1,267,122	$ 1,187,211	???
Colusa	$ 512,436	$ 172,904	$ 685,340	$ 589,667	$ 36,132	$ 625,799	$ 663,523	$ 229,326	$ 24,545	$ 892,849	$ 738,317	???
Contra Costa	$ 22,854,832	$ 1,168,487	$ 24,023,319	$ 20,669,679	$ 973,048	$ 21,642,727	$ 19,938,497	$ 6,357,317	$ 5,150,092	$ 26,295,815	$ 22,186,003	???
Del Norte	$ 646,288	$ 192,424	$ 838,712	$ 721,629	$ 50,231	$ 771,859	$ 941,790	$ 337,717	$ 24,248	$ 1,279,507	$ 1,047,950	???
El Dorado	$ 3,945,655	$ 222,885	$ 4,168,540	$ 3,586,615	$ 242,069	$ 3,828,684	$ 3,459,740	$ 1,347,957	$ 893,647	$ 4,807,696	$ 3,849,728	???
Fresno	$ 24,630,876	$ 3,454,070	$ 28,084,946	$ 24,164,305	$ 2,108,206	$ 26,272,512	$ 31,310,049	$ 1,849,919	$ 806,117	$ 33,159,968	$ 34,839,378	???
Glenn	$ 785,135	$ 198,153	$ 983,288	$ 846,022	$ 131,087	$ 977,109	$ 1,104,146	$ 97,411	$ 28,428	$ 1,201,557	$ 1,228,608	???
Humboldt	$ 3,959,640	$ 335,091	$ 4,294,730	$ 3,695,189	$ 331,188	$ 4,026,376	$ 4,144,566	$ 582,259	$ 171,190	$ 4,726,825	$ 4,611,749	???
Imperial	$ 3,704,920	$ 364,380	$ 4,069,300	$ 3,501,228	$ 327,872	$ 3,829,100	$ 4,572,621	$ 295,858	$ 117,728	$ 4,868,478	$ 5,088,055	???
Inyo	$ 468,484	$ 160,536	$ 629,020	$ 541,209	$ 50,634	$ 591,844	$ 662,111	$ 44,130	$ 17,047	$ 706,241	$ 736,745	???
Kern	$ 27,792,395	$ 8,967,652	$ 36,760,047	$ 31,628,367	$ 1,970,217	$ 33,598,584	$ 34,557,323	$ 3,532,242	$ 2,650,615	$ 38,089,565	$ 38,452,690	???
Kings	$ 7,159,116	$ 854,420	$ 8,013,537	$ 6,894,852	$ 432,644	$ 7,327,496	$ 6,650,950	$ 1,900,436	$ 1,717,933	$ 8,551,386	$ 7,400,657	???
Lake	$ 2,051,741	$ 197,081	$ 2,248,821	$ 1,934,887	$ 174,368	$ 2,109,256	$ 2,390,394	$ 139,456	$ 61,544	$ 2,529,850	$ 2,659,843	???
Lassen	$ 921,985	$ 334,320	$ 1,256,304	$ 1,080,925	$ 57,976	$ 1,138,901	$ 1,300,650	$ 164,472	$ 33,487	$ 1,465,122	$ 1,447,262	???
Los Angeles	$ 317,342,539	$ 20,335,674	$ 337,678,213	$ 290,538,549	$ 20,937,494	$ 311,476,043	$ 329,718,666	$ 17,203,194	$ 8,489,025	$ 346,921,860	$ 366,885,184	???
Madera	$ 4,078,509	$ 671,640	$ 4,750,148	$ 4,087,031	$ 620,604	$ 4,707,635	$ 5,337,246	$ 462,348	$ 137,414	$ 5,799,594	$ 5,938,870	???
Marin	$ 5,408,045	$ 287,360	$ 5,695,405	$ 4,900,330	$ 234,469	$ 5,134,798	$ 4,726,983	$ 1,868,649	$ 1,220,975	$ 6,595,632	$ 5,259,817	???
Mariposa	$ 401,558	$ 148,135	$ 549,693	$ 472,956	$ 30,614	$ 503,570	$ 542,629	$ 66,470	$ 13,971	$ 609,100	$ 603,795	???
Mendocino	$ 2,445,307	$ 118,406	$ 2,563,714	$ 2,205,821	$ 158,554	$ 2,364,375	$ 2,223,334	$ 523,567	$ 426,159	$ 2,746,901	$ 2,473,953	???
Merced	$ 6,172,203	$ 443,372	$ 6,615,575	$ 5,692,045	$ 614,241	$ 6,306,286	$ 7,430,996	$ 1,042,376	$ 191,320	$ 8,473,372	$ 8,268,632	???
Modoc	$ 197,782	$ 75,588	$ 273,370	$ 235,208	$ 14,597	$ 249,805	$ 307,347	$ 40,133	$ 7,913	$ 347,480	$ 341,992	???
Mono	$ 342,623	$ 155,162	$ 497,785	$ 428,294	$ 61,943	$ 490,237	$ 559,072	$ 51,000	$ 14,394	$ 610,072	$ 622,092	???
Monterey	$ 9,399,649	$ 635,023	$ 10,034,672	$ 8,633,838	$ 730,087	$ 9,363,925	$ 10,681,531	$ 618,434	$ 275,010	$ 11,299,965	$ 11,885,574	???
Napa	$ 2,923,780	$ 183,379	$ 3,107,159	$ 2,673,402	$ 273,496	$ 2,946,898	$ 3,101,507	$ 398,330	$ 79,852	$ 3,499,837	$ 3,451,114	???
Nevada	$ 2,097,690	$ 131,911	$ 2,229,601	$ 1,918,350	$ 121,417	$ 2,039,766	$ 1,850,489	$ 568,679	$ 477,979	$ 2,419,168	$ 2,059,080	???
Orange	$ 66,723,523	$ 6,550,676	$ 73,274,199	$ 63,045,168	$ 5,584,285	$ 68,629,452	$ 67,779,309	$ 12,592,184	$ 6,710,153	$ 80,371,494	$ 75,419,523	???
Placer	$ 7,331,926	$ 408,414	$ 7,740,340	$ 6,659,794	$ 511,543	$ 7,171,336	$ 6,869,404	$ 1,399,688	$ 1,084,146	$ 8,269,092	$ 7,643,736	???
Plumas	$ 421,536	$ 218,891	$ 640,427	$ 551,023	$ 40,102	$ 591,126	$ 583,417	$ 150,607	$ 70,255	$ 734,023	$ 649,180	???
Riverside	$ 51,175,645	$ 4,315,216	$ 55,490,861	$ 47,744,372	$ 4,936,258	$ 52,680,629	$ 62,350,160	$ 3,890,872	$ 1,605,284	$ 66,241,032	$ 69,378,389	???
Sacramento	$ 33,271,361	$ 2,160,204	$ 35,431,565	$ 30,485,341	$ 3,420,505	$ 33,905,846	$ 39,790,628	$ 2,659,511	$ 1,024,460	$ 42,450,139	$ 44,275,904	???
San Benito	$ 1,298,570	$ 100,060	$ 1,398,630	$ 1,203,382	$ 134,612	$ 1,337,994	$ 1,524,781	$ 308,936	$ 39,257	$ 1,833,718	$ 1,696,657	???
San Bernardino	$ 66,181,121	$ 13,020,770	$ 79,201,891	$ 68,145,357	$ 5,065,424	$ 73,210,781	$ 80,140,981	$ 8,778,217	$ 2,063,331	$ 88,919,198	$ 89,174,626	???
San Diego	$ 70,078,828	$ 3,334,394	$ 73,413,222	$ 63,164,783	$ 3,951,876	$ 67,116,659	$ 65,525,196	$ 12,024,028	$ 9,801,470	$ 77,549,223	$ 72,911,321	???
San Francisco	$ 20,239,712	$ 1,072,965	$ 21,312,676	$ 18,337,440	$ 1,092,454	$ 19,429,894	$ 19,487,369	$ 4,639,210	$ 2,245,092	$ 24,126,580	$ 21,684,023	???
San Joaquin	$ 17,514,713	$ 1,158,827	$ 18,673,540	$ 16,066,726	$ 1,623,674	$ 17,690,400	$ 20,591,438	$ 1,280,704	$ 530,153	$ 21,872,143	$ 22,912,545	???
San Luis Obispo	$ 6,138,241	$ 421,852	$ 6,560,092	$ 5,644,308	$ 461,333	$ 6,105,640	$ 6,857,291	$ 394,732	$ 176,550	$ 7,252,023	$ 7,630,258	???
San Mateo	$ 15,943,443	$ 851,557	$ 16,795,000	$ 14,450,429	$ 899,963	$ 15,350,392	$ 13,939,251	$ 4,253,694	$ 3,600,493	$ 18,192,945	$ 15,510,510	???
Santa Barbara	$ 9,446,597	$ 615,423	$ 10,062,020	$ 8,657,369	$ 978,303	$ 9,635,672	$ 10,604,060	$ 808,026	$ 273,015	$ 11,412,086	$ 11,799,370	???
Santa Clara	$ 39,992,959	$ 2,318,405	$ 42,311,365	$ 36,404,725	$ 3,125,143	$ 39,529,868	$ 39,543,326	$ 6,086,622	$ 3,351,520	$ 45,629,947	$ 44,000,725	???
Santa Cruz	$ 6,132,247	$ 419,416	$ 6,551,663	$ 5,637,055	$ 623,989	$ 6,261,044	$ 6,539,401	$ 540,941	$ 168,365	$ 7,080,342	$ 7,276,534	???
Shasta	$ 7,410,839	$ 424,896	$ 7,835,735	$ 6,741,871	$ 342,894	$ 7,084,765	$ 6,503,380	$ 1,805,950	$ 1,679,816	$ 8,309,330	$ 7,236,454	???

ESTIMATED ALLOCATIONS
** Some figures below contain revenue projections and do not guarantee a specific funding level. **

County	2013-14 Programmatic Allocation	2012-13 Growth Allocation	FY 2013-14 Total Allocation	2014-15 Programmatic Allocation	2013-14 Growth	FY 2014-15 Total Allocation	2015-16 Base Allocation	2014-15 Growth Allocation	2014-15 Growth - One-Time Portion	FY 2015-16 Total Allocation	2016-17 Base Allocation (Est.)	2015-16 Growth (Est.)
Sierra	$ 181,800	$ 26,046	$ 207,846	$ 178,831	$ 8,509	$ 187,340	$ 221,132	$ 66,067	$ 5,693	$ 287,199	$ 246,058	???
Siskiyou	$ 1,063,829	$ 227,363	$ 1,291,191	$ 1,110,942	$ 130,635	$ 1,241,576	$ 1,240,516	$ 295,363	$ 58,611	$ 1,535,879	$ 1,380,350	???
Solano	$ 10,012,974	$ 537,520	$ 10,550,493	$ 9,077,651	$ 587,429	$ 9,665,080	$ 10,018,253	$ 2,270,710	$ 631,594	$ 12,288,963	$ 11,147,530	???
Sonoma	$ 10,698,219	$ 526,222	$ 11,224,441	$ 9,657,516	$ 634,192	$ 10,291,709	$ 9,315,886	$ 3,367,550	$ 2,406,283	$ 12,683,435	$ 10,365,990	???
Stanislaus	$ 14,509,023	$ 1,646,186	$ 16,155,209	$ 13,899,952	$ 1,316,071	$ 15,216,023	$ 17,003,572	$ 1,041,435	$ 437,779	$ 18,045,007	$ 18,920,247	???
Sutter	$ 2,974,724	$ 154,794	$ 3,129,518	$ 2,692,639	$ 171,437	$ 2,864,076	$ 2,597,388	$ 743,792	$ 670,903	$ 3,341,181	$ 2,890,171	???
Tehama	$ 3,028,665	$ 253,905	$ 3,282,569	$ 2,824,325	$ 160,168	$ 2,984,492	$ 2,724,416	$ 2,241,061	$ 703,714	$ 4,965,477	$ 3,031,517	???
Trinity	$ 352,612	$ 143,870	$ 496,482	$ 427,173	$ 67,157	$ 494,330	$ 555,292	$ 173,931	$ 14,297	$ 729,223	$ 617,886	???
Tulare	$ 13,883,711	$ 904,277	$ 14,787,988	$ 12,723,594	$ 1,396,211	$ 14,119,805	$ 15,195,511	$ 1,608,738	$ 391,228	$ 16,804,249	$ 16,908,378	???
Tuolumne	$ 1,420,436	$ 194,102	$ 1,614,538	$ 1,389,149	$ 175,409	$ 1,564,558	$ 1,700,007	$ 132,732	$ 43,769	$ 1,832,739	$ 1,891,635	???
Ventura	$ 17,860,332	$ 870,065	$ 18,730,397	$ 16,115,645	$ 892,909	$ 17,008,555	$ 15,601,779	$ 4,486,908	$ 3,942,765	$ 20,088,686	$ 17,360,441	???
Yolo	$ 7,154,122	$ 407,998	$ 7,562,120	$ 6,506,453	$ 593,478	$ 7,099,931	$ 6,402,470	$ 2,374,577	$ 1,458,128	$ 8,777,047	$ 7,124,168	???
Yuba	$ 2,484,264	$ 333,316	$ 2,817,580	$ 2,424,248	$ 141,881	$ 2,566,129	$ 2,338,491	$ 1,048,115	$ 604,030	$ 3,386,606	$ 2,602,090	???
Total	$ 998,900,000	$ 86,757,030	$ 1,085,657,030	$ 934,100,000	$ 73,188,027	$ 1,007,288,027	$ 1,060,066,580	125,966,580	$ 71,381,062	$ 1,186,033,160	$ 1,179,559,310	???

Allocating AB 109 Realignment Funds Among Counties

1020 11th Street, Sacramento, California — January 16, 2013 ▪ 10 a.m. to 2 p.m.

1. Purposes

The three purposes of this meeting and these background materials are:

- To explain the formulas that allocate AB 109 criminal justice realignment funds for the first three years (2011-12 through 2013-14);
- To explain the process and reasoning used to determine those formulas and to describe the process in place to determine a formula for future growth and a permanent allocation formula; and
- To discuss concerns about and alternatives to the current allocation formula.

2. Past and Present: Temporary Allocation — Process and Result

Governor Brown's Administration requested — and CSAC agreed — that counties allocate criminal justice realignment funds among themselves. To this end, CSAC asked CAOAC to develop an AB 109 allocation formula. CAOAC created a Realignment Allocation Committee in 2011 composed of nine members, all CAOs. Three each came from urban, suburban, and rural counties.

At the outset of its work in the spring of 2011, the committee decided on a few principles to guide their work. First, the committee determined that the formula should be simple, so that it would be transparent and easy to understand. Second, because the policy is so far-reaching and the committee's time to work was so short, and also because so much information was as yet unknown, they decided the formula should be temporary and only apply to the first nine months of the operation of AB 109 (October 2011 through June 2012). The formulas for subsequent years would be determined later, informed by any additional information and programmatic experience.

In the face of limited data and experience, the committee used what information it had: population, estimated workload, and success in implementing SB 678. They soon found that formulas that relied strictly on caseload or on population produced widely divergent results with no ready explanation as to why; some hybrid would be needed. The committee also wanted to incentivize a community corrections model, but without ignoring actual workload.

This chart shows the difference between Year 1 allocations based strictly on population and estimated workload. The bar height represents greater percentage variation from one factor to the other; deeper green means greater dollar variation. Contra Costa County would have received nearly 2.5 times more money under one single-factor allocation than the other, while Trinity County would receive almost the same amount of money under either. Los Angeles County is in the bottom quarter of the scale, but because of their size would still see a $17 million difference.

Variation Between Allocation Based on 18-64 Population and Estimated ADP
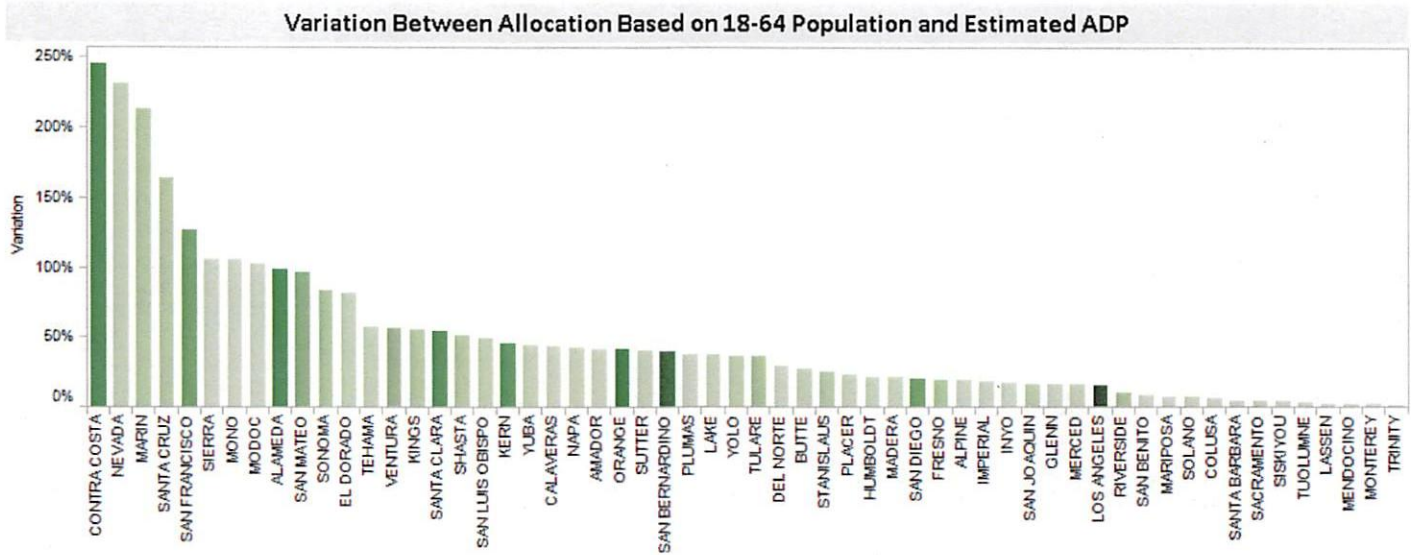
The maps below show estimated workload per 100,000 adults (left) and each county's share of the estimated workload statewide (right). The ticks in the legend mark the statewide median. On both, pale yellow indicates nearness to the median, green a higher number, orange lower. Note that Los Angeles' share of ADP is 32%, well beyond the right-side scale's maximum.

ADP per 100,000 Adults (18-64)

Share of ADP
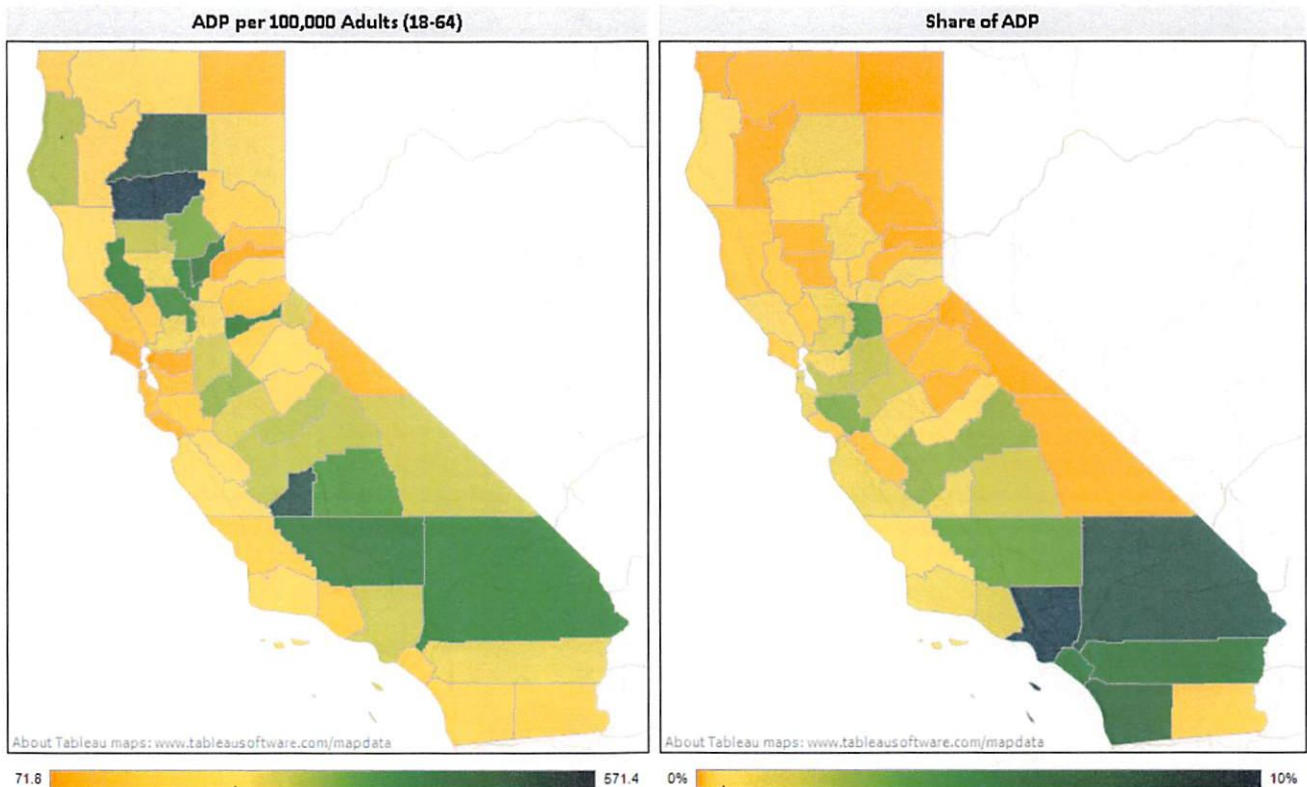
The final formula for 2011-12 attempted to balance all of these factors. It gave the most weight (60 percent) to estimated workload (ADP), which was based on each county's recent history of sending offenders to prison. However, it balanced that with some weight on adult population (30 percent), recognizing that recent history is not necessarily determinate of the near future. The formula also included as a small factor (10 percent) apparent success in steering probationers away from prison, as measured by SB 678 performance. The committee made individual adjustments for the largest and smallest counties.

The explanation above equates "estimated workload" with "ADP," which stands for Average Daily Population. This was the most acceptable workload data available to the allocation committee. The number is an estimate based on relatively recent history (five years) of state prison and parole usage. It is not a count of the number of offenders each county can expect to serve, but the average number of offenders a county can expect to have on any given day. A county with a large number of prisoners who each have short sentences might have the same ADP as a county with a smaller number of prisoners who each have longer sentences.

Counties with high variation on either side would see reason to be unhappy with the result. Those with a historically low reliance on the state prison system wanted less weight given to that factor, while those with high caseloads thought other non-ADP factors were over-emphasized.

Funding available for criminal justice realignment more than doubled from the nine-month allocation of Year 1 ($354.3 million) to Year 2 ($842.9 million), and is estimated to grow another 18.5 percent from Year 2 to Year 3 ($998.9 million). This growth gave the allocation committee leeway to deal with perceived inequities created by the Year 1 formula.

However, at the time the committee was making decisions about formulas for Years 2 and 3, they had no additional data or programmatic experience. The committee discussed using a few alternative data points, such as crime rates, poverty rates, and court dispositions, but in the end tabled those ideas due to the committee's stated principle of simplicity and because dramatic changes to the formula seemed likely to create new perceived inequities.

Because of the continuing limitations of data and experience, the allocation committee decided to delay setting a permanent allocation formula. They wanted to establish a minimum funding base and create a bridge to a final allocation methodology, and so decided to create a new formula for Years 2 and 3 based on familiar data elements.
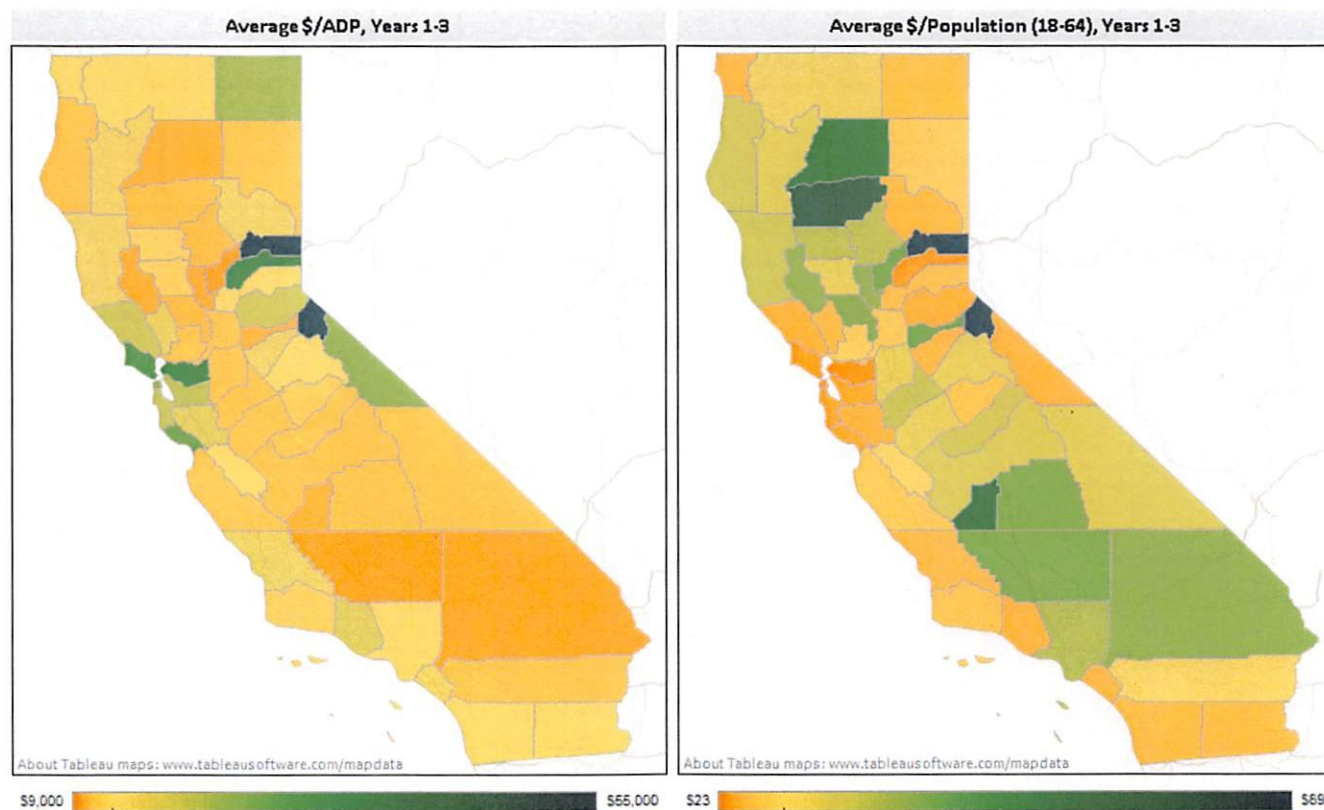
The committee discussed dozens of alternatives over the course of six months, sometimes by conference call and sometimes in person, meeting at least biweekly for the first several months of 2012.

The committee ultimately decided on a formula whereby each county could rely on receiving at least double their Year 1 allocation. Beyond that, each county received a share of the

total funding based on either its adult population (ages 18 to 64), adjusted ADP, or the Year 1 formula (60/30/10) with updated data, which ever was most beneficial. Los Angeles got the same share they received in Year 1. Each county's share of the statewide allocation remains constant from Year 2 to Year 3, giving every county the benefit of increased fund levels referenced above.

The results of that allocation method are included in this packet as Attachment 2.

The chart below illustrates how the aggregate funding for all three years strikes a balance between workload and overall population. Counties that do poorly by one measure do well by the other. As before, the tick marks indicate the statewide median, pale yellow nearness to the medium, dark green a higher amount, and orange lower. Note that, because Alpine County is such an extreme outlier, the maximum on both scales is reduced to better show variation among other counties.

Average $/ADP, Years 1-3   Average $/Population (18-64), Years 1-3

About Tableau maps: www.tableausoftware.com/mapdata   About Tableau maps: www.tableausoftware.com/mapdata

$9,000 $55,000 $23 $69

3. Future: Growth and a Permanent Allocation

Growth of sales tax revenue in the fall of 2013 gives the allocation committee additional leeway to deal with new perceived inequities of the allocation method for Years 2 and 3, though within the statutory limitations described below.

Realigned law enforcement programs will receive 35 percent of the growth of realignment sales taxes, with the other 65 percent going to realigned health and human service programs. Of the 35 percent, 75 percent will go to AB 109. In other words, 26.25 percent of growth in realignment sales tax revenue directly benefits AB 109 services.

Statute gives some direction as to how the AB 109 portion of realignment growth is to be allocated. It requires a guaranteed minimum allocation for each county, including special minimum allocations for small counties. It requires adjustments for ADP (workload) variations from estimated levels and for other factors affecting realignment implementation.

The Department of Finance has discretion over growth, and statute directs them to consider a county's "commitment to continuing, expanding, or initiating community corrections practices...most cost effectively through the use of evidence-based practices...including...the use of offender risk and needs assessment tools, criminogenic-based interventions, substance abuse and mental health treatment,...and sanctions other than traditional jail incarceration alone." The complete statutory language is included in this packet as Attachment 3.

The allocation committee will recommend growth allocation for 2012-13 to the Department of Finance by spring 2013.

More important than next year's growth, however, the allocation committee must still determine a permanent allocation formula. Counties are reminded that the base for AB 109 is not set until implementation is fully realized in 2015-16 (Year 5).

The allocation committee has formed a subcommittee called the Data Advisory Committee. This subcommittee has an extremely narrow focus: to give the allocation committee ideas as to which data sets it might find useful as it creates a permanent allocation formula, along with their reasoning for suggesting those data sets. The purpose of the subcommittee is to get limited input from a wider array of people without relinquishing control of the permanent allocation formula.

After the data advisory committee reports to the allocation committee, the allocation committee will resume debate and discussion of what factors should be used in the permanent formula, and with what weight.

4. Issues and Alternatives

The allocation committee is charged with the complex task of developing a system that recognizes the considerable diversity of the state. That diversity ensures that no single approach will work. Thus, any result of the committee's work will be unfair by some measure or another.

One of the committees difficulties is deciding just how broadly to think in making their determination. If the formula will in fact be permanent, the committee cannot simply rely on a

few recent years of data. Future demographics will have to be considered in some way, but reliance on future data sets is likely to incentivize one set of behavior or another.

If the formula awards funds based primarily on workload, then counties are incentivized to seek many long terms of incarceration, precisely the opposite of realignment's intent, which is to reduce recidivism. However, ignoring workload results in a system that imposes fiscal punishment based on situations largely out of a county's control.

What if the formula was based on the entire criminal justice population, or even just on higher level of violent crime? This approach could award more funds to jurisdictions that have higher crime without direct relationship to the AB 109 realigned populations. Yet, using these data elements in conjunction with others may allow the committee to achieve a formula that is appropriate and equitable when combined with other elements.

It is the CAOAC's hope that the meeting of January 16 will produce a thoughtful and healthy discussion to ensure counties understand the rationale and the difficulty of formulating a methodology for dividing up resources that support new offender populations. The allocation process would benefit greatly from the county administrators discussing their thoughts about a long-term funding formula.