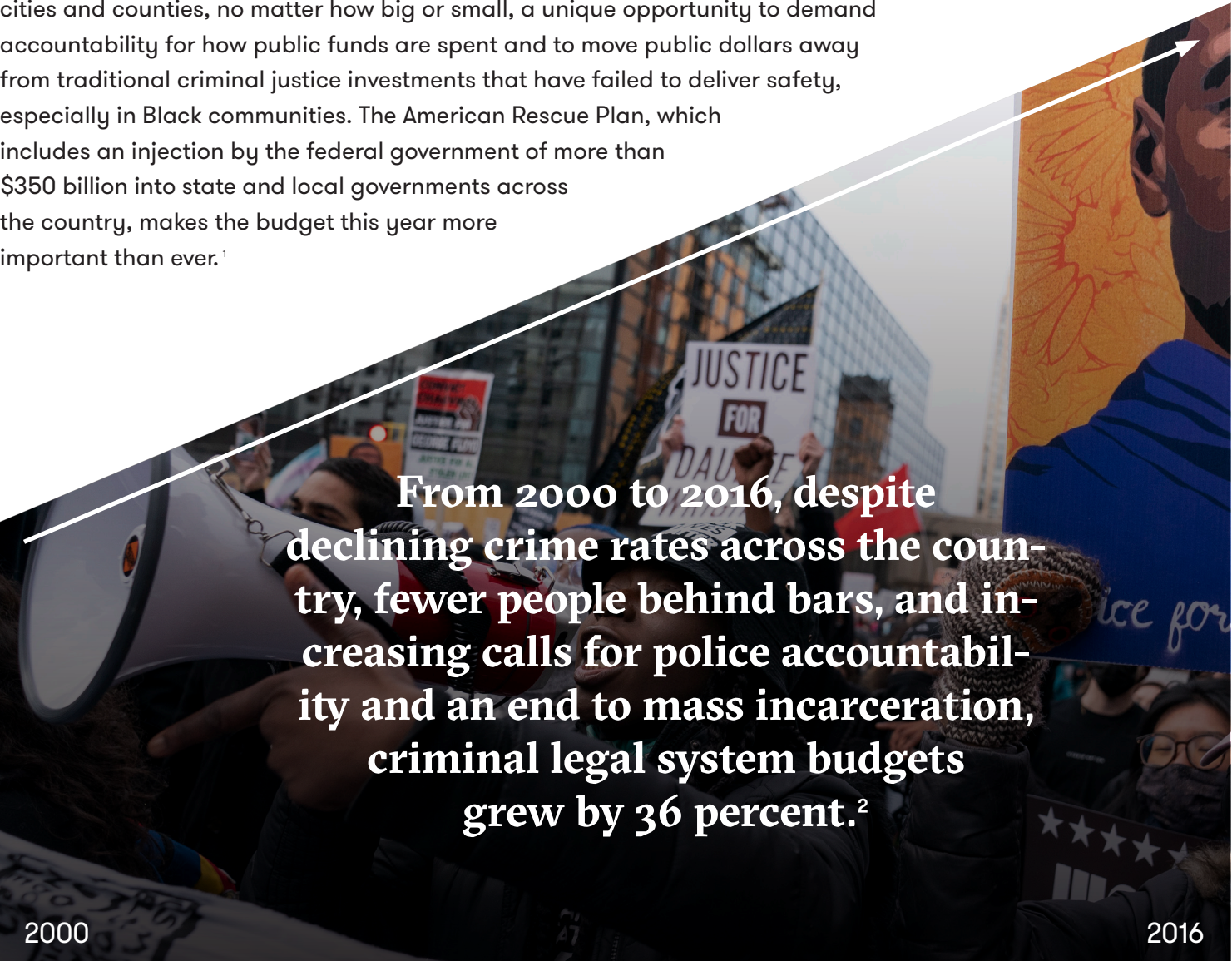


How to Use Budget Advocacy to Drive Justice Reform

Cities, counties, and states pass annual budgets of millions—even billions—of dollars that reflect political priorities and shape all aspects of the criminal legal system from policing to prosecutors, jails, prisons, and more. The annual budget process offers cities and counties, no matter how big or small, a unique opportunity to demand accountability for how public funds are spent and to move public dollars away from traditional criminal justice investments that have failed to deliver safety, especially in Black communities. The American Rescue Plan, which includes an injection by the federal government of more than \$350 billion into state and local governments across the country, makes the budget this year more important than ever.¹



From 2000 to 2016, despite declining crime rates across the country, fewer people behind bars, and increasing calls for police accountability and an end to mass incarceration, criminal legal system budgets grew by 36 percent.²

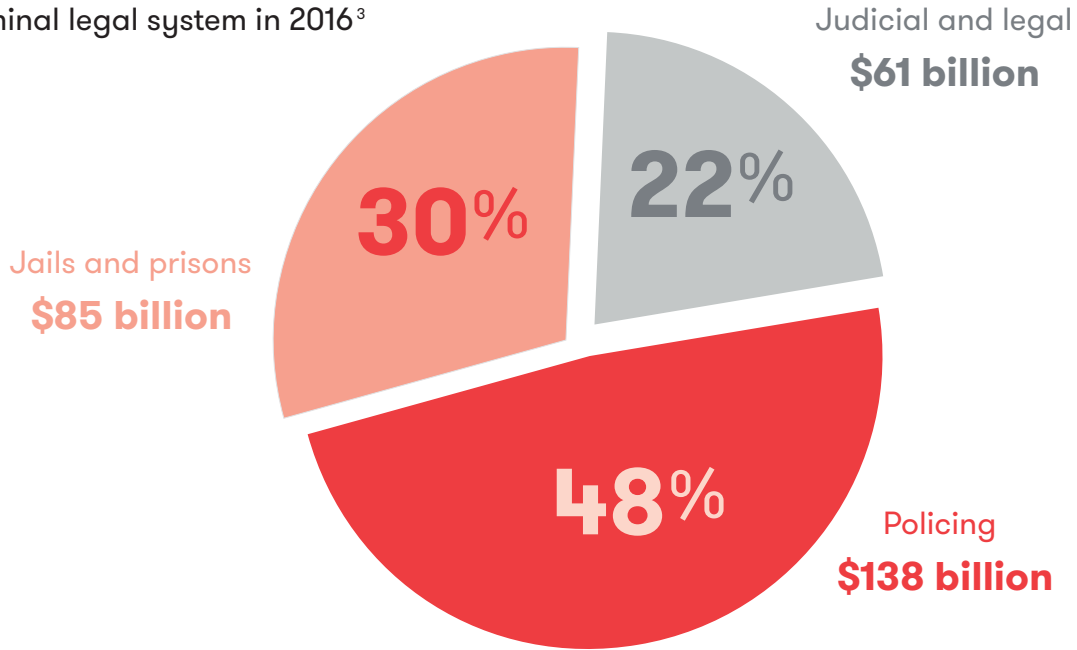
2000

2016

The United States spent

\$284 billion

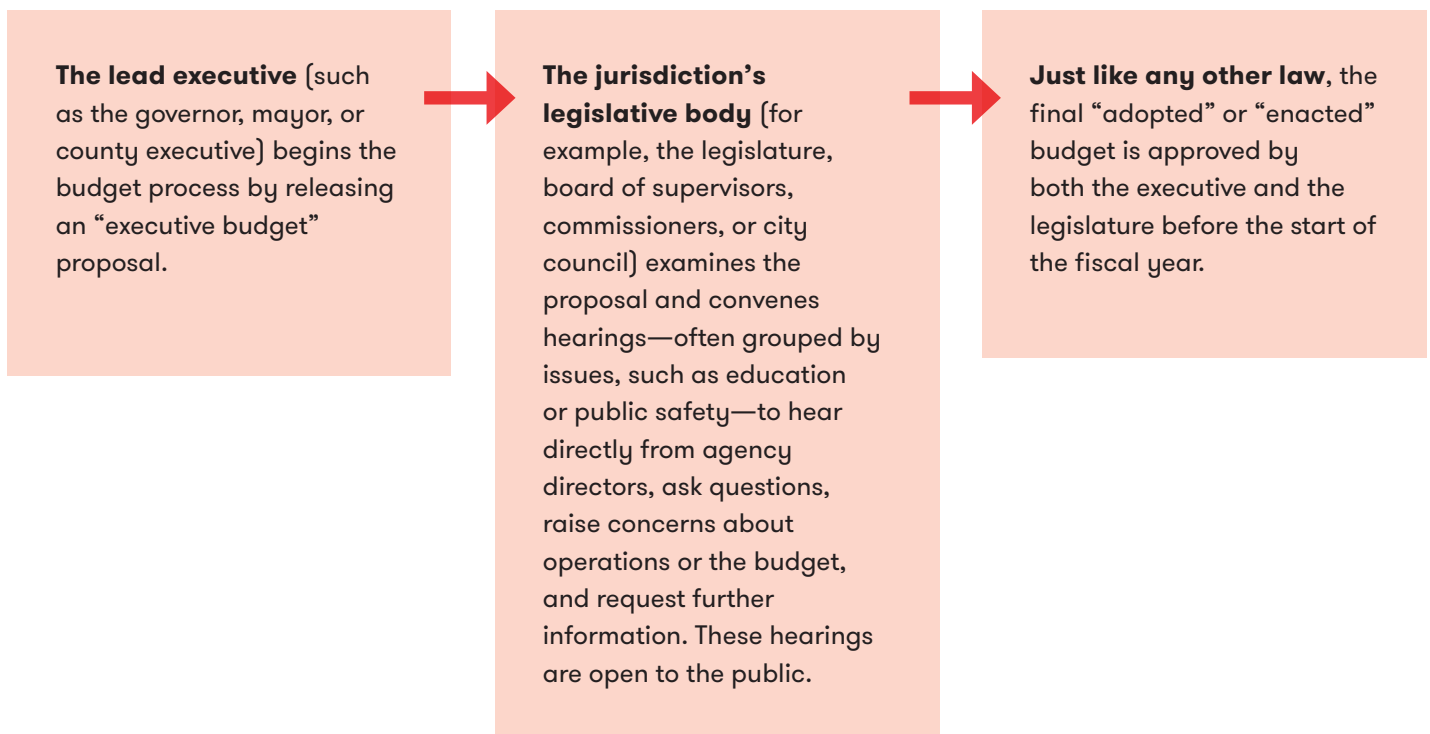
on the criminal legal system in 2016³



Understanding the budget process

Budget cycles follow a fiscal year calendar, which often begins July 1.⁴ Unlike the federal government, state and local governments must balance their operations budgets each year. They can only issue debt to purchase large assets, such as buildings and machinery.

Here is how the budget negotiation process works in most places:



Analyzing the budget

The executive budget is usually published as a “book” that is posted on the government’s website. The budget book includes detail on the general fund, which is funded by revenue from local taxes, fines, and fees, as well as funding streams from other sources, like the federal government.

The budget book contains a wealth of information and often includes valuable details beyond the authorized budget of each department, including information about staffing and agency operations. Despite offering lots of financial detail, the budget books generally do not provide justification for how this spending translates into benefits for residents or whether public funds are being efficiently and effectively spent.

How do you approach the budget book to understand spending on the criminal legal system—policing, jails, prosecutors, and prisons?

→ **Examine the total “general fund” appropriation** that is proposed for the next fiscal year. The general fund, which is funded by local taxes, fines, and fees, is the primary focus during budget negotiations because it is the largest pot of money over which elected officials have complete discretion. Federal and state funding generally needs to be used for specified purposes, such as education or childcare, but local governments can decide how every last dollar of the general fund is spent.

↳ In 2021, the American Rescue Plan provides \$350 billion to state and local governments through the Coronavirus State and Local Fiscal Recovery Funds, which can be used for a wide range of purposes. The scale of this investment, as well as its flexibility, is unprecedented. Without pressure from communities, governments will likely use these funds to maintain the status quo of the criminal legal system, rather than to catalyze new investments that truly make communities safe.

→ **Examine the budget by spending area.** There is usually a summary table toward the beginning of the budget book that separates out the general fund budget by major spending areas. Because police and sheriff’s departments make up a large share of the budget, their total appropriation can usually be found in a summary table. The budgets for smaller agencies are combined into spending areas such as public health or general government. The information for each agency can be found on the pages that detail their budgets.

→ **Examine historical trends.** The tables in the budget book ordinarily present the prior year’s actual spending as a point of comparison with the proposed budget. There is rarely data that looks back more than a couple of years, so you’ll need to look to budget books in prior years to identify actual spending over a longer time period. Once the format of the budget book becomes familiar, it is easy to identify the same data and information year after year to understand budget trends over time.

Equipped with the current budget and historical budget data, you can begin to answer a larger set of questions that will support your budget advocacy. How much is spent on jails compared to the average daily jail population? If the daily jail population has declined, what has happened to the budget in that time? How much has spending on police increased or decreased compared to other agencies? How much is spent on personnel, overtime, and judgments for misconduct? Vera’s [What Policing Costs](#) and [What Jails Cost](#) tools can help to support budget advocacy to make smarter investments in public safety.

Using budget advocacy to drive justice reform

Realigning budget priorities is a long-term campaign because the people who have the most to lose—and gain—from budget negotiations are government stakeholders who will fiercely advocate for their agencies' interests. The vast majority of jail, prison, police, and prosecutor budgets support staff salaries. So questioning the scale of these budgets is often taken personally. And these questions will also be unwelcome because the departments that are considered part of the public safety budget are used to wielding political power to avoid hard budget choices.

WHAT YOU CAN DO

Develop allies with other advocacy groups.

Communities are increasingly seeking more accountable investments in public safety that support treatment, housing, and stability, not arrests, prosecution, and incarceration. A big tent approach is critical to winning change in a highly political process.

Share what you have learned about the budget.

Write letters to the local newspaper. Share your analysis on community message boards and social media.

Share your analysis and concerns with your elected officials.

Your input will likely be welcome among legislators because the executive budget typically doesn't come with any analysis that justifies historical spending trends. Also share your analysis with other key officials, including the chief executive, chief fiscal officer, and comptroller.

Attend the budget hearings.

Make yourself, and your allies, seen and heard. Come prepared with questions that stem from your analysis.

Identify new investments.

Clearly identify where scarce budget dollars are better spent. We can use public safety data to identify why people call the police and who ends up in jail. Calls for service data, for example, can show us things that don't

require a police response. Investments in behavioral health crisis response teams, public transportation, supportive housing, access to broadband, and community-based treatment centers can all meet community demands for public health and safety, while curbing contact with law enforcement.

Demand a commitment to fund communities.

Local governments can commit to allocating a fixed percentage of their general funds to services that will uplift communities. For example, Measure J, which was recently approved in Los Angeles County, mandates that at least 10 percent of the county's locally generated, unrestricted funding addresses racial injustice through community investments, such as youth development, job training, small business development, supportive housing services, and alternatives to incarceration.

Push for greater budget transparency.

Now that you've analyzed your local budget, you'll be an expert in identifying how the budget could be more transparent. First, tell your elected officials that budget and spending data ought to be posted to an open data portal, which makes it easier to analyze budgets by eliminating the manual labor of copying data from budget books. Second, let your elected officials know if the information in the budget book is not sufficiently detailed. For example, sometimes the sheriff's jail budget cannot be unpacked from the sheriff's law enforcement budget.



Conclusion

Every new budget is an opportunity to rethink the public's spending priorities. And the \$350 billion in federal recovery funds provided through the American Rescue Plan provides a rare opportunity to rethink how we provide community safety. For too long, addressing our toughest problems—whether mental health crises, substance use, homelessness, and others—has centered around police and jails. Now is the time to stop trying to solve every problem with handcuffs and a jail cell.

Endnotes

- 1 For more information on the opportunities presented by the American Rescue Plan, see Alliance for Safety and Justice, *Federal Advocacy Brief: The Promise of the American Rescue Plan* (Oakland, CA: Alliance for Safety and Justice, 2021), <https://perma.cc/2JLM-3563>.
- 2 Social Movement Support Lab, “Defund Data,” <https://www.defunddata.org/>.
- 3 Shelley S. Hyland, *Justice Expenditure and Employment Extracts, 2016 - Preliminary*, “Table 1. Percent distribution of expenditure for the justice system by type of government, fiscal 2016” (Washington, DC: Bureau of Justice Statistics [BJS], 2019), <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6728>.
- 4 Some states and localities have a biennial budget.

For more information

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The Vera Institute of Justice is powered by hundreds of advocates, researchers, and activists working to transform the criminal legal and immigration systems until they're fair for all. Founded in 1961 to advocate for alternatives to money bail in New York City, Vera is now a national organization that partners with impacted communities and government leaders for change. We develop just, antiracist solutions so that money doesn't determine freedom; fewer people are in jails, prisons, and immigration detention; and everyone is treated with dignity. Vera's headquarters is in Brooklyn, New York, with offices in Washington, DC, New Orleans, and Los Angeles. For more information about Vera, visit www.vera.org. For more information about this brief, contact Chris Henrichson, director, Vera Insights, at chenrichson@vera.org.