

## Key Principles of Assembly Bill 109 (excerpted from the legislation)

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for Contra Costa County Community Advisory Board

February 8, 2019

3450 SEC. 229, Section 17.5 is added to the Penal Code, to read:

17.5. (a) The Legislature finds and declares all of the following:

- (1) The Legislature reaffirms its commitment to reducing recidivism among criminal offenders.
- (2) Despite the dramatic increase in corrections spending over the past two decades, national reincarceration rates for people released from prison remain unchanged or have worsened. National data show that about 40 percent of released individuals are reincarcerated within three years. In California, the recidivism rate for persons who have served time in prison is even greater than the national average.
- (3) Criminal justice policies that rely on the reincarceration of parolees for technical violations do not result in improved public safety.
- (4) California must reinvest its criminal justice resources to support community corrections programs and evidence-based practices that will achieve improved public safety returns on this state's substantial investment in its criminal justice system.
- (5) Realigning the postrelease supervision of certain felons reentering the community after serving a prison term to local community corrections programs, which are strengthened through community-based punishment, evidence-based practices, and improved supervision strategies, will improve public safety outcomes among adult felon parolees and will facilitate their successful reintegration back into society.
- (6) Community corrections programs require a partnership between local public safety entities and the county to provide and expand the use of community-based punishment for offenders paroled from state prison. Each county's local Community Corrections Partnership, as established in paragraph (2) of subdivision (b) of Section 1230, should play a critical role in developing programs and ensuring appropriate outcomes for persons subject to postrelease community supervision.
- (7) Fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county. "Justice reinvestment" is a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety. The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable.
- (8) "Community-based punishment" means evidence-based correctional sanctions and programming encompassing a range of custodial and noncustodial responses to criminal or noncompliant offender activity.

Intermediate sanctions may be provided by local public safety entities directly or through public or private correctional service providers and include, but are not limited to, the following:

- (A) Short-term "flash" incarceration in jail for a period of not more than seven days.
  - (B) Intensive community supervision.
  - (C) Home detention with electronic monitoring or GPS monitoring.
  - (D) Mandatory community service.
  - (E) Restorative justice programs, such as mandatory victim restitution and victim-offender reconciliation.
  - (F) Work, training, or education in a furlough program pursuant to Section 1208.
  - (G) Work, in lieu of confinement, in a work release program pursuant to Section 4024.2.
  - (H) Day reporting.
  - (I) Mandatory residential or nonresidential substance abuse treatment programs.
  - (J) Mandatory random drug testing.
  - (K) Mother-infant care programs.
  - (L) Community-based residential programs offering structure, supervision, drug treatment, alcohol treatment, literacy programming, employment counseling, psychological counseling, mental health treatment, or any combination of these and other interventions.
- (9) "Evidence-based practices" refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or postrelease supervision.