



COUNTY OF YOLO
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The Challenges of Criminal Justice Realignment

On October 1, 2011, a series of new laws went into effect in California that will result in the biggest challenge to public safety in generations. Criminal justice realignment, also referred to as AB 109 and related provisions, as passed by the Legislature and signed into law by Governor Brown, will dramatically change California's current judicial and correctional systems. In short, as a result of the new laws, certain felons will now serve their custody time in local county jails or alternative programs. In addition, many inmates released from state prison will now be supervised by local probation officers instead of state parole agents. Sanctions for parole violations will also be handled locally and are sure to be markedly reduced under this criminal justice overhaul.

Despite the fact that our state has benefited from some of the lowest crime rates in decades, these reforms were created and passed on the basis that California's prison system has become drastically overcrowded over the years and a theory that a focus on rehabilitation instead of incarceration may prove to be more effective in reducing long term recidivism. An additional motivation behind these changes has been the shrinking state economy and budget woes.

The end result of this seismic shift in our criminal justice system is that tens of thousands of convicted felons statewide, who would have gone to state prison in the past for their crimes, will now stay in our local communities in county jails or alternative programs. The reality is that many local county jails, including ours in Yolo County, are already overcrowded at times with inmates awaiting trials and/or serving local sentences. While the new realignment laws will certainly help the state deal with its overcrowded state prison, the counties will be more impacted than ever. Such local overcrowding will most certainly result in some early releases of those awaiting trial or serving sentences.

As we start to feel the impact of these new laws, it is important for every member of our community to understand the realities of these major reforms. Lowered expectations about what many of us would consider traditional types of punishment for certain types of crimes seem most obvious. In addition, our citizenry must also appreciate that many of these offenders may never leave our communities to serve their sentences, some of which could last for decades. Finally, under these new laws, some convicted criminals may not serve a single day in custody due to a variety of factors and effects of realignment.

Another reality is that, unlike anything we have experienced in decades, our local judges will now be tasked with exercising an incredible level of discretion in constructing sentences for countless convicted felons who will remain in our communities. Local judges will also be responsible for handling parole violations and issuing sanctions for many convicted felons released from prison. These new public safety duties are significant for our already understaffed judiciary.

For our part, the District Attorney's office will address these new changes in the law by continuing to advocate for just and fair results that are guided by the core principles of seeking the truth, guaranteeing public safety, ensuring the rights of victims are honored, seeking proper punishment and supporting rehabilitation programs where appropriate.

While the California District Attorneys Association did not support these reforms, the reality is that it is now the law and we must follow it as directed. The good news is that in Yolo County we have a strong collaboration among our public safety departments that will help in this major transition.

I pledge to you to do everything possible to implement realignment in as positive a manner as is possible to maintain the quality of life and public safety in our community.

Jeff Reisig
Yolo County District Attorney

