



SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA

SANDRA HUTCHENS
SHERIFF-CORONER

OFFICE OF SHERIFF-CORONER

August 31, 2012

Honorable Thomas J. Borris
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA. 92702

Subject: Response to Grand Jury 2011-2012 report "AB109: Public Safety:
A Paradigm Change".

Dear Judge Borris,

In accordance with Penal Code sections 933 and 933.05, please find the enclosed response to the Orange County Grand Jury 2011-2012 Report, "AB109: Public Safety: A Paradigm Change". If you have any questions, please contact Assistant Sheriff Mike James at (714) 647-4590.

Respectfully,

Sandra Hutchens
Sheriff-Coroner

550 N. FLOWER STREET, SANTA ANA, CA 92703 (714) 647-1800

*Integrity without compromise, Service above self, Professionalism in the performance of duty,
Vigilance in safeguarding our community*

ORANGE COUNTY SHERIFF'S DEPARTMENT

SHERIFF
SANDRA HUTCHENS



AB109: Public Safety:
A Paradigm Change
2011 / 2012 Final Report

GRAND JURY RESPONSE



ORANGE COUNTY SHERIFF'S DEPARTMENT
GRAND JURY RESPONSE
CONDITION OF ORANGE COUNTY JAILS



Dear members of the Grand Jury,

The Orange County Sheriff's Department (OCSD) has received and reviewed the Orange County Grand Jury report titled "AB109: Public Safety: A Paradigm Change." The Orange County Sheriff's Department has reviewed the findings in a collaborative effort with necessary personnel and has prepared the following response.

Findings

Finding 1

The number of AB109 inmates expected by the Sheriff's Department was significantly underestimated. During the first six months of operation, the actual number of inmates exceeded expectations by more than 100 percent.

Response: Agree with the finding.

The Orange County Sheriff's Department used data provided by the California Department of Corrections and Rehabilitation (CDCR) in order to project the increased numbers to our jail population. This data did not fully explain the projected population impact upon the counties. Consequently, the number of inmates exceeded expectations by more than 100 percent.



ORANGE COUNTY SHERIFF'S DEPARTMENT
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Recommendations

Recommendation 1

Based on the first six-months of experience with the number of AB109 inmates received and the average length of sentence, the Sheriff's Department should prepare more informed estimates for the 2012-2013 fiscal year. (See F1).

Response: The recommendation will not be implemented because it is not warranted or is not reasonable.

The Orange County Sheriff's Department tracks and monitors how AB109 effects the current jail population on a daily basis. As always, the department attempts to provide accurate estimates of our inmate population. With regards to AB109, the full implementation of realignment is not yet complete. Additionally, the ongoing Federal Court mandate to lower the state prison population creates the very real potential for several thousand prisoners to be released into our communities early and unsupervised. Governor Brown and the CDCR are attempting to resolve this issue however the Federal Court will ultimately have the final say. Due to these factors combined with constant changing of laws, criminal conviction rates, and length of sentencing, the estimated amount of AB109 inmates for fiscal year 2012-2013 is difficult to project to any degree of certainty.