

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Probation [Signature]

BOARD AGENDA # B-8

Urgent Routine

AGENDA DATE July 23, 2013

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

STAFF RECOMMENDATIONS:

1. Approve the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment.
2. Authorize the Chief Probation Officer to sign all documents related to the 2011 Public Safety Realignment, including all contracts.
3. Authorize the Chief Probation Officer and the Sheriff to sign all contracts related to the Community Corrections Plan for Fiscal Year 2013-2014.

(Continued Page 2)

FISCAL IMPACT:

On April 4, 2011, Governor Brown signed Assembly Bill 109 (AB 109), which made fundamental changes to California's correctional system. AB 109 realigned custodial and community supervision responsibility for non-serious, non-violent, and non-sex offenders [also known as offenders sentenced under Penal Code Section 1170(h)], as well as supervision of lower level adult parolees returning from state prison sentences to counties. AB 109 did not contain funding for county agencies to implement the realignment shift and was not operative until funding was provided for counties.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2013-378

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, Monteith, De Martini and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

STAFF RECOMMENDATIONS: (Continued)

4. Amend the Salary and Position Allocation Resolution to reflect the recommended changes outlined in the Staffing Impacts section, effective the first pay period following the Board of Supervisor's approval.

FISCAL IMPACT: (Continued)

On June 30, 2011, Governor Brown signed a series of legislative bills as part of the State budget that provided funding and made necessary technical changes to implement the public safety realignment program outlined in AB 109. The legislation enacting the financing and technical changes necessary was contained in Senate Bills 87 and 89 (SB 87 and SB 89) and Assembly Bills 117 and 118 (AB 117 and AB 118).

On September 20, 2011, the Board of Supervisors approved the Community Corrections Partnership Phase 1 Plan for implementation of the 2011 Public Safety Realignment and approved a budget of \$6,166,085.

On June 27, 2012, Governor Brown signed a number of budget trailer bills (SB 1020, 1021, 1022 and 1023) related to corrections and public safety to complete the Fiscal Year 2012-2013 State budget. These bills provided changes to sentencing and procedures related to realignment, established the funding structure for the programs and services transferred to county responsibility under 2011 Realignment, and set each county's allocation for AB 109 for the next two fiscal years.

On July 24, 2012, the Board of Supervisors approved the Community Corrections Partnership Phase 2 Plan for implementation of the 2011 Public Safety Realignment and approved a budget of \$13,303,330.

On November 6, 2012, California voters passed Proposition 30, which provided constitutional protection of funding for public safety services related to Realignment.

On July 8, 2013, the Executive Committee of the CCP approved the local plan that included a budget of \$19,059,023, including an anticipated reserve of \$309,456.

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

FY 2013-2014 Available AB 109 (Community Corrections) Funds	
FY 2013-2014 Community Corrections Allocation	\$14,509,023
Community Corrections Partnership Planning (one-time)	\$150,000
FY 2012-2013 Anticipated Fund-Balance	\$4,400,000
FY 2012-2013 Growth Allocation	TBD
Total 2013-2014 Available Funds	\$19,059,023

Many of the Phase 2 programs experienced delays in program start-up and hiring similar to those that occurred during the first year of realignment implementation, thus creating the Fiscal Year 2012-2013 Fund Balance. At this time the specific amount of Growth Allocation is unknown. These funds are expected to be received in September 2013. Once received, these funds will be reviewed by the Executive Committee and held for anticipated cost increases in future years.

The following provides the detailed spending plan for the Fiscal Year 2013-2014 Community Corrections funds.

Community Corrections Partnership Budget

Sheriff's Department:

Staffing and Operational Costs	\$ 7,710,600
Programming and Services Costs	\$ 244,000
Total Sheriff's Department	\$ 7,954,600

Probation Department:

Staffing and Operational Costs	\$ 3,517,337
Programming and Services Costs	\$ 585,438
Total Probation Department	\$ 4,102,775

Integrated Forensics Team and Mental Health Expansion:

BHRS Staffing and Operational Costs	\$ 1,870,442
CSA Staffing	\$ 132,000
Total IFT & Mental Health Expansion	\$ 2,002,442

Chief Executive Office – Jail Medical Contract \$ 500,000

District Attorney \$ 367,000

Public Defender \$ 200,000

Indigent Defense Fund \$ 90,000

Regional Apprehension Task Force \$ 100,000

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

Second Chances California	\$ 87,750
AB 900 Staffing and Programs	\$ 3,000,000
Nirvana Drug and Alcohol Treatment Institute	\$ 45,000
El Concilio	\$ 150,000
Community Correction Partnership Planning	<u>\$ 150,000</u>
Total Phase 3 Budget:	\$18,749,567
FY 2013-2014 Allocation	\$14,509,023
FY 2013-2014 Planning Funding	\$ 150,000
FY 2012-2013 Anticipated Carry-Over	<u>\$ 4,400,000</u>
Total Available Phase 3 Funding	\$19,059,023
Anticipated Reserve/Contingency:	\$ 309,456

The previous year's budget of \$13,303,330 was approved as an interim spending plan at Fiscal Year 2013-2014 Proposed Budget as the Executive Committee of the CCP had not yet voted on the recommended Phase 3 plan. The actual budget adjustment will be included in the 2013-2014 Final Budget which will be presented to the Board of Supervisors on September 10, 2013. Additionally, in the initial two years, both the Sheriff and Probation utilized AB 109 allocated funds to contract for mental health and substance abuse services from Behavioral Health & Recovery Services. These contracted services were provided in the adult facilities and at the Day Reporting Center. This funding will now be reduced from the Sheriff and Probation allocations and instead be included in BHRS allocation.

District Attorney/Public Defender Account

Assembly Bill 118 created the District Attorney (DA) and Public Defender (PD) Account to be used exclusively to fund costs associated with revocation proceedings involving persons subject to state parole and Post-Release Community Supervision. The law requires that the moneys be allocated equally by the county to the District Attorney's office and the Public Defender's office. These funds are separate from CCP funds and must be used exclusively by the DA and PD. The following table represents allocations for this account:

District Attorney/Public Defender Account		
Fiscal Year 2011-2012	Fiscal Year 2012-2013	Fiscal Year 2013-2014
\$215,456	\$242,608	\$284,151

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

Like the CCP account, the District Attorney/Public Defender Account will receive growth funding each year. The specific allocations for growth funds have not yet been determined. To date, the DA has used \$209,267 of the allocation and the PD has used \$108,544 of the allocation. Fund balance remaining for the initial years of realignment is \$19,765 for the DA and \$120,488 for the PD. Both the DA and PD will be using these funds to support staffing costs associated with handling revocation hearings as detailed in the Staffing Impacts section.

DISCUSSION:

AB 117 delayed the operative date of the public safety realignment elements contained in AB 109 to October 1, 2011, and contained two designation requirements. By August 1, 2011, Board of Supervisors had to designate the county entity responsible for providing post-release supervision to local inmates sentenced under the realignment act, as well as those lower level inmates released on parole from the Department of Corrections. California Penal Code Section 1230(b) requires each county to establish a Community Corrections Partnership (CCP) and specifies the membership that comprises the CCP. AB 117 required that the CCP must recommend a local plan to the County Board of Supervisors for the implementation of the 2011 Public Safety Realignment and that the plan must be voted on by an Executive Committee of each county's CCP. By statute, the current Executive Committee consists of the Chief Probation Officer as Chair, the Sheriff, the District Attorney, the Public Defender, the Presiding Judge of the Superior Court, and a local Chief of Police. The Board of Supervisors was required to appoint the final member of the CCP Executive Committee who had to be either the Director of the Department of Mental Health, the Department of Social Services, or Alcohol and Drug Programs. On July 26, 2011, the Board of Supervisors designated the Probation Department as the entity responsible for providing post-release supervision to inmates released pursuant to the Post-release Community Supervision Act of 2011 and designated the Director of Mental Health/Alcohol and Drug Programs to serve on the Community Corrections Partnership Executive Committee.

Due to the uncertainty of the actual impacts resulting from realignment, the CCP agreed that a phased approach would be the most effective method for developing the public safety realignment plan. Phase 1 occurred during the first nine months of implementation and served as initial groundwork for addressing the realigned population going forward. Phase 1 provided a first glance at the preliminary impacts of realignment to inmate housing and community supervision, and the treatment and programming needs of the population to be served. The implementation plan included re-opening of beds at the Public Safety Center, supervision services to the Post-Release Community Supervision inmates, as well as expansion of staffing and services for the Sheriff's Jail Alternatives Program, the Probation Department's Day Reporting Center (DRC),

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

the Integrated Forensics Team (IFT) and a Regional Apprehension Task Force. Many of the Phase 1 programs experienced delays with implementation primarily due to difficulties in hiring qualified staff. Behavioral Health & Recovery Services (BHRS), Community Services Agency (CSA), Sheriff and Probation all experienced delays in hiring. Both the Sheriff and Probation departments also experienced higher than usual failure rates of backgrounds for peace officer applicants.

Phase 2 efforts concentrated on adding and expanding programs, developing task force operations, and addressing the overall impacts to communities. Both the new and expanded programs experienced delays in start-up very similar to those experienced in Phase 1.

During Phase 2, a total of 415 inmates were sentenced to jail under Penal Code Section 1170(h) and 714 parole violators accounted for 1,417 bookings into the facility. This compares to the initial nine months in which 361 inmates were sentenced to jail under Penal Code Section 1170(h) and 774 parole violators were arrested 1,218 times. The chart listed below reflects the differences between projected and actual bookings.

Bookings	Projected New Sentences	Actual New Sentences	Projected Parole Violators	Actual Parole Violators
FY 2011-2012	215	361	76	774
FY 2012-2013	308	415	178	714
Total	523	776	254	1488

Additionally, 544 inmates sentenced under PC1170(h) and 259 parole violators were transferred from custody to Jail Alternatives programs during the first two years of realignment.

Probation was to receive 877 Post-Release Community Supervision (PRCS) offenders for local supervision during the first two years. The Department actually received 1,170 offenders, as well as an additional 722 sentenced to mandatory supervision under PC1170(h).

The CCP Executive Committee has continued to take a conservative approach in developing the Year 3 plan. Impacts of realignment continue to be evaluated and although numbers related to housing and supervision of AB 109 offenders have exceeded the state’s projections, crime rates have fluctuated. The first two years of realignment showed increases to crime in Stanislaus County, however, recent data indicates a downward trend during the first quarter of 2013, which is consistent with a statewide trend. Another factor leading to the conservative approach is the temporary two-year funding formula used to determine county

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

allocations for Fiscal Years 2012-2013 and 2013-2014 greatly disadvantaged Stanislaus County along with other central valley counties and provided a disproportionate share of funding compared to other regions. The formula for base funding in subsequent years has yet to be determined, but it is unlikely that it will change significantly given that it will be hard to reduce funding from counties that benefitted from the formula. Additional growth funds are expected in September 2013; however, the State has already reduced the projected growth funds for the upcoming fiscal year by 41% after sales and use tax for 2012-2013 fell below projections. The Department of Finance is responsible for determining the distribution formula for growth funds and has not yet provided specific county allocations.

Beginning in Fiscal Year 2014-2015, base funding for all counties is expected to decrease while growth funding is anticipated to increase. However, given that growth funding can fluctuate up and down, and is not guaranteed, the CCP used a conservative figure when planning for use of these funds.

As indicated above, Phase 1 and 2 programs have served as the foundation for the implementation plan. The CCP has regularly reviewed the progress of these programs during on-going CCP meetings and have found these programs to be beneficial in addressing the realigned population. The full committee of the CCP has also reviewed program proposals in consideration of developing the Phase 3 plan.

After review of program proposals and consideration of feedback from the full committee of the CCP, the Executive Committee approved the attached Phase 3 plan on July 8, 2013. It is recommended that all of the Phase 1 & 2 staffing and programs as detailed in the attached CCP plan be continued in Phase 3 and serve as the core base plan going forward, with one exception. The Executive Committee has recommended continuation funding for the Second Chances California program for one additional year. This program will be re-evaluated throughout Phase 3 to determine its effectiveness and appropriateness for continued funding in subsequent years. In addition to the core programs, the CCP Executive Committee is recommending funding during Year 3 for the following programs and services. These programs are more fully described in the attached CCP Plan.

Sheriff's Department

Inmate Programs/Volunteer Services Director

This new position will facilitate all inmate programs: including re-entry; alternatives to incarceration; evidence-based, faith-based, community-based and religious program services for the adult facilities; and linkage to the Day Reporting Center. The cost for this new position is \$75,600.

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

Probation Department

Five Deputy Probation Officers currently located at the Day Reporting Center and previously funded through Senate Bill 678 (SB 678)

The intent of SB 678 was to provide services to felony probationers in an effort to prevent escalation to state prison. Due to the increased numbers of offenders being sentenced to mandatory supervision (PC 1170h), these officers are no longer supervising felony probationers. Future SB 678 funding is based upon success with felony probationers, therefore, these funds must support supervision efforts of probationers not the AB 109 population. The personnel costs associated with these positions are \$534,765.

Computer Aided Dispatch (CAD) and Stanislaus Regional 911 (SR911) dispatch services

To ensure officer safety while conducting field activities, the Probation Department has a need to fully utilize dispatch services like all law enforcement rather than on a limited use basis. AB 109 officers account for 41% of the officers conducting local community supervision. They are in the field at a rate of 2-3 times more often than traditional field units. The Department attributes 61.5% of the contract costs applicable to AB 109 activities, which is \$160,000.

Statistical Package for the Social Sciences (SPSS)

This predictive analytics software will assist the Crime Analyst in trending and making predictions, which will assist decision makers in making decisions, solving problems and improving outcomes. The cost for the software is \$5,200.

Mental Health

Software Developer/Analyst

This new position will enable Behavioral Health and Recovery Services to fully develop performance measures for mental health and substance abuse programs. Developing, monitoring and managing outcomes have been challenging due to insufficient staff resources. This position will also be available to assist in data collection related programming for other county departments, as well as the Crime Analyst. The cost for this new position is \$132,000.

District Attorney

Deputy District Attorney and Two Clerical Support Positions

The District Attorney (DA) has experienced increases in the number of misdemeanor and felony referrals from law enforcement over the past two years. Although it is unclear if the increased workload is entirely attributable to realignment, the Department definitely has been impacted by the increased supervision activities of Probation and the Regional Apprehension Task Force

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

related to AB 109. These activities frequently result in new law violations that must be reviewed and handled by the DA's office. The DA is provided a separate allocation for the handling of parole violation hearings; however, the funding formula used by the state was based on the assumption that state parole agents would be using "flash incarceration" as an alternative to filing formal parole revocation hearings. The State has since decided to not use flash incarceration as a sanction; thereby, increasing the likelihood of more parole revocations hearing than projected. The funding allocation provided to the DA is insufficient to address the additional workload related to parole revocation hearings. Additionally, no funding was provided to the DA to address impacts of new law violations by the realigned offenders.

Victim Advocate (Interviewer)

This position will assist the department in ensuring required victim notifications will be completed in a timely manner. Given the unpredictable sentencing outcomes under realignment and the rate at which local inmates are being released early and/or into alternatives to custody, it is critical that victim notifications do not get missed. This position will also be available to assist with victim restitution issues.

The total personnel costs associated with these positions are \$367,000.

Public Defender

Deputy Public Defender, Clerical Support Position and Indigent Defense Fund

The Public Defender's Office has seen an increase in new felony cases handled by the department since the onset of realignment. Like the DA, it is unclear if the workload is entirely attributable to realignment, but the department has clearly been impacted by the new law violations encountered by Probation and the Regional Apprehension Team. Funding in the amount of \$200,000 is recommended to cover the personnel costs. \$90,000 in funding is also included for the Indigent Defense Fund for those AB 109 cases where the PD has a legal conflict of interest.

Nirvana Drug and Alcohol Treatment Institute

Funding in the amount of \$45,000 is recommended to provide residential drug and alcohol treatment services to up to 30 AB 109 offenders.

El Concilio

This pilot Re-entry Program will provide for intensive wrap around case management services for AB 109 offenders. In addition to case management services, offenders will receive assessments, referrals to community

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

organizations, assistance with job training and housing, and progress reports. This program will be similar to a Re-entry Program being provided in San Joaquin County. \$150,000 is being recommended to fund this pilot program.

AB 900 Phase II Public Safety Center Expansion

The AB 900 Phase II Public Safety Center Expansion will be completed in 2016-2017. This project includes a 456-bed inmate custodial and medical/mental health bed expansion and will address growth impacts of realignment and public safety needs. It will require an additional 72 sworn positions estimated to cost \$10 million annually, as well as expanded treatment and programs for the increased population. Funding in the amount of \$3,000,000 is recommended to be set aside to help offset the related cost impacts that will begin in 2016.

Contingency

The remainder of any AB 109 funds will be set aside as contingency to be available to address any unforeseen losses of revenue and /or unanticipated increases to personnel costs, such as step increases, and employer contributions for retirement, worker's compensation, health benefits, etc.

POLICY ISSUES:

Board approval of the Community Corrections Partnership Plan for the 2011 Public Safety Realignment supports the Board's priorities of A Safe Community and Effective Partnerships. The Board may approve the plan or return it to the CCP Executive Committee for reconsideration with a 4/5ths vote.

STAFFING IMPACTS:

In order to support the programs mentioned above an additional eight (8) positions allocated to three (3) County departments funded from the CCP Phase 3 Budget is recommended. BHRIS is requesting one new allocated position to develop performance measures for mental health and substance abuse programs. The District Attorney is requesting a total of four (4) positions to be funded using CCP funds. This includes restoring one Attorney I-IV position and allocating two new Legal Clerk IV positions and one Interviewer to act as a Victim Advocate. SR911 is requesting three (3) Emergency Dispatcher positions to support Probation staff in the field.

In addition, the District Attorney is requesting to restore one unfunded Attorney I-IV position. This position along with another existing vacant Attorney I-IV position will be funded using the DA's allocation of the District Attorney/Public Defender Account funds.

Approval of the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment for Fiscal Year 2013-2014 and Other Realignment Related Actions

The chart below details the changes in allocated positions for all staffing impacts described above.

Staffing Impacts			
Department Name	Beginning Allocation	Changes in Allocation	Ending Allocation
BHRS	370	1	371
District Attorney	123	5	128
Stanislaus Regional 911	54	3	57
TOTAL	547	9	556

The detail of staffing requests is included in the following table. If approved, it is requested the Salary and Position Allocation Report be amended the first pay period after the Board of Supervisor's approval.

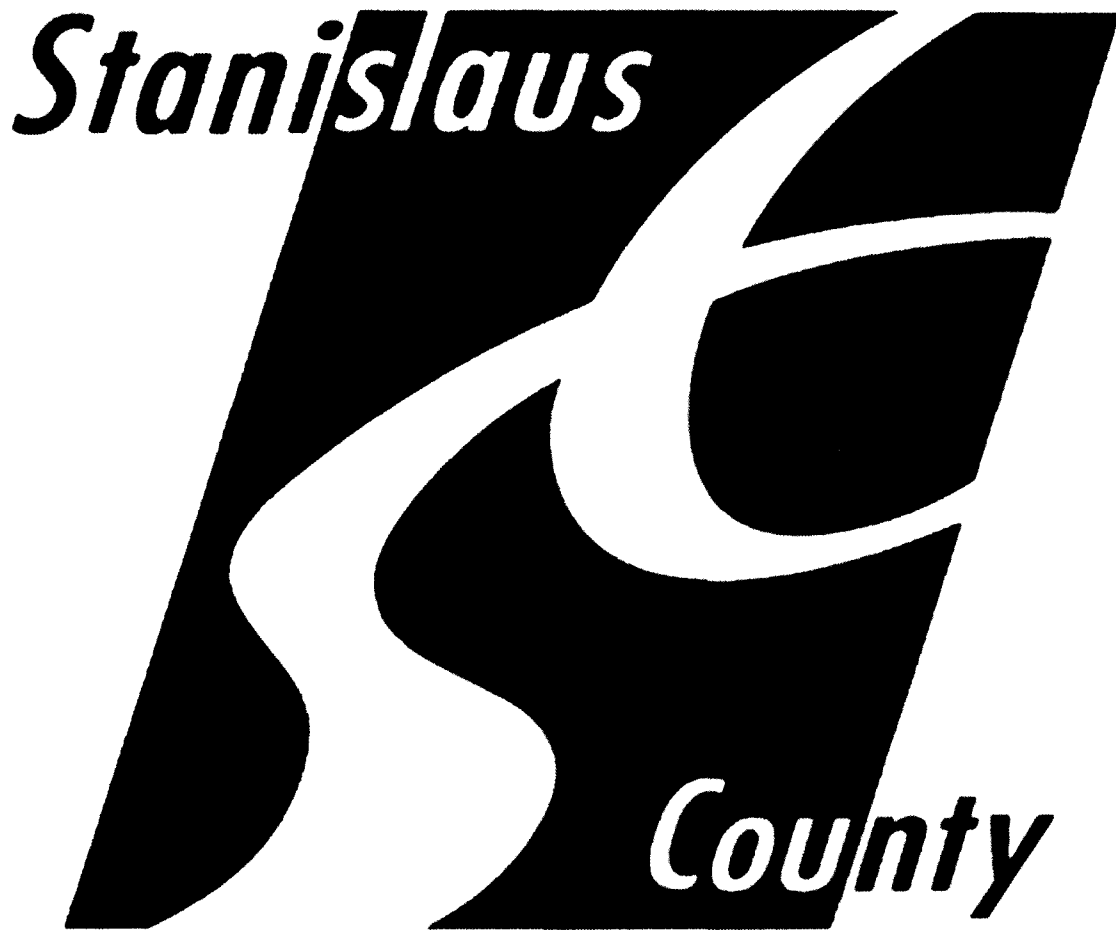
Department	Positions	Position #	Classification	Request
BHRS	1	New	Software Developer/Analyst	Add New Position
District Attorney	1	6234	Attorney I-IV	Restore Position
District Attorney	2	New	Legal Clerk IV	Add New Positions
District Attorney	1	1873	Attorney I-IV	Restore Position
District Attorney	1	New	Interviewer	Add New Position
Stanislaus Regional 911	3	2342,6213,2331	Emergency Dispatcher	Restore Positions

In addition to the above request for additional positions, eight existing positions will be funded using CCP funding and one additional position will be funded using the District Attorney/Public Defender Account funds. Probation has requested CCP funding for five existing filled Deputy Probation Officer positions that were previously funded through SB 678. The Sheriff's Department has also requested to use CCP funding for a Director of Volunteer Services position that was added at Proposed Budget. The Public Defender has requested to use CCP funding for two existing vacant positions including one Deputy Public Defender I-IV and one Legal Clerk III. The Public Defender will fund an existing vacant Deputy Public Defender I-IV position using its allocation of the District Attorney/Public Defender Account funds.

CONTACT PERSON:

Jill Silva, Chief Probation Officer. Telephone (209) 525-4598

**Stanislaus County
Community Corrections Partnership
2013 Public Safety Realignment Plan**



Striving to be the Best

Background

On April 4, 2011, Governor Brown signed Assembly Bill 109 (AB 109), which made fundamental changes to California's correctional system. AB 109 realigned custodial and community supervision responsibility for non-serious, non-violent, and non-sex offenders, as well as supervision of lower level adult parolees returning from state prison sentences to counties. AB 109 did not contain funding for county agencies to implement the realignment shift and was not operative until funding was provided for counties. On June 30, 2011, Governor Brown signed a series of legislative bills as part of the State budget that provided funding and made necessary technical changes to implement the public safety realignment program outlined in AB 109.

The legislation enacting the financing and technical changes necessary was contained in Senate Bills 87 and 89 (SB 87 and SB 89) and Assembly Bills 117 and 118 (AB 117 and AB 118). These bills were extensive in nature and contained two designation requirements. By August 1, 2011, Board of Supervisors had to designate the county entity responsible for providing post-release supervision to local inmates sentenced under the realignment act, as well as those lower level inmates released on parole from the Department of Corrections. California Penal Code Section 1230(b) requires each county to establish a Community Corrections Partnership (CCP) and specifies the membership that comprises the CCP. AB 117 required that the CCP must recommend a local plan to the county Board of Supervisors for the implementation of the 2011 Public Safety Realignment and that the plan must be voted on by an Executive Committee of each county's CCP. By statute, the current Executive Committee consists of the Chief Probation Officer as Chair, the Sheriff, the District Attorney, the Public Defender, the Presiding Judge of the Superior Court, and a local Chief of Police. The Board of Supervisors was required to appoint the final member of the CCP Executive Committee who had to be either the Director of the Department of Mental Health, the Department of Social Services, or Alcohol and Drug Programs. On July 26, 2011, the Board of Supervisors designated the Probation Department as the entity responsible for providing post-release supervision to inmates released pursuant to the Post-release Community Supervision Act of 2011 and designated the Director of Mental Health/Alcohol and Drug Programs to serve on the community Corrections Partnership Executive Committee. On September 20, 2011, the Board of Supervisors approved the Community Corrections Partnership Phase 1 Plan for implementation of the 2011 Public Safety Realignment.

On June 27, 2012, Governor Brown signed a number of budget trailer bills (SB 1020, 1021, 1022 and 1023) related to corrections and public safety to complete the FY 2012-2013 State budget. These bills provided changes to sentencing and procedures related to realignment, established the funding structure for the programs and services transferred to county responsibility under 2011 Realignment, and set each county's allocation for AB 109 for the next two fiscal years.

On July 24, 2012, the Board of Supervisors approved the Community Corrections Partnership Phase 2 Plan for implementation of the 2011 Public Safety Realignment.

On November 6, 2012, California voters passed Proposition 30, which provided constitutional protection of funding for public safety services related to Realignment.

Public Safety Realignment

The enactment of AB 109 and subsequent related legislation resulted in fundamental changes to California's correction system.

Key components of public safety realignment include the following:

- Revised the definition of a felony to provide that non-violent, non-serious, non-sex offenses are punishable in county jail
- Transferred responsibility for post release supervision of lower-level offenders (those released from prison after having served a sentence for a non-violent, non-serious, and non-high-risk sex offense) with the creation of a Post Release Community Supervision (PRCS) offender category
- Established that all PRCS eligible offenders released from prison on and after October 1, 2011, after serving a prison term for a felony, shall upon release from prison and for a period not exceeding three years immediately following release, be subject to community supervision provided by a county agency designated by each county's board of supervisors
- Enhanced local custody and supervision tools by authorizing counties to use a range of community-based options, which may be provided by local public safety entities directly or through public or private correctional service providers

Population Projections and Actual Impacts

In July 2011, the California Department of Corrections and Rehabilitation (CDCR) provided counties with initial average daily projections for inmate and PRCS populations. These projections were subsequently adjusted in December 2011; after CDCR identified that the initial projections did not account for parole violators in custody at CDCR prior to the start of realignment. These offenders would also be released to local supervision as part of the PRCS population. After October 1, 2011, parole violators must serve their violations in local custody; therefore, upon release from county jail must return to State parole supervision. CDCR is now in the practice of providing counties with updated population projections twice a year, fall and spring. The following impacts provide comparisons of the initial estimates to the actual numbers:

Impacts to Jail Population:

It was estimated that the adult facilities would receive approximately 523 sentenced offenders [sentenced under Penal Code Section 1170(h)] and approximately 254 parole violators during the first two years of realignment (21 months). During this period of time, adult facilities received 776 sentenced offenders and 1,488 parole violators. The 1,488 parole violators accounted for 2,635 separate arrests. Of these populations,

PC1170(h) sentenced offenders were transferred to the Jail Alternatives program 556 times and parolees were transferred 225 times during the same period of time.

Impacts to Probation:

It was projected that 877 PRCS offenders would be returned to local supervision within the first two years of realignment (21 months). During this period, 1,170 PRCS offenders were actually returned to local supervision. Additionally during this same time period, 83.9% (722) of the 818 offenders sentenced under PC1170(h) were sentenced to mandatory supervision. CDCR projected an average daily population of 540 offenders would be sentenced under PC1170(h) at full implementation (year 4).

Community Corrections Partnership

The CCP was created to guide counties towards a plan that addresses the most effective ways to integrate the population and:

1. Maximize public safety
2. Use the taxpayers dollar in the most efficient way possible

The CCP consists of the full committee and an executive committee. The full Stanislaus County CCP body includes:

- Jill Silva, Chief Probation Officer (Chair)
- Rebecca Fleming, Executive Officer, Stanislaus County Superior Court
- Bill O'Brien, County Supervisor
- Birgit Fladager, District Attorney
- Tim Bazar, Public Defender
- Adam Christianson, Sheriff
- Galen Carroll, Chief of Police, City of Modesto
- Kathryn Harwell, Community Services Agency Director
- Madelyn Schlaepfer, Behavioral Health and Recovery Services Director
- Jeff Rowe, Alliance WorkNet Director
- Tom Chagnon, Stanislaus County Office of Education Superintendent
- Cindy Duenas, Center for Human Services Director
- Gay McDaniel, Stanislaus County District Attorney Victim Services

The Stanislaus County CCP Executive Committee consists of:

- Jill Silva, Chief Probation Officer (Chair)
- Galen Carroll, Chief of Police, City of Modesto
- Adam Christianson, Sheriff
- Birgit Fladager, District Attorney
- Tim Bazar, Public Defender
- Rebecca Fleming, Executive Officer, Stanislaus County Superior Court
- Madelyn Schlaepfer, Behavioral Health and Recovery Services Director

The CCP has met eight times since the Phase 2 plan was approved to review population projections and needs, program updates and impacts of realignment. Three meetings included both written and verbal presentations on Phase 3 program proposals. The executive committee of the CCP met in June and July to review all proposals and feedback from the full body. The CCP Executive Committee approved the recommended Phase 3 plan on July 8, 2013, with a majority vote of 5:1 with one member absent.

Public Safety Realignment Plan

Due to the uncertainty of the actual impacts resulting from realignment, the CCP agreed that a phased approach would be the most effective method for developing the public safety realignment plan. Phase I occurred during the first nine months of implementation and served as the foundation for addressing the realigned population going forward. Phase 1 provided a first glance at the preliminary impacts of realignment to inmate housing and community supervision, and the treatment and programming needs of the population to be served. The implementation plan included re-opening of beds at the Public Safety Center and supervision services to the Post-Release Community Supervision inmates, as well as expansion of staffing and services for the Sheriff's Jail Alternatives Program, the Probation Department's Day Reporting Center (DRC), the Integrated Forensics Team (IFT) and a Regional Apprehension Task Force. Many of the Phase 1 programs experienced delays with implementation primarily due to difficulties in hiring qualified staff. Behavioral Health & Recovery Services (BHRS), Community Services Agency (CSA), Sheriff and Probation all experienced delays in hiring. Both the Sheriff and Probation departments experienced higher than usual failure rates of backgrounds for peace officer applicants.

Phase II, occurring in the second year, concentrated on adding and expanding programs, developing task force operations, and addressing the overall impacts to communities. Both the new and expanded programs experienced delays in start-up very similar to those experienced in Phase 1.

The CCP Executive Committee continued to take a conservative approach in developing the Year 3 plan. Impacts of realignment continue to be evaluated and although numbers related to housing and supervision of AB 109 offenders have exceeded the state's projections, crime rates have fluctuated. The first two years of realignment showed increases to crime in Stanislaus County, however, recent data indicates a downward trend during the first quarter of 2013, which is consistent with a statewide trend. Another factor leading to the conservative approach is the temporary two-year funding formula used to determine county allocations for Fiscal Years 2012-2013 and 2013-2014 greatly disadvantaged Stanislaus County along with other central valley counties and provided a disproportionate share of funding compared to other regions. The formula for base funding in subsequent years has yet to be determined, but it is unlikely that it will change significantly given that it will be hard to reduce funding from counties that benefited from the formula. Additional growth funds are expected in September 2013; however, the State has already reduced the projected growth funds for the upcoming fiscal year by 41% after sales and use tax for 2012-2013 fell below

projections. The Department of Finance is responsible for determining the distribution formula for growth funds and has not yet provided specific county allocations. It's noted beginning in Fiscal Year 2014-2015, base funding for all counties is expected to decrease while growth funding is anticipated to increase. However, given that growth funding can fluctuate up and down, and is not guaranteed, the CCP used a conservative figure when planning for use of these funds.

Review of Phase 1 and 2 Programs:

Bed Space

During Phase I, funding was utilized by the Sheriff's Department to re-open two living units within the Public Safety Center that had previously been closed due to budget reductions, increasing the inmate bed count by 150. During Phase 2, funding was increased to support re-opening of 72 beds at the Honor Farm. Funding supported both staffing and contracted treatment/program services. These additional 222 beds have been utilized to house and provide supervision and programming to the increased number of sentenced inmates and parole violators resulting from realignment. During Phase 2, a total of 415 inmates were sentenced to jail under PC1170(h) and 714 parole violators were arrested a total of 1,417 times. During Phase 1, 361 inmates were sentenced to jail under PC1170(h) and 774 parole violators were arrested 1,218 times. During Phase 2, the Sheriff's Department funded the following contracted services: Friends Outside, Literacy Center, Salvation Army and mental health services. During this period of time, 250 inmates graduated from the Friends Outside program. More than 300 inmate requests were processed by an Inmate/Family Receptionist. 193 inmates were served through the Literacy Center with 23 inmates graduating with their GED. Additionally, of the inmates that completed a pre and post test using a national test in math and reading, 65% had completed a level gain. The Salvation Army contract has just been completed and will be utilized in Phase 3. Mental Health Clinicians served 121 inmates during the first quarter of 2013.

Jail Alternatives

The Jail Alternatives Unit consists primarily of two programs: the Alternative Work Program (AWP) and the Home Detention (HD) Program. During Phase 1, Jail Alternatives was expanded to increase the capacity of both programs in order to accommodate the increased population. The expanded services continued to be funded in Year 2. During Phase 2, 357 inmates sentenced under PC1170(h) and 55 parole violators were transferred to Jail Alternatives programs.

Sheriff's Personnel and Operational Costs

During Phase 2, funding was provided for additional staffing, training, equipment, and contract services. The department added staffing to support mental health escorts, transportation, classification/assessment, staff supervision, and support services. A total of 14 positions were added. Statistics related to these services are included under the Bed Space section above.

Jail Medical

To assist in dealing with the effects of AB 109 as it relates to the inmate population and the increase in the average stay of detainees, the use of \$500,000 for jail medical services was included in Phase 2 of the Community Corrections Plan. These funds were utilized to help offset the increases in the jail medical contract directly related to the opening of the new beds during Phases 1 and 2.

Post Release Community Supervision and Intensive Supervision Services

Phase 1 funding was used to provide additional Probation staffing and services associated with supervising PRCS offenders released from CDCR into the community. During Phase 2, funding was increased to add a second unit of supervision staff to supervise PRCS offenders and the increased number of offenders remaining in the community on mandatory supervision (PC1170h). 1,170 PRCS offenders and 722 mandatory supervision cases were assigned to officers during Phases 1 and 2.

Between October 1, 2011, and April 23, 2013, 1,114 offenders were released on PRCS. Of those, 21% (231) had a subsequent conviction while on supervision. 14% (153) had their conviction within the first six months of supervision. 290 offenders have completed their period of supervision. Of those 4% (12) had a subsequent conviction.

The majority of those cases assigned to mandatory supervision are still in custody serving the jail portion of their sentence. Of the 262 offenders released from jail, 15% (40) have received a subsequent conviction. 86 offenders were released from jail without a supervision tail. Of those 19% (16) received a subsequent conviction.

Day Reporting Center (Expansion)

The Day Reporting Center (DRC) opened in February 2011, and was serving more than 100 probationers prior to realignment. With the increases to jail population and the inability to sentence non-violent, non-serious, and non-sex offenders to state prison, increased capacity at the DRC was needed. Phase 1 funding provided additional Probation staffing to handle the increased number of DRC participants, as well as expanded contract services for offenders at the DRC site. This funding continued during Phase 2 and was expanded to cover increases to programming and contract services at the DRC. The department began tracking data in January 2013. For the past 6 months, the number of participants averaged 152 per month, ranging from 132 in January to 198 in June. 78% of the average participants are AB 109 offenders.

Probation Personnel and Operational Costs

During Phase 2, funding was provided to the Probation Department for a clerical supervisor position that is responsible for overseeing clerks performing realignment work. Funding also supported additional equipment and on-call services so the department could respond to law enforcement needs after hours and on weekends. Due to the need to negotiate with the involved labor organization and amend the

existing labor agreement, on-call services did not begin until January 2013. Since that time, on-call officers have responded to 1,230 GPS alerts, 119 calls from law enforcement and 34 calls from jail staff. They also conducted follow up with 15 victims when an offender on GPS entered an “exclusion zone” or stopped tracking.

Crime Analyst

During Phase 2, funding was provided for a Crime Analyst position stationed at the Probation Department to track and analyze data relevant to criminal justice realignment. This includes helping to determine the profiles of the realigned population, trending county-wide crime rates and revocations, as well as assisting in determining the effectiveness of programs supported by realignment funding. The Crime Analyst position was filled in January 2013 following a new recruitment process and background investigation. The Crime Analyst has attended trainings and has begun working with local and statewide analysts to assess available data to be collected. She has also begun to develop priority measurements for the CCP and local law enforcement in an effort to analyze the most critical impacts of realignment. Data collection and analysis has begun for the PRCS and PC1170(h) offenders related to new arrests and convictions (See Post-Release Community Service and Intensive Supervision Services section above).

Integrated Forensics Team (Expansion)

According to Justice Center reports nearly 70 percent of adults entering jails have a substance abuse disorder and approximately 17 percent of adults entering jails and state prisons have a serious mental illness. Typically in Stanislaus County, these individuals are referred to programs provided by BHRS, such as the Integrated Forensics Team (IFT) or other programs supported by the Mental Health Services Act (MHSA). IFT is a multi-disciplinary program providing comprehensive mental health and co-occurring services for adults on probation who are underserved and either homeless or at risk of homelessness, have frequent contact with law enforcement, and/or are frequent users of hospital and emergency room services. Services include: case management, crisis response, family support, housing and employment assistance, mental health rehabilitation, medication support, peer support and 24/7 coverage. Both IFT and MHSA programs were at capacity and not able to absorb the increased demands for service for the realigned population without expanding the existing programs. Most mentally ill offenders have either not had benefits established that would cover mental health treatment or they have had benefits suspended due to their incarceration, resulting in the increased demand for public assistance. Phase I and II funding was utilized to add staffing to expand the program capacity of the IFT program. This included staffing from BHRS and Probation that are part of the IFT team. Program capacity was expanded by 49. IFT staff utilized the following evidence based practices: Assertive Community Treatment (ACT), Seeking Safety, Motivational Interviewing. Staff have also been trained in Moral Reconciliation Therapy (MRT). Phase 2 funding was increased to provide medication services, as well as psychiatry, nursing and supportive services for 100 AB 109 offenders. The Phase 2 programming was behind schedule in reaching full implementation due to delays in both hiring of new staff

and securing a permanent site for the program. Both of these issues have now been resolved and outcomes are anticipated with upcoming year. Between October 2011 and February 2013, 49 referrals were received with 69% being assessed. Of those 79% (27) were enrolled in the program. The program experienced a retention rate of 82% with 22 of the 27 remaining active in the program.

Additionally, Phase 1 funding was made available to add a CSA Social Worker to the IFT program to focus on Supplemental Security Income (SSI) advocacy in order to establish benefits to support mental health treatment, thereby, reducing the need for public assistance. CSA was not able to fill this position during Phase 1. In Phase 2, this position was modified to two Family Services Specialists (FSS), however, CSA was not able to fill the positions until December 2012 and one position remained vacant for the majority of the year. The FFS completed assessed 96 individuals and applied for services for 92 of these offenders.

Regional Apprehension Task Force

The Regional Apprehension Task Force was created in Phase 1 to apprehend offenders that did not show for mandatory probation appointments and jail alternative programs. During Phase 2 the program was expanded to include targeted search operations of AB 109 offenders. The task force consists of members from the Sheriff's Department, Probation Department and local police agencies. Funding has been provided for the past two years so that agencies would have the ability to be reimbursed for costs associated with these activities. During Phase 2, 18 task force operations took place. The results of these activities are as follows: 48 individuals were arrested for new law violations; 22 were taken into custody on wants and warrants; 3 were held by U.S. Immigration; 38 were flash incarcerated or arrested on probation violations; and 5 were held on parole violations.

Second Chances California

During Phase 2, the Dependence Ranch, in partnership with the Thoroughbred Retirement Foundation (TRF), was provided funding for a pilot program called Second Chances California. TRF operates a national program and is currently providing vocational services in 8 correctional facilities and 19 private farms around the country. The program is located at the Sheriff's arena adjacent to the Public Safety Center and provides a unique vocational and educational program for PRCS and mandatory supervision offenders referred through the DRC. The program provides the opportunity for offenders to develop new life skills by getting to the heart of their personal issues, allowing them a new way to make decisions and reach goals. The program uses equine assisted growth and development services and learning work ethics by a new vocation using retired racehorses. The equine assisted learning is individually based on the mental health diagnosis and treatment plan for each offender. The Program provides a mechanism for healing past trauma, addictions, behavioral disorders, depression and hands-on learning while using the horses. The vocational portion of the program is based on the Groom Elite curriculum. Participants discover new responsibility, patience, teamwork, trust and dedication skills by learning a set

curriculum while having to care for horses. The program spent the first half of the year developing the referral process and program procedures, hiring and training staff, and purchasing the necessary supplies and materials. The program began accepting referrals in December 2012. 22 referrals were made by probation staff. Of those, several have graduated the program, two have failed to attend, one was rearrested, and the remaining offenders are either in progress or scheduled to begin the program. Specific outcomes were not available due to the late start up.

Phase 3 Programs (July 1, 2013 through June 30, 2014)

Continuation of Phase 1 and 2 Base Programs as Core Base Program

Phase 1 and 2 programs have served as the foundation for the implementation plan. The CCP has regularly reviewed the progress of these programs during on-going CCP meetings and have found these programs to be beneficial in addressing the realigned population. The full-body of the CCP also reviewed program proposals in consideration of developing the Phase 3 plan. After review of program proposals and consideration of feedback from the full-body of the CCP, the Executive Committee approved the Phase 3 plan on July 8, 2013. It is recommended that all of the Phase 1 & 2 staffing and programs as described above continue in Phase 3 and serve as the core base plan going forward, with one exception. The Executive Committee is recommending continuation funding for the Second Chances California program for one additional year. This program will be re-evaluated throughout Phase 3 to determine its effectiveness and appropriateness for continued funding in subsequent years. In addition to the core programs, the CCP Executive Committee is recommending funding for the following:

Sheriff's Department

The enactment of AB 109 has completely changed the culture and population composition of inmates housed in the Stanislaus County Adult Facilities. The Sheriff's Department has added significant programs and services, and plans to continue to expand inmate programs to further accommodate the needs of the AB 109 population. The department has significantly expanded the use of religious volunteers to reach out and provide religious services and counseling, and has facilitated a new Sheriff's Custody Institute of Life Skills (SCILS) Program for inmates at the Honor Farm. The SCILS program will move to the new replacement building at the Public Safety Center. The new building will allow for additional classes and program expansion. The Sheriff's Department is requesting funding for an Inmate Programs/Volunteer Services Director position to facilitate all inmate programs: including re-entry; alternatives to incarceration; evidence-based, faith-based, community-based and religious program services for the adult facilities; and linkage to the Day Reporting Center. This position will be responsible to train volunteers as well. All activities will be tracked monthly by the Director, including the number of participants, completion rates, assessments of the curriculum and facilitators, and recidivism rates.

Probation Department

The Probation Department is requesting funding for five Deputy Probation Officers currently located at the Day Reporting Center and previously funded through Senate Bill 678 (SB 678). The intent of SB 678 was to provide services to felony probationers at the local level in an effort to prevent escalation to state prison on probation violations. Future funding allocations for SB 678 are contingent upon success rates related to felony probationers. Due to the increased AB 109 population receiving split sentences, these officers are no longer providing supervision services to felony probationers and are solely supervising 1170(h) offenders. In order for the Probation Department to ensure continued success rates for felony probationers, funding must support efforts related to probationers and not the realigned population. 722 offenders have received a split sentence, far exceeding the projected numbers provided by CDCR. These offenders are higher risk than felony probationers and require close supervision and services provided through the Day Reporting Center.

Realignment has forced the Probation Department to take on a stronger enforcement role within public safety. To ensure officers' safety while conducting field activities, the department has been using Computer Aided Dispatch (CAD) and limited SR911 dispatch services for the past year. This initial year of use has revealed the need for the department to fully utilize dispatch services like all law enforcement rather than on a limited use basis. This has resulted in increased costs associated with this contract. AB 109 officers account for 41% of the officers conducting local community supervision. These officers are in the field and using "air time" at a much higher frequency than traditional field units. It is estimated that AB 109 officers are in the field at a rate of 2-3 times more often than traditional units. The department attributes 61.5% of the contract costs are applicable to AB 109 activities.

In Phase 2, a Crime Analyst position was added to track and analyze data relevant to criminal justice realignment. Funding is recommended to purchase Statistical Package for the Social Sciences (SPSS) predictive analytics software in order to predict with confidence what will happen next so that decision makers can make smarter decisions, solve problems and improve outcomes. This software is used by market researchers, health researchers, survey companies, government, education researchers marketing organizations and others.

Mental Health

Behavioral Health & Recovery Services has requested to fund a Software Developer/Analyst to fully develop performance outcome measures for mental health and substance abuse programs. Developing, monitoring and managing outcomes in BHRS is a priority, but has been challenging. Staff resources, particularly for initial development of outcomes have not been sufficient to meet the demand. The Software Developer/Analyst position would also be available to assist in data collection related programming for the other county departments, as well as the Crime Analyst. Funding is also recommended for cubicle furniture and supplies for the Software Developer/Analyst.

District Attorney

Between 2010 and 2012, the District Attorney's Office has seen a 6.59% (564) increase in the number of felonies referred annually to the department resulting in an increase of 3.9% (238) in the number of felonies filed by the office. There has been an annual increase of 9.18% (837) in misdemeanor referrals for the same time period. Although this has resulted in less misdemeanors being filed (6.99% or 268 cases), there are fewer deputy district attorneys available to handle the workload. In 2009, the department had 44 deputy district attorneys compared to the current 38 attorneys. It is unclear if the increased workload is entirely attributable to realignment; however, the department has been impacted by the increased supervision activities of Probation and the Regional Apprehension Team related to realignment. These activities often result in new law violations. The District Attorney (DA) and Public Defender (PD) are provided a separate allocation of funding for the handling of parole violation hearings; however, the funding formula used by the state was based on the assumption that state parole agents would be using "flash incarceration" as an alternative to filing formal parole revocation hearings. The state has since decided to not use flash incarceration as a sanction, thereby increasing the likelihood of more parole revocation hearings than projected. The funding allocation provided to the DA and PD is insufficient to address the additional workload related to parole revocation hearings. Additionally, no funding was provided to the DA and PD to address impacts of new law violations by the realigned offenders. The DA is requesting funding for one deputy district attorney and two clerical support positions to address the increased workload.

Funding is also being recommended to hire a Victim Advocate. Victims have a right to be notified, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant and the release or escape of the defendant from custody. Given the unpredictable sentencing outcomes under realignment and the rate at which local inmates are being released early and/or into alternatives to custody, it is critical that victim notifications do not get missed. An additional Victim Advocate position will assist the department in ensuring the required notifications are completed in a timely manner. This position will also be available to assist in victim restitution issues.

Public Defender

The Public Defender has seen an increase of 7.9% (364) in new felony cases handled by the department between 2010 and 2012. Like the DA, it is unclear if the increased workload is entirely attributable to realignment, but the department has clearly been impacted by the new law violations encountered by Probation and the Regional Task Force related to realignment, and funding is insufficient to cover the costs related to handling parole revocation hearings. The PD is requesting funding for one deputy public defender and one clerical support staff to address these impacts. Additionally, funding is recommended for the Indigent Defense Fund up to \$45,000 for those AB 109 cases where the Public Defender has a legal conflict of interest.

Nirvana Drug and Alcohol Treatment Institute

Nirvana Drug and Alcohol has been providing treatment services for corrections clientele since 1997. Residential treatment is more cost effective than incarceration and residents are in an environment set up for education and therapy to address their substance abuse issues. There are currently limited options for AB 109 offenders needing residential treatment in Stanislaus County. Since January 2013, three AB 109 offenders have received services at no charge through Nirvana. Funding is recommended to support up to 30 clients per year to receive residential services through the program. The program will report outcomes using the California Outcomes Measurement System, which is compiled by the state.

EI Concilio

Funding is recommended to implement a client Re-entry Program in Stanislaus County. Services will include intensive wrap around case management services, as well as screenings/assessments and access to services, tracking and evaluating participants' progress, and coordination of services with other collaborative agencies. Case managers hold weekly check-ins with participants and link clients into services such as faith-based support groups, NA/AA, food banks, Salvation Army, and Good Will. The program will be piloted in Stanislaus County and will be similar to the Re-Entry program being provided by EI Concilio in San Joaquin County. In San Joaquin, 51% of the offenders obtained full time employment and housing, 93% had their cases closed successfully for probation purposes. These offenders continue to receive services through EI Concilio. Specific outcomes will be tracked for the pilot program to measure the program's effectiveness in Stanislaus.

AB 900 – Future operational and programming services

The AB 900 Phase II Public Safety Center Expansion will be completed in 2016-2017. This project includes a 456-bed inmate custodial and medical/mental health bed expansion and will address growth impacts of realignment and public safety needs. It will require an additional 72 sworn positions estimated to cost \$10 million, as well as expanded treatment and programs for the increased population. Funding in the amount of \$3,000,000 is recommended as a set aside to help offset the related cost impacts that will begin in 2016.

Contingency

The remainder of any AB 109 funds including carry over is recommended to be set aside as contingency to be available to address any unforeseen losses of revenue and/or unanticipated increases to personnel costs, such as step increases and employer contributions for retirement, worker's compensation, health benefits, etc.

Budget

Sheriff's Department:

Staffing and Operational Costs	\$ 7,710,600
Programming and Services Costs	\$ 244,000
Total Sheriff's Department	<u>\$ 7,954,600</u>

Probation Department:

Staffing and Operational Costs	\$ 3,517,337
Programming and Services Costs	\$ 585,438
Total Probation Department	<u>\$ 4,102,775</u>

Integrated Forensics Team and Mental Health Expansion:

BHRS Staffing and Operational Costs	\$ 1,870,442
CSA Staffing	\$ 132,000
Total IFT & Mental Health Expansion	<u>\$ 2,002,442</u>

Chief Executive Office – Jail Medical Contract \$ 500,000

District Attorney \$ 367,000

Public Defender \$ 200,000

Indigent Defense Fund \$ 90,000

Regional Apprehension Task Force \$ 100,000

Second Chances California \$ 87,750

Nirvana Drug & Alcohol Treatment Institute \$ 45,000

El Concilio \$ 150,000

AB 900 Staffing and Programs \$ 3,000,000

Community Correction Partnership Planning \$ 150,000

Total Phase 3 Budget: \$18,749,567

FY 2013-2014 Allocation \$14,509,023

FY 2013-2014 Planning Funding \$ 150,000

FY 2012-2013 Anticipated Carry-Over \$ 4,400,000

Total Available Phase 3 Funding \$19,059,023

Anticipated Reserve/Contingency: \$ 309,456

Staffing

The following chart reflects the additional county classifications and number of positions that will be funded in Phase 3:

Classification	Number of Positions
Director of Volunteer Services	1
Software Developer/Analyst III	1
Attorney – District Attorney	1
Legal Clerk IV	2
Attorney - Public Defender	1
Legal Clerk III	1
Victim Advocate	1
Deputy Probation Officer	5
Dispatchers (Related to SR911 Contract with Probation)	3

The above positions do not include those positions included in the Phase 1 & 2 plan.

Next Steps

The CCP will continue to regularly meet to review population numbers, service and treatment needs, staffing levels and outcomes of enhanced/expanded programs in order to develop a recommended plan for the subsequent year. Each year’s plan will be submitted to the Board of Supervisors for approval.

Stanislaus County
Community Corrections
Partnership Plan
2013

Public Safety Realignment

- Revised the definition of a felony to provide that non-violent, non-serious, non-sex offenses are punishable in county jail

Public Safety Realignment

- Transferred responsibility for post release supervision of lower-level offenders (those released from prison after having served a sentence for a non-violent, non-serious, and non-high-risk sex offense) with the creation of a Post Release Community Supervision (PRCS) offender category

Public Safety Realignment

- Established that all PRCS eligible offenders released from prison on and after October 1, 2011, after serving a prison term for a felony, shall upon release from prison and for a period not exceeding three years immediately following release, be subject to community supervision provided by a county agency designated by each county's board of supervisors

Public Safety Realignment

- Enhanced local custody and supervision tools by authorizing counties to use a range of community-based options, which may be provided by local public safety entities directly or through public or private correctional service providers

Community Corrections Partnership Board

- The CCP was established to craft a plan that addresses the most effective ways to integrate the new realigned population and:
 1. maximize public safety
 2. use the taxpayers dollar in the most efficient way possible.

Community Corrections Partnership Board

- The full CCP body consists of:
 - Jill Silva, Chief Probation Officer (Chair)*
 - Loretta Begen, Presiding Superior Court Judge (Rebecca Fleming, designee)*
 - Supervisor Bill O'Brien, Board of Supervisors
 - Birgit Fladager, District Attorney *
 - Tim Bazar, Public Defender*
 - Adam Christianson, Sheriff *
 - Galen Carroll, Modesto Police Chief*
 - Madelyn Schlaepfer, Director BHRS*
 - Monica Nino, Chief Executive Officer
 - Kathryn Harwell, Director CSA
 - Jeff Rowe, Director Alliance WorkNet
 - Cindy Duenas, Executive Director Center for Human Services
 - Gay McDaniel, District Attorney Victim Services (Victim Representative)

**** Executive Committee Member***

Community Corrections Partnership

- The CCP met a total of eight times since the Phase 2 plan was approved:

July 27, 2012; September 25, 2012; October 19, 2012;
December 7, 2012; January 17, 2013; February 28, 2013;
March 29, 2013; and May 5, 2013

- The Executive Committee of the CCP met two times since the Phase 2 plan was approved:

June 14, 2013 and July 8, 2013

All meetings were publicly noticed and open to the public

Community Corrections Partnership

Due to the uncertainty of the actual impacts resulting from realignment, the CCP agreed that a phased approach would be the most effective method for developing the implementation plan.

- Phase 1 – October 1, 2011 through June 30, 2012
 - Emphasis was placed on building the foundation and infrastructure for full implementation

Community Corrections Partnership

- Phase 2 – July 1, 2012 through June 30, 2013
 - Emphasis placed on evaluating Phase 1 programs and infrastructure, adjusting if necessary, expansion to address increased numbers and addition of new programs and services to address the population

Community Corrections Partnership

- Phase 3 – Full Implementation
 - Continued refining of core programs and capacities and adoption of best and evidenced based practices to ensure the best public safety outcomes.

Community Corrections Partnership

- Phase 4 –Stabilization
 - Year 4 of realignment should bring about a leveling off period for average daily populations (ADP) for housing and supervision and more permanent funding formulas should be established

Population Projections

Impacts to Jail Population:

Bookings	Projected New Sentences	Actual New Sentences	Projected Parole Violators	Actual Parole Violators
FY 2011-2012	215	361	76	774
FY 2012-2013	308	415	178	714
Total	523	776	254	1488

Population Projections

Impacts to Probation:

CDCR initially projected 877 Post-Release Community Supervision (PRCS) offenders would be returned to local supervision within the first two years of implementation (21 months).

1,170 PRCS Offenders were actually returned to local supervision. Additionally, 722 offenders were sentenced to mandatory supervision under Penal Code 1170(h).

Community Corrections Partnership Phase 1 & 2 Funded Programs

- Increased Jail Capacity – Added Sheriff staffing and operational services to increase inmate bed count by 222. Contracted services include Friends Outside, Literacy Center, Salvation Army and mental health services. This fiscal year, 415 inmates were sentenced under PC 1170(h) and 714 parole violators were booked 1,417 times.

Community Corrections Partnership Phase 1 & 2 Funded Programs

- **Jail Alternatives** – Added Sheriff staffing to expand Alternative Work Program and Home Detention. Last fiscal year, 357 inmates sentenced under PC 1170(h) and 55 parole violators were transferred to the Jail Alternatives programs.
- **Jail Medical** – Provided funding to offset the cost increases to the jail medical contract resulting from the opening of the 222 additional beds.

Community Corrections Partnership Phase 1 and 2 Funded Programs

- Post-Release Community Supervision – Added Probation staffing and operational services to supervise the inmates released from the State to community supervision. 1,170 PRCS offenders have been assigned to local supervision since the onset of realignment. Also added on-call officers to respond to law enforcement needs during weekends and evenings.

Community Corrections Partnership Phase 1 and 2 Funded Programs

- Day Reporting Center (DRC) Expansion— Added Probation staffing and operational services to double the capacity of the DRC. 722 mandatory supervision cases [PC 1170(h)] have been assigned to supervision staff since the onset of realignment. Contracted services at the DRC include Friends Outside, the Literacy Center, Sierra Education, Youth for Christ, mental health and electronic monitoring. Attendance at the DRC has ranged from 132 to 198 offenders per month over the past six months

Community Corrections Partnership Phase 1 and 2 Funded Programs

- Crime Analyst – Added to track and analyze data relevant to criminal justice realignment.

Recent data reports reflect 21% of the PRCS offenders had a subsequent conviction during supervision, with 14% of the convictions occurring within the first six months. 79% had no conviction. 15% of the mandatory supervision cases had a conviction during supervision. Nearly 85% did not have a conviction.

Community Corrections Partnership Phase 1 and 2 Funded Programs

- Crime Analyst –
43% of PRCS offenders were arrested while on supervision while nearly 48% of the mandatory supervision offenders were arrested. Arrests include violations of probation, flash incarcerations, warrants and new law violations.

Community Corrections Partnership Phase 1 and 2 Funded Programs

- Integrated Forensics Team (Expansion) – Added BHRS and Probation staffing to increase the capacity of the program. Also, added a Social Worker to establish benefits to support mental health treatment. 49 offenders were referred between October 1, 2011 and February 2013. Of those 27 were enrolled into the program.

Community Corrections Partnership Phase 1 and 2 Funded Programs

- Medication Services – Added psychiatry, nursing and supportive services for 100 AB 109 offenders. This program was not able to be fully implemented due to delays in hiring staff and securing a permanent site for the program. Funding was utilized in Year 2 to add a modular building to serve as the medication annex.

Community Corrections Partnership Phase 1 and 2 Funded Programs

- Regional Apprehension Task Force - Created a task force to apprehend absconders and to conduct targeted specialty operations. During the past fiscal year, 18 task force operations occurred. Results include: 48 arrests for new law violations; 22 arrests on wants and warrants; 3 U.S. Immigration holds; 38 flash incarcerations or probation violations; and 5 parole holds.

Community Corrections Partnership Phase 1 and 2 Funded Programs

- Second Chances California – Pilot vocational and psycho-educational program. This program experienced a late start up and began operating in December 2012. Probation staff referred 22 offenders to the program. Of those the majority are still receiving services, several have graduated, one was re-arrested and two failed to attend.

2013-2014 Available AB 109 Funding

Realignment Programs	\$14,509,023
Planning/Training Funding (one-time)	150,000
FY 2012-2013 Anticipated Carry-Over	\$4,400,000
FY 2012-2013 Growth Allocation	TBD
Total 2011-2012 Allocation	\$19,059,023

District Attorney/Public Defender Account

Fiscal Year 2011-2012	Fiscal Year 2012-2013	Fiscal Year 2013-2014
\$215,456	\$242,608	\$284,151

Phase 3 Recommended Distribution of Funds

Sheriff's Department	\$7,954,600
Probation Department	\$4,102,775
BHRS	\$1,870,442
CSA	\$132,000
CEO - Jail Medical	\$500,000
District Attorney	\$367,000
Public Defender	\$200,000
Indigent Defense Fund	\$90,000
Regional Apprehension Team	\$100,000
Second Chances California	\$87,750
Nirvana Drug & Alcohol Treatment	\$45,000
El Concilio	\$150,000
AB 900 Staffing & Programs	\$3,000,000
CCP Planning	\$150,000
Total Phase 3 Budget	\$18,749,567

Phase 3 Recommended Budget

Total Available CCP Funding FY 2013-2014	\$19,059,023
Total Recommended Uses	\$18,749,567
Anticipated Reserve/Contingency	\$309,456

Phase 3 Recommended Programs

- Sheriff's Department (\$7,954,600):
 - **Volunteer Services Director**– Funding is recommended to add this position to facilitate all inmate programs; including re-entry, alternatives to incarceration; evidence-based, faith-based, community-based and religious program services for adult facilities and linkage to the DRC. Costs for this position is \$75,600

Phase 3 Recommended Programs

- Probation Department (\$4,102,775):
 - **Deputy Probation Officers**– Funding is recommended for five probation officer positions that are supervising PC 1170(h) cases. These officers were previously funded by SB 678 to supervise felony probationers. Due to the increased number of AB 109 offenders, these officers are no longer supervising felony probationers.

Phase 3 Recommended Programs

- Probation Department (Continued):
 - **Computer Aided Dispatch (CAD) and Stanislaus Regional 911 Dispatch Services** – To ensure officer safety while conducting field activities, the Probation Department has a need to fully utilize dispatch services.
 - **Statistical Package for the Social Sciences (SPSS)** – Predictive analytics software to assist the Crime Analyst in trending and making predictions.

Phase 3 Recommended Programs

- Behavioral Health & Recovery Services (\$1,870,442):
 - **Software Developer/Analyst** – Funding is recommended for this position to enable BHRS to fully develop performance measures for mental health and substance abuse programs. This position will also assist other county departments and the Crime Analyst with data collection programming.

Phase 3 Recommended Programs

- Community Services Agency (\$132,000)
- Chief Executive Office – Jail Medical Contract (\$500,000)
- Second Chance California (\$75,750)
- Regional Apprehension Team (\$100,000)
- CCP Planning (One-time Funding \$150,000)

Phase 3 Recommended Programs

- District Attorney (\$367,000):
 - **Deputy District Attorney and Support Staffing**– Funding is recommended for one attorney and two clerical support staff to mitigate the impacts of realignment on the department.
 - **Victim Advocate (Interviewer)** – Funding is recommended for this staff position to ensure victim notifications are completed in a timely manner

Phase 3 Recommended Programs

- Public Defender (\$290,000):
 - **Deputy Public Defender and Support Staffing** – Funding is recommended for one attorney and one clerical support staff to mitigate the impacts of realignment on the department.
 - **Indigent Defense Fund** – \$90,000 in funding is recommended to mitigate realignment impacts on the IDF for those AB 109 cases where the Public Defender has a legal conflict of interest

Phase 3 Recommended Programs

- Nirvana Drug and Alcohol Treatment Institute (Up to \$45,000):
 - Funding is recommended to provide residential drug and alcohol treatment services for up to 30 AB 109 offenders.

Phase 3 Recommended Programs

- El Concilio (\$150,000):
 - Funding is recommended for a pilot Re-entry Program that will provide intensive wrap around case management services to AB 109 offenders.

Phase 3 Recommended Programs

- AB 900 Phase II Public Safety Expansion (\$3,000,000):
 - Funding is recommended to be set aside for operational and programming costs related to the expansion of the Public Safety Center in 2016-2017. The additional 456-bed inmate custodial and medical/mental health bed expansion will address growth impacts of realignment and public safety needs. The facility will require an additional 72 sworn positions estimated to cost \$10 million annually.

Phase 3 Staffing

16 Additional Positions are recommended for funding with Year 3 CCP Funds and 2 additional positions are requested for funding using the District Attorney/Public Defender Account. Nine of these positions will require changes to the Salary and Position Allocation Report.

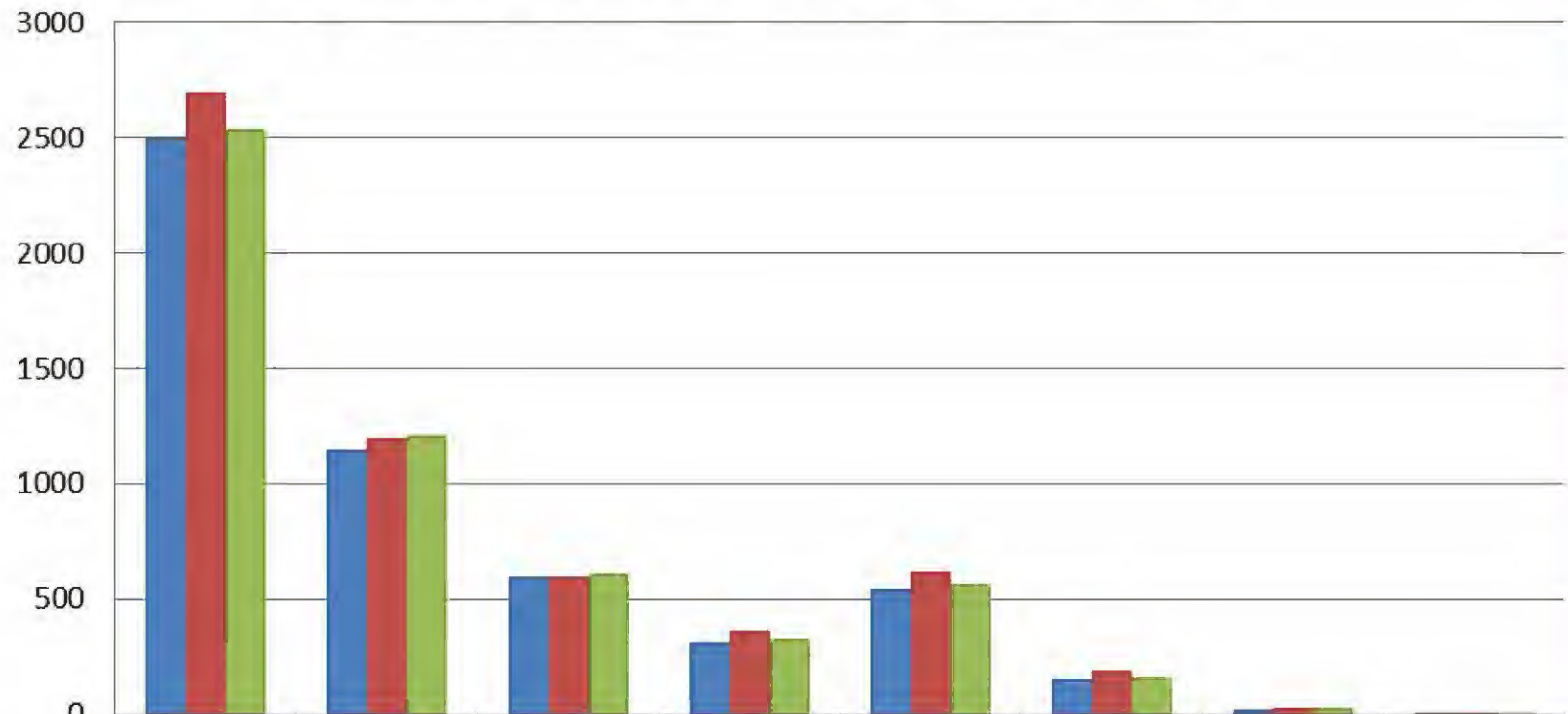
Classification	Number of Positions
Software Developer/Analyst III	1
Attorney I-V – (District Attorney)	2*
Legal Clerk IV – (District Attorney)	2
Interviewer	1
Emergency Dispatcher	3
Total New And Restored Positions	9

** 1 Attorney I-V will be funded through the District Attorney/Public Defender Account*

Future Issues

- Distribution formula for AB 109 Base & Growth Allocations
- AB 900 – On-going Cost Exposures
- 3-Judge Panel Decision
- Population projections versus actual numbers and other impacts to Stanislaus County

1st Quarter Comparisons - Part 1 Crimes



	Larceny Theft	Burglary	Simple Assault	Aggravated Assault	Auto Theft	Robbery	Rape	Homicide
■ Jan-Mar '11	2498	1146	598	315	543	154	25	7
■ Jan-Mar '12	2696	1197	596	359	619	187	30	11
■ Jan-Mar '13	2540	1214	612	327	565	161	29	9

Next Steps

- The CCP will continue to meet throughout the year to review population numbers, service and treatment needs, staffing levels and outcomes of enhanced/expanded programs in order to develop a recommended plan for the subsequent year.
- Each year's plan will be submitted to the Board of Supervisors for approval upon its completion

Recommendations

1. Approve the Community Corrections Partnership Plan for Phase 3 of the 2011 Public Safety Realignment
2. Authorize the Chief Probation Officer to sign all necessary documents related to the 2011 Public Safety Realignment, including all contracts
3. Authorize the Chief Probation Officer and the Sheriff to sign all contracts related to the Community Corrections Plan for Fiscal Year 2013-2014

Recommendations

4. Amend the Salary and Position Allocation Resolution to reflect the recommended changes outlined in the Staffing Impacts section, effective the first pay period following the Board of Supervisor's approval.

Questions?