



AB 109

➤ What is AB109?

Assembly Bill 109 (AB109) is often called the “Criminal Justice Realignment” bill, due to the bill’s intent to transfer what would be state-level offenders to county jails and other alternative programs, including parole. This transfers the responsibility for said offenders from the state to the local level, often putting responsibility in the hands of county parole offices/probations.

➤ What is the cause behind AB109?

The United States Supreme Court recently ordered the State of California to reduce its prison population. The state has long suffered from insufficient living conditions for state prison inmates, and AB109 is seen as the answer. Due to overcrowding in state prisons, AB109 was passed to provide additional options for those convicted of a crime.

➤ Who is eligible to be transferred to county jails and/or alternative programs such as parole?

As of October 1st, 2011, those already in state prisons will remain in state prisons. Any persons convicted of a lower level felony crime after October 1st, 2011 will serve out their time in county jails or alternative programs, such as parole or probation.

➤ Who are the “lower level felony” offenders being sent to county jails and/or alternative programs?

Lower level felony offenders are defined as those deemed to be non-violent, non-serious, and non-sex offenders.

➤ What effects will this bill have on the general population?

AB109 will inevitably result in an increase in low-level offenders being released into the general population to serve out sentences in alternative programs, such as parole, probation and house arrest. Some predict the increase of offenders in the general population will result in a significant increase in crime (particularly due to recidivism) throughout California.

➤ What type of numbers can be expected?

Over the next four years, it is estimated that approximately 25,000 person who would have otherwise served out time in state prisons will now be serving sentences under the supervision of the county.

➤ When does AB109 take effect?

AB109 takes effect on October 1st, 2011.