



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Submitted on:
(COB Stamp)

Department Name: Probation
Department No.: 022
Agenda Date: December 16, 2025
Placement: Administrative Agenda
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors *[Signature]*
FROM: Department Director: Holly L. Benton, Chief Probation Officer
Contact: Damon Fletcher, Chief Financial and Administrative Officer
SUBJECT: Assembly Bill (AB) 143 Backfill Allocation Spending Report for Fiscal Year 2024-25
for Criminal Justice Fees Eliminated by AB 1869

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Consider and adopt the report in Attachment A as the Board of Supervisors' annual report for Fiscal Year (FY) 2024-25 as required by Government Code section 29553 subsection (f), documenting the County's spending of State backfill allocations which provide fiscal relief for revenues lost from fees repealed by Chapter 92, Statutes of 2020 (AB 1869);
- b) Authorize the Chair to sign the letter included in Attachment A, regarding the submission of the above referenced report, and direct Probation staff to submit the letter and report to the State of California Director of Finance, the Legislative Analyst's Office, and the Joint Legislative Budget Committee; and
- c) Determine pursuant to CEQA Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because they are government administrative activities that do not result in direct or indirect physical changes to the environment.

Summary Text:

This item is before your Board to fulfill State reporting requirements of AB 143 by submitting to the State an annual report detailing the County's spending of the State backfill allocation for revenues lost from fees repealed by AB 1869. The County received a backfill allocation for FY 2024-25 totaling \$846,777.76, of which the Probation Department received \$650,000 (77%) and the Sheriff's Office received \$196,777.76 (23%). Probation's allocation was used to fund staff salaries and benefits related to adult supervision and investigation. The Sheriff's Office allocation supported salaries and benefits for staff processing alternative sentencing applications as well as other program costs including GPS electronic monitoring services.

Discussion:

Effective July 1, 2021, AB 1869 repealed the authority of counties to charge individuals arrested, prosecuted, or convicted of a crime for various criminal justice fees. The bill includes a backfill provision that provides some relief to counties to mitigate revenues lost as a result of the repeal. The backfill provision sunsets in Fiscal Year (FY) 2025-2026. Backfill funds are provided to counties through AB 143, for which each county's board of supervisors is required to submit a report by January 10 of every year beginning 2023 to the Joint Legislative Budget Committee, Legislative Analyst's Office, and the Director of Finance, documenting the county's spending of the State backfill allocation for revenues lost from fees repealed by AB 1869, which modified Chapter 92 of the Statutes of 2020.

Probation Department Allocation

Probation's allocation funds current salaries and benefits of adult investigation and supervision staff that were previously partially funded by the fees repealed under AB 1869. The use of these funds reduced the need to eliminate positions due to the loss of revenue.

Historically, the monies collected from fines and fees were used in part to support salaries and benefits for officers assigned to complete reports for the courts and to officers who supervise non-realigned clients (those for whom the department does not receive AB 109 Realignment funding). With the implementation of AB 1869, most fines and fees were eliminated and the debts associated with them were discharged. The resulting decrease in the department's budget would have meant the elimination of numerous positions in court services and supervision, diminishing the ability of the department to provide pre- and post-sentence and pre-plea reports to the courts, as well as reducing the amount of community supervision the department could perform, which would impact public safety.

Sheriff's Office Allocation

The Sheriff's Office allocation offsets the fee revenue lost from the repeal, in order to maintain the staffing that was partially funded by those revenues. The Sheriff's Office Alternative Sentencing Bureau (ASB) provides a means for sentenced offenders to serve their jail sentences outside of physical incarceration within the jail. ASB staff review and process applications for inmates currently in the County jails who were recently sentenced or have been newly qualified for alternative sentencing. ASB staff actively encourage those who may be eligible for alternative sentencing to apply. This process requires staff inside both County jail facilities to speak with potential applicants on a weekly basis. Staff also work with the Probation Department to ensure individuals currently

released on the EM (electronic monitoring) program are appropriately monitored, as well as those actively serving their sentences on SWAP (Sheriff Work Alternative Program).

Background:

AB 1869 eliminated 23 different criminal administrative fees charged by local governments to individuals arrested, prosecuted, or convicted of a crime. These include fees for administering probation and mandatory supervision, processing arrests and citations, administering home detention programs, continuous electronic monitoring programs, work furlough programs, and work release programs. While not included in the backfill amount, the bill also repeals the authority of the Court to order defendants to pay the costs of the public defender. AB 1869 set aside \$65 million annually from FY 2021-22 through FY 2025-26 to backfill counties for estimated lost revenue. The provisions of the bill took effect on July 1, 2021.

The Department of Finance established an allocation schedule based on the methodology provided by AB 143. The backfill for each county is based on its percentage for the statewide average of the following three variables for the calendar years 2017, 2018, and 2019: 1) adult population (50 percent of the allocation); 2) felony and misdemeanor arrests (25 percent of the allocation); and 3) traffic and non-traffic felony and misdemeanor filings (25 percent of the allocation). Santa Barbara County's annual backfill allocation totals \$846,777.76, which is allocated to the Probation Department and Sheriff-Coroner Office as described above. In comparison to the State-provided backfill, the associated criminal fee revenues collected in the three fiscal years prior to the enactment of AB 1869 averaged \$1,810,662 per fiscal year.

AB 143 requires counties, for the years in which funding is allocated pursuant to the methodology, to report on how the backfill allocation was spent, and at a minimum, requires the report to include the total annual budget of the county department or departments that receive the allocation, the share of the allocation received, and an accounting of the expenditures of the allocation by each county department that received a share of the allocation. The required annual report is due by January 10, 2026, for this reporting period. The next report for FY 2025-26 will be the final report due to the sunset of the backfill.

Fiscal and Facilities Impacts:

Staff anticipate no fiscal or facilities impacts as a result of the Board's action on this matter. The sunset of the funds on June 30, 2026, results in a \$650,000 loss of revenue for the Probation Department, and a \$196,777.76 loss of revenue for the Sheriff's Office, both beginning in FY 2026-27. The sunset of these funds is included in the County's FY 2026-31 Five Year Forecast report presented to your Board as a departmental item on today's agenda.

Special Instructions:

Clerk of the Board, please send an original signed letter and a copy of the minute order to Damon Fletcher, Chief Financial and Administrative Officer, Probation Department, no later than January 5, 2026.

Attachments:

Attachment A – Letter to State of California, Director of Finance, Legislative Analyst's Office, and Joint Legislative Budget Committee with Backfill Allocation Spending Report enclosure

Contact Information:

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