



Republican Realignment Reform Package

Keeping Closer Tabs on Dangerous Offenders

Keeping More Dangerous Criminals Under Watchful Eye of State Parole Agents
Senate Bill 287 (Walters) would make ineligible for community supervision potential parolees who have a prior conviction for a serious or violent felony, a “3rd strike” or a conviction for a crime that required them to register as sex offenders.

Sending Parolees Who Fail to Register Back to State Prison

Assembly Bill 2 (Morrell) would provide that a sex offender out on parole or post-release community supervision, and who violates their parole by failing to register as a sex offender, would be returned to state prison to serve any sentence ordered for that violation.

Sending Sex Offenders Who Violate Parole Back to State Prison

Assembly Bill 605 (Linder) would send sex offenders who violate any provision of their parole or post-release community supervision back to state prison to serve any sentence handed down for that violation. Prior to realignment, parolees could have been sent back to state prison to serve a sentence of a year for their violations.

Increasing Penalties for Disabling GPS Tracking Devices

Assembly Bill 63 (Patterson) would change current state law to sentence dangerous sex offenders and other criminals who willfully remove their GPS tracking devices to serve time in state prison instead of county jail for violating the terms of their parole or post-release community supervision. There are a growing number of cases of sex offenders cutting off their GPS monitoring devices because they know there will be few consequences due to realignment and overcrowding.

Having State Officials Monitor Sex Offender Parolees

Assembly Bill 1334 (Conway) would have the Department of Corrections and Rehabilitation supervise the parole of a registered sex offender upon release from prison. After realignment, responsibility for parole monitoring for sex offenders who are not classified as “high risk” by the Department of Corrections and Rehabilitation was transferred to the counties. Also, under realignment, all sex offenders, sentenced for parole violations are required to be served in overcrowded county jails, effectively slashing accountability.

Increasing Penalties against Criminals Who Shouldn't Have Guns

Getting Gun Criminals Off the Streets and Sending Them Back to State Prison
Assembly Bill 1084 (Melendez) repeals weakened penalties adopted by the passage of Realignment (AB 109) for a number of crimes relating to the possession of firearms by prohibited persons and the sale or transfer of firearms to prohibited persons and straw purchases of firearms. The measure also increases penalties for a number of crimes for those who illegally possess firearms or those who knowingly provide arms to prohibited persons.

Ensuring Funding Fairness for Local Government

Ensuring Realignment "Savings" is Reinvested in Local Law Enforcement
Under realignment, up to an estimated 55,000 felons will be avoid prison sentences and will serve their time in local communities. **Senate Bill 144 (Cannella)** is also known as the Realignment Reinvestment Act, which would provide additional funding for front line law enforcement, jail operations, community supervision and treatment services. The proposal reinvests money that would have otherwise been spent in the state prison system in the absence of realignment into local programs. The allocation of these additional funds is directly linked to the number of "realigned" offenders in each county, which would be much more equitable than the current funding allocation formula.

Other Reforms

Reverting Long-Term Sentences Back to State Prison
Realignment was sold as shifting low level offenders out of state prison. However, a growing number of felons convicted under realignment have been sentenced to sentences over 10 years because of the felon's prior criminal history. County jails are not equipped for long-term commitments and will be subject to federal lawsuits. **Senate Bill 225 (Emmerson)** would strengthen public safety in our communities by ensuring that felons who receive a sentence of over three years must serve their time in state prison rather than clogging our overcrowded county jails.

Providing Immunity for County Jails Housing Long-Term Inmates
County law enforcement officials are concerned that increase the number of long-term jail inmates will expose them to litigation, as county jails were built and intended to house inmates for short-term sentences. They are currently unprepared to deliver those services provided by a state prison. In fact, Fresno County has already been sued by inmates claiming mental health services and medical care in inadequate. **Assembly Bill 1106 (Waldron)** will limit liability for conditions caused by realignment in county jails or county correctional facilities.

Requiring State Supervision of Parolees
Senate Bill 710 (Nielsen) would require that all offenders released from prison after January 1, 2014 would be subject to parole supervision by the Department of Corrections and Rehabilitation and the Board of Parole Hearings for a minimum period of 3 years.

No felon would be discharged from parole while incarcerated or if his or her whereabouts are unknown.

Requiring Repeat Offenders to Serve Time in State Prison

Senate Bill 708 (Nielsen) would require that a defendant must serve their sentence in state prison if they are convicted of a felony and have 3 or more prior felony convictions.

Ensuring Dangerous Criminals Serve Their Time in State Prison

Under state law, various dangerous crimes are not defined as “Serious” or “Violent” under California law. **Assembly Bill 1321 (Jones)** would add a number to crimes to the list of “serious” felonies in the Penal Code, ensuring that those who commit these crimes would serve their time in state prison instead of overcrowded local facilities. The additional crimes added include human trafficking, various weapons of mass destruction and destructive device-related crimes, possession of a firearm by a felon who has previously committed specified serious crimes, lynching, gang recruiting and manufacturing controlled substances.

Adequate Mental Health Screening

Senate Bill 226 (Emmerson) would require a felony offender that is suspected by the courts to have a severe mental disorder, to be transferred to the California Department of Corrections and Rehabilitation for an evaluation. This is necessary because state authorities have the ability to require the offender to receive the proper mental health treatment before being released and as a condition of parole, whereas in county jail there is no authority or opportunity to screen these offenders that may need this treatment before they can safely re-enter society.

