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April 3, 2026

The Honorable John Laird
Chair, Senate Budget and Fiscal
Review Committee
1021 O Street, Suite 8720
Sacramento, CA 95814

The Honorable Jesse Gabriel
Chair, Assembly Budget Committee
1021 O Street, Suite 8230
Sacramento, CA 95814

RE: Concerns with the Governor's 2026-27 Budget Proposal - Pretrial, Recovery Support, and Core Public Safety Services

Dear Chairs Laird and Gabriel,

I am writing on behalf of the Kern County Board of Supervisors to respectfully urge the Legislature to address significant public safety gaps in the Governor's 2026-27 proposed spending plan. Specifically, the Governor's proposed budget reduces critical pretrial services by \$20 million compared to the historical funding level, fails to fund probation departments for recovery support services in response to Proposition 36 implementation, and neglects to continue providing crucial county funding for lost fee revenue under AB 1869 (2020).

Pretrial Services

The statewide pretrial program supports courts in making safe, data-informed release decisions. The California Supreme Court's decision in *In re Humphrey* held that it is unconstitutional to detain a person before trial solely because they cannot afford bail, requiring courts to consider a defendant's ability to pay and non-monetary alternatives to ensure public safety and court appearance. California's pretrial services program has been historically funded at \$70 million statewide, allowing courts to contract with pretrial service providers to reduce unnecessary jail time for individuals who cannot afford monetary bail while promoting accountability and court appearance rates.

The Governor's proposed budget reduces the program by \$20 million in 2026-27 and ongoing—a 30 percent cut that directly jeopardizes the continued implementation of the *In*

re Humphrey requirements pertaining to the constitutional liberties of justice-involved individuals and the success of Proposition 36 and related diversion/treatment programs that already rely heavily on pretrial services funding.

From 2022-23 to 2024-25, pretrial average quarterly monitoring caseloads grew from 22,000 to 33,000—an increase of 11,000 individuals or 50 percent. Caseloads will only continue to grow as California relies more on pretrial services to support diversion/treatment programs and Prop 36 implementation.

We support Assembly Member Maggy Krell’s budget request, co-signed by 21 additional Assembly Members, calling for the restoration of the \$20 million reduction plus an augmentation of \$45 million ongoing.

Recovery Support Services

The voter-approved Proposition 36 demands a coordinated, treatment-oriented approach that succeeds only if courts and probation departments have the resources to assess, supervise, and support individuals from arrest through treatment completion.

Probation departments must assist courts and assess treatment options on the front-end and manage the increase in supervision caseloads and accountability monitoring. The state has not provided resources for probation departments to implement this voter expectation. Consequently, probation departments currently lack the resources necessary to assist with Proposition 36 implementation and reduce unnecessary incarceration. It is important to note that, regardless of the specific disposition by the court for a Proposition 36 case, all related cases have implications in pretrial on the front end.

Therefore, we support Senator Catherine Blakespear’s and Assembly Member Stephanie Nguyen’s joint calls for \$400 million to provide the statewide system responses needed to fulfill the new law requirements. This investment would build upon previously funded investments in treatment and court services and is necessary to expand service capacity, secure appropriate in-custody treatment, and allow for individualized planning, monitoring, and supervision for those in our communities. A portion of these funds would support probation’s responsibility to assist courts and provide supervision of recovery services.

Extend Criminal Justice Fee Elimination Backfill Funding

Finally, we request that the Administration extend the \$65 million backfill funding provided under AB 1869 (2020) through the 2025–26 fiscal year. These funds were intended to replace lost revenue from the elimination of various criminal justice fees that funded core county programs and services.

When a second round of criminal justice fees were repealed a year later, a \$50 million backfill was provided on an ongoing basis because the state recognized the impacts on counties are not limited-term in nature (AB 177, 2021). The AB 1869 funds were always expected to be revisited for ongoing consideration, not elimination. Allowing these funds to expire would

significantly impact counties' ability to maintain essential public safety and rehabilitative services, some of which were state-mandated programs originally funded through fee revenues. Thank you for your leadership on this issue and we look forward to ongoing dialogue to resolve these budgetary shortfalls.

Respectfully,



Phillip Peters, Chairman
Kern County Board of Supervisors

cc: The Honorable Laura Richardson, Chair, Senate Budget and Fiscal Review
Subcommittee No. 5
Members and Consultants, Senate Budget and Fiscal Review Subcommittee No. 5
The Honorable James Ramos, Chair, Assembly Budget Subcommittee No. 6
Members and Consultants, Assembly Budget Subcommittee No. 6
Joe Stephenshaw, Director, Department of Finance
Honorable Members, Kern Legislative Delegation
Kern County Probation Department
Shaw Yoder Antwih Schmelzer & Lange