



COUNTY OF MENDOCINO

Board of Supervisors

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April 24, 2024

The Honorable Buffy Wicks
Chair, Assembly Appropriations Committee
1021 O Street, Suite 8140
Sacramento, 95814

Re: AB 2882 (McCarty) - California Community Corrections Performance Incentives – OPPOSE

Dear Assembly Member Wicks:

On behalf of Mendocino County, we write to express our respectful opposition to AB 2882. This measure, if passed, would not only amend the composition of the local Community Corrections Partnership (CCP) and the CCP Executive Committee, but also impose new plan development and processing requirements at the local level. Additionally, it would burden the County with considerable new CCP data collection and reporting requirements, potentially leading to a significant increase in administrative workload and costs.

The objective of AB 2882 appears to seek reprioritization of an existing community corrections revenue stream to address the behavioral health treatment needs of justice-involved individuals. However, the County is concerned that the measure focuses on the oversight and planning associated with a single subaccount in isolation without considering (1) that the justice-involved population realigned to counties under AB 109 in 2011 has many needs, including but not limited to behavioral health treatment needs, (2) other revenue sources brought to bear in supporting the populations in counties' care, and (3) other significant policy changes that took place concurrent to 2011 Realignment, as well as more recent initiatives that fundamentally revise behavioral health funding and service delivery at the local level.

Mendocino County agrees that the state and counties must continue exploring how best to improve behavioral health care for our communities' residents, including justice-involved individuals. However, we have several specific concerns about the approach contemplated in AB 2882.

This measure inappropriately presumes that the Community Corrections Subaccount is the primary fund source for the care and treatment of the county justice-involved population and that system-involved individuals have no other service needs beyond behavioral health treatment. While behavioral health treatment is a priority at the local level, by bringing this new data collection and reporting responsibility under the purview of the CCP, the changes contemplated in AB 2882 to the CCP structure appear to be based on the inaccurate assumption that the Community Corrections Subaccount is the primary fund source to support the treatment needs of justice-involved individuals.

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If the intent of this measure is to develop a comprehensive picture of local behavioral health investments, the study would need to include the impact of the Affordable Care Act expansion on the justice-involved population, other behavioral health-related programs and funding in 2011 Realignment, other jail medical and mental health budget investments, local behavioral health funding gaps, the potential impacts of the justice-involved initiative of CalAIM, as well as the Behavioral Health Services Act enacted in Proposition 1 (2024). The isolated focus on the Community Corrections Subaccount inappropriately excludes many other local investments and complex and varied funding and policy developments that have come to pass since 2011.

Proposed CCP and CCP Executive Committee changes do not align with assigned functions and could result in unintended consequences. There are distinct differences between the roles and responsibilities of the CCP and its Executive Committee. AB 2882 conflates the two bodies and their responsibilities. The complete CCP has primary authority over implementing the Community Corrections Performance Incentive Act (SB 678). This incentive-based program shares state correctional savings with county probation departments and is associated with reduced prison admissions from local felony supervision. The expertise of the proposed new CCP members does not align with the original and primary responsibility of the CCP. Secondly, the CCP Executive Committee's expansion rebalanced the composition from a multi-agency public safety collaboration focused on community corrections to one prioritizing behavioral health considerations. While these funds are often used to fund behavioral health treatment for justice-involved individuals, the composition and balance of the CCP Executive Committee were designed with the primary focus of 2011 Realignment in mind – public safety, a responsibility that resides primarily at the local government level. Behavioral health services are a critically important component of addressing the needs of the justice-involved population, but only one aspect. Finally, it is also important to note that County behavioral health treatment planning occurs through other structured processes with local collaboration and ultimate expenditure authority resting with the County Board of Supervisors.

Higher levels of service associated with CCP responsibilities – including new plan requirements and reporting responsibilities – must be accompanied by an appropriation. Proposition 30 (2012) Provisions require the state to provide a new appropriation to support new and higher levels of service associated with programs and responsibilities realigned in 2011. The bill proposes no funding to cover counties' costs related to carrying out these additional responsibilities and higher service levels beyond what was defined in the 2011 Realignment legislation. It seems especially inappropriate to saddle counties with new duties and responsibilities at a time when funding that today accompanies existing reporting responsibilities for the same program has been zeroed out. Beyond the Prop 30 considerations, the fiscal impacts contemplated by this measure come when neither the state nor counties have sufficient resources to perform their existing responsibilities.

For these reasons, the County of Mendocino must respectfully oppose AB 2882.

Sincerely,



Maureen Mulheren, Chair
Mendocino County Board of Supervisors

CC: The Honorable Jim Wood, 2nd District
The Honorable Kevin McCarty, 6th District
Assembly Appropriations Committee