



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

July 11, 2011

Board of Supervisors
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MARK RIDLEY-THOMAS
Second District

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Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: William T Fujioka
Chief Executive Officer

MOTION ON STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (ITEM NO. 36-D, SUPPLEMENTAL AGENDA OF JULY 12, 2011)

Item No. 36-D on the July 12, 2011 Agenda is a motion offered by Supervisor Knabe that the Board of Supervisors reiterate its strong support for State Criminal Alien Assistance Program (SCAAP) reimbursement of state and local costs of incarcerating undocumented criminal aliens, and direct County staff and the County's Washington, D.C. advocates to aggressively pursue increased SCAAP funding in collaboration with other State and local officials, associations, and California's Congressional delegation.

The 1994 Crime Act established SCAAP to reimburse state and local costs of incarcerating undocumented criminal aliens. Annual SCAAP funding has ranged from \$400 million to \$410 million between Federal Fiscal Years (FFYs) 2006 and 2009 before being reduced to \$330 million in FFY 2010 and roughly \$273 million in FFY 2011. The County received \$14.3 million in FFY 2010 SCAAP reimbursement. The Federal government has not yet awarded FFY 2011 SCAAP funds.

On July 7, 2011, SCAAP funding was eliminated in the FFY 2012 Commerce-Justice-Science (CJS) appropriations bill, which was approved by the House CJS Appropriations Subcommittee. This action is of particular concern because the House historically has been more supportive of SCAAP funding than the Senate. In fact, the Senate never has appropriated more SCAAP funds in its version of the annual CJS appropriations bill than in the House version.

"To Enrich Lives Through Effective And Caring Service"

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The House Appropriations Committee is scheduled to mark up the FFY 2012 CJS appropriations bill on July 13, 2011 with House floor action expected before the House leaves for its August recess. Restoring SCAAP funding will require an offsetting reduction in other spending in the bill, which reduces overall discretionary spending by nearly \$3.1 billion (5.8 percent). The County's Washington, D.C. advocates are working with the California Congressional delegation in an effort to restore as much SCAAP funding as possible. In addition, Mayor Antonovich sent the attached letter in support of SCAAP funding on the County's behalf to Californians who serve on the House Appropriations Committee and the County's Congressional delegation.

The motion reiterates the County's strong support for SCAAP reimbursement of state and local criminal undocumented alien incarceration costs, consistent with the County's Federal Legislative Agenda.

WTF:RA
MR:MT:lm

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Sheriff



Board of Supervisors County of Los Angeles

MICHAEL D. ANTONOVICH
MAYOR

July 8, 2011

The Honorable Jerry Lewis
U.S. House of Representatives
2112 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Lewis:

On behalf of the County of Los Angeles, I am writing to urge your strong support for funding the State Criminal Alien Assistance Program (SCAAP) at the highest possible level in Fiscal Year (FY) 2012. This program is critically important to California, which incarcerates far more undocumented criminal aliens than any other state, and, therefore, receives 40 percent of total SCAAP funding. Los Angeles County alone annually incarcerates more undocumented criminal alien inmates than any state prison system other than California's.

The County is deeply concerned that the House Appropriations Commerce-Justice-Science (CJS) Appropriations Subcommittee eliminated SCAAP funding in its FY 2012 CJS appropriations bill after Congress already reduced SCAAP funding by over 17 percent in both FYs 2010 and 2011. Current year SCAAP funding is only \$273 million, which is far below SCAAP's annual authorization level of \$950 million.

Furthermore, SCAAP is not a grant program - it was created in 1994 to reimburse state and local jurisdictions for costs incurred to incarcerate criminal aliens. Due to inadequate SCAAP appropriations, the County's SCAAP reimbursement has dropped from \$34 million in FY 2002 to \$14.3 million in FY 2010. This has resulted in higher unreimbursed criminal alien jail costs, which has forced the Sheriff's Department to make offsetting budget cuts, such as the early release of jail inmates before they serve their entire sentences, while also impacting the Department's day-to-day operations. If SCAAP funding is eliminated and the Department does not receive the \$15 million in FY 2012 SCAAP revenue assumed in its 2011-12 custody budget, it will be forced to make deeper offsetting cuts. Similarly, the State of California, which received \$88.1 million in FY 2010 SCAAP reimbursement, would also be forced to make significant budget cuts.

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The County urges that you and other members of California's Congressional delegation make restoring SCAAP funding a top funding priority for the FY 2012 CJS appropriations bill. Thank you for any assistance that you can provide in ensuring that this vital source of funding continues to be available to California and its counties.

Sincerely,



MICHAEL D. ANTONOVICH
Mayor, Board of Supervisors

MDA:er

c: Each Member, Los Angeles County Congressional Delegation