

Colusa County 2011 Parole Realignment Implementation Plan

In an effort to address overcrowding in California's prisons and assist in alleviating the state's financial crisis, the Public Safety Realignment Act (Assembly Bill 109) was signed into law on April 4, 2011. AB109 transfers responsibility for supervising specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation to counties. Implementation of the Public Safety Realignment Act is scheduled for October 1, 2011.

Due to limited funding to accomplish the task of realignment it is proposed the approach taken be one to cause minimum impact upon the jail thus allowing for more emphasis to be placed on rehabilitation. By acting as if the jail has an imposed cap of sixty (60) there will be a minimal impact upon the jail staff and associated costs. By expanding the pre-sentence release program, establish appropriate evidence based interventions, sanctions and rewards, coupled with close supervision, it is anticipated this can be accomplished. The proposal below is the frame upon which the above will be built.

Electronic Monitoring Program in lieu of Bail. The Sheriff is authorized to offer an electronic monitoring program, as specified in Section 1203.018 of the California Penal Code, to inmates being held in lieu of bail in the County Jail or other County correctional facility.

Home Detention and Electronic Monitoring Program. The Chief Probation Officer is authorized to offer an electronic monitoring and/or home detention program to individuals who are granted probation or are under postrelease community supervision as a sanction for violating supervision conditions, as specified in Sections 3453 and 3454 of the California Penal Code.

It is recommended the Sheriff's Department utilize the Probation Department's established Electronic Monitoring Program (EMP), which includes GPS/SCRAM (alcohol monitoring) and EMP options as part of the pre-sentence release program.

Target Population: The postrelease community supervision population, released from prison to community supervision, is the responsibility of local probation departments and is inclusive of non-violent, non-serious, non-sex offenders with a prior PC 667.5(c), PC 1192.7(c) or registerable offenses pursuant to Penal Code section 290.

1) The population that will serve their prison sentences locally includes the non-violent, non-serious, non-sex offender group.

Key elements of AB109 include:

- Redefining Felonies: Revises the definition of a felony to include certain crimes that are punishable in jail for 16 months, 2 years, or 3 years. Some offenses, including serious, violent, and sex offenses, are excluded and sentences will continue to be served in state prison.
- Local Postrelease Community Supervision: Offenders released from state prison on or after October 1, 2011 after serving a sentence for an eligible offense shall be subject to, for a period not to exceed 3 years, postrelease community supervision provided by a county agency designated by that county's Board of Supervisors.
- Revocations Heard & Served Locally: Postrelease community supervision and parole revocations will be served in local jails (by law the maximum revocation sentence is up to 180 days), with the exception of paroled 'lifers' who have a revocation term of greater than 30 days.

The Courts will hear revocations of postrelease community supervision while the Board of Parole Hearings will conduct parole violation hearings in jail.

- Changes to Custody Credits: Jail inmates will be able to earn four days of credit for every two days served. Time spent on home detention (i.e., electronic monitoring) is credited as time spent in jail custody.
- Alternative Custody: Penal Code Section 1203.018 authorizes electronic monitoring for inmates being held in the county jail in lieu of bail. Eligible inmates must first be held in custody for 60 days post-arraignment, or 30 days for those charged with misdemeanor offenses.
- Community-Based Punishment: Authorizes counties to use a range of community-based punishment and intermediate sanctions other than jail incarceration alone or traditional routine probation supervision.

AB109 changes how credits for good time and work time are calculated from one day of good time and one day of work time for every six days served in jail to one day of good time and one day of work time for every four days served in jail. This means that inmates will be required to serve 50% of their sentence in custody, minus any credits for time served prior to their sentence as determined by the Court, instead of two-thirds of their sentence, which is the current law. This change will help mitigate, to some degree, the impact of longer sentences being served in the county jails. Further, all postrelease community supervision revocations and almost all parole revocations will be served locally. AB109 encourages the use of flash incarceration up to 10 days in county jail for postrelease community supervisees who violate their community supervision terms.

Further analysis is necessary once AB109 is implemented to accurately determine the impact on jail beds, alternative incarceration programs and court security/inmate transportation. Expansion of in-custody programming will be necessary to maintain safety and offer productive use of free time while incarcerated. Enhancements to jail programming such as substance abuse services, restorative justice programs, veteran services, and the high school and GED education programs are considered necessary. AB109 offenders will be assigned to programming based on meeting eligibility criteria and availability. Colusa County Probation will work with the courts and CDCR parole personnel to provide programs and services to inmates serving time in jail for a parole revocation to the extent possible within funding constraints.

Program Goals:

1. Establish Risk/Needs.

Principles of *best practice* in corrections are contingent on obtaining timely, relevant measures of offender risk and need at the individual and aggregate levels. Offender assessments are most reliable and valid when staff are formally trained to administer tools. Screening and assessment tools that focus on dynamic and static risk factors, profile criminogenic needs, and have been validated on similar populations are preferred.

Offender assessment is as much an ongoing function as it is a formal event. Case information that is gathered informally through routine interactions and observations with offenders is just as important as formal assessment guided by instruments. Formal and informal offender assessments should reinforce one another. They should combine to enhance formal reassessments, case decisions, and working relations between practitioners and offenders throughout the jurisdiction of supervision.

Task:

The Department will develop written procedures for assessing offenders addressing risk/need and assigning to caseloads by risk to reoffend.

Using the Department's validated risk/needs assessment tools, STRONG/ONG, Department staff will assess all sentenced offenders within two weeks of sentencing to the county jail.

Completed assessments will be staffed with the assigned supervising officer and their supervisor within in one week of completion and a case plan will be developed to address the offender's three highest risks and needs.

Offenders will be assigned to a caseload based on risk to offend. Overrides must be staffed and approved with a supervisor.

2. Enhance Intrinsic Motivation.

Staff should relate to offenders in interpersonally sensitive and constructive ways to enhance intrinsic motivation in offenders. Behavioral change is quite often an inside job, for lasting change to occur, there needs to be a level of intrinsic motivation. Motivation to change is dynamic and the probability that change may occur is strongly influenced by interpersonal interactions, such as those with probation officers, treatment providers, and institution staff. Feelings of ambivalence that usually accompany change can be explored through motivational interviewing, which is a style and method of communication used to help people overcome their ambivalence regarding behavior changes. Research strongly suggests that motivational interviewing techniques, rather than persuasion tactics, more effectively enhance motivation for initiating and maintaining behavior changes.

Task:

All Department staff will be trained in Motivational Interviewing (MI) and attend annual, at a minimum, refresher classes.

Probation supervisors will incorporate staff's ability to effectively utilize MI skills into annual reviews.

Department staff will utilize MI, if at all possible, at every contact with offenders to provide appropriate feedback to the offender and obtain desired behavioral change.

3. Target Interventions.

A. RISK PRINCIPLE:

The Department will prioritize supervision and treatment resources for higher risk offenders. By placing a higher focus on the higher risk offender the Department will better utilize resources to promote public safety. Higher risk offenders have a greater need for pro-social skills and thinking and are more apt to demonstrate significant improvements through related interventions. Higher risk offenders are more likely to be frequent offenders than those who are of lower risk and focusing treatment resources that

are focused on lower-risk offenders tend to produce little if any net positive effect on recidivism rates.

High-risk offenders generally present multiple criminogenic areas needing to be addressed at significant levels. Successfully addressing this population's issues requires placing these types of offenders on smaller caseloads, applying well developed case plans, and placing offenders into sufficiently intense cognitive-behavioral interventions that target their specific criminogenic needs.

Task:

Hire a Probation Officer (PO) to supervise the High Risk Caseload. The High Risk Caseload supervision will include frequent contact and swift and certain responses to positive or negative behavior.

Establish caseload and identify offenders to be included within each identified caseload, high risk, medium, low, bank, GPS/SCRAM.

High risk caseloads will not have more than 50 probationers. Specialized caseloads, ie: GPS/SCRAM, will have no more than 15 per caseload.

B. NEED PRINCIPLE:

Target interventions to criminogenic needs. Based on an assessment of the offender, these criminogenic needs will be prioritized so that services are focused on the greatest criminogenic needs.

Address offender's greatest criminogenic needs. Criminogenic needs are dynamic risk factors that, when addressed or changed, affect the offender's risk for recidivism. Examples of criminogenic needs are: criminal personality; anti-social attitudes, values, and beliefs; low self control; criminal peers; substance abuse; and dysfunctional families.

Task:

Hire a Department Counselor to facilitate and coordinate intervention programs for offenders. ie: Anger Replacement Therapy, Cognitive Behavioral Change, Thinking for a Change, Alcohol and Drug, Mental Health, Western Corrections.

Establish a list of all available programs for offender use within the County.

Communicate all interventions with the supervising Probation Officer and Probation Aide as well as all other partnering agencies.

C. RESPONSIVITY PRINCIPLE:

Responsivity requires considering individual characteristics when matching offenders to services. These characteristics include, but are not limited to: culture, gender, motivational stages, developmental stages, and learning styles. These factors influence an offender's responsiveness to different types of treatment. The principle of responsivity also requires that offenders are provided with treatment that is proven effective with the offender population. Certain treatment strategies, such as cognitive-behavioral methodologies, have consistently produced reductions in recidivism with offenders under rigorous research conditions.

Task:

The Department will establish a matrix which will allow officers to easily accomplish the following:

- a) Match treatment type to offender;
- b) Match treatment provider to offender; and
- c) Match style and methods of communication with offender's stage of change readiness

Define program needs within the County and bring to CCP for discussion.

D. DOSAGE:

Structure 40-70% of high-risk offenders' time for 3-9 months. During this initial phase, higher risk offenders' free time should be clearly occupied with a detailed routine and appropriate services, (ie: outpatient treatment, employment assistance, education, etc.) Providing appropriate doses of services, pro-social structure, and supervision is a strategic application of resources. Higher risk offenders require significantly more initial structure and services than lower risk offenders.

Certain offender subpopulations (e.g., severely mentally ill, chronic dual diagnosed, etc.) commonly require strategic, extensive, and extended services. However, too often individual within these subpopulations are neither explicitly identified nor provided a coordinated package of supervision/services. The evidence indicates that incomplete or uncoordinated approaches can have negative effects, often wasting resources.

Task:

Hire a Probation Aide (PA) to monitor high risk offender's daily activities and adherence to their caseplans.

Develop a "Day Reporting" program within the structure of the Probation Department and coordinate offender activities utilizing the Probation Aide as primary monitor.

Communicate, at a minimum weekly, if necessary daily, between the PA, supervising probation officers and other involved staff regarding offender progress or obstacles.

Develop a MOU or other agreement between Behavioral Health and the Department to detail how mentally ill offenders will be treated within the structure of community supervision.

Goal: If not employed the offender is to have 40-70% of their time accounted for in daily program related tasks.

E. TREATMENT PRINCIPLE:

Integrate treatment into sentence/sanction requirements through assertive case management by taking a proactive and strategic approach to supervision and case planning. Treatment, particularly cognitive-behavioral types, should be applied as an integral part of the sentence/sanction process. Delivering targeted and timely treatment interventions will provide the greatest long-term benefit to the community, the victim, and the offender. This does not necessarily apply to lower risk offenders, who should be diverted from the criminal justice and corrections systems whenever possible.

Task:

Establish which staff will train the different groups of targeted offenders.

Develop schedule and location for each group incorporating the four principles below:

- *Risk Principle:* Prioritize supervision and treatment resources for higher risk offenders.

- *Need Principle:* Target interventions to criminogenic need.

- *Responsivity Principle:* Be responsive to temperament, learning style, motivation, culture, and gender when assigning programs.

- *Dosage:* Structure 40-70% of high-risk offenders' time for 3-9 months.

4. Skill Train with Directed Practice

Provide evidence-based programming that emphasizes cognitive-behavioral strategies and is delivered by well trained staff. To successfully deliver this treatment to offenders, staff must understand antisocial thinking, social learning, and appropriate communication techniques. Skills are not just taught to the offender, but are practiced or role-played and the resulting pro-social attitudes and behaviors are positively reinforced by staff.

Task:

Continue training staff in evidence based programs and applications.

Develop relations with local college and implement intern program to assist with program facilitation, utilizing one to two social work masters candidates to facilitate groups

supervised by appropriately licensed Behavioral Health staff. Thus allowing for expansion of cognitive behavior facilitated programs offered to identified probationers.

Develop schedule for the following groups and applications:

Facilitated Groups

Cognitive Behavior

Thinking for a Change

Anger Replacement Therapy

Western Corrections Journaling Tool

5. Increase Positive Reinforcement.

Research indicates applying a much higher ratio of positive reinforcements to negative reinforcements will achieve sustained behavioral change. A ratio of *four positive to every one negative* reinforcement is optimal for promoting behavior changes. These rewards do not have to be applied consistently to be effective (as negative reinforcement does) but can be applied randomly.

Offenders having problems with responsible self-regulation generally respond positively to reasonable and reliable additional structure and boundaries. With exposure to clear rules that are consistently (and swiftly) enforced with appropriate and graduated consequences, offenders and people in general, will tend to comply in the direction of the most rewards and least punishments. This type of extrinsic motivation can often be useful for beginning the process of behavior change.

Tasks:

Develop Department Response Grid

Sanctions/Positive Reinforcement –
Appropriate to level of Risk/Need
Appropriate to level of violation/success

Develop list of rewards for positive reinforcement for offenders through partners and other community resources.

6. Engage Ongoing Support in Natural Communities.

Realign and actively engage in pro-social support for offenders in their communities. Research indicates many successful interventions actively recruit and use family members, spouses, and supportive others in the offender's immediate environment to

positively reinforce desired new behaviors. This Community Reinforcement Approach (CRA) has been found effective for a variety of behaviors.

Research indicates the efficacy of twelve step programs, religious activities, and restorative justice initiatives that are geared towards improving bonds and ties to pro-social community members.

Task:

Probation Officer and Probation Aide to meet with the offenders immediate family within two weeks of completion of a caseplan and establish areas for support of pro-social behaviors.

Establish a list of:

AA/NA meetings

Faith based organizations willing to partner with the Department and the offender to provide positive community options.

7. Measure Relevant Processes/Practices.

Accurate and detailed documentation of case information, along with a formal and valid mechanism for measuring outcomes, is the foundation of evidence-based practice. Agencies must routinely assess offender change in cognitive and skill development, and evaluate offender recidivism, if services are to remain effective. In addition to routinely measuring and documenting offender change, staff performance should also be regularly assessed. Staff that are periodically evaluated for performance achieve greater fidelity to program design, service delivery principles, and outcomes. Staff whose performance is not consistently monitored, measured, and subsequently reinforced work less cohesively, more frequently at cross-purposes and provide less support to the agency mission.

Task:

Reevaluate offenders with STRONG at 6 months or with new law and subsequent sentencing for Risk/Need.

Develop data collection criteria to measure effectiveness of program and success of offenders.

Department to continue researching a new Case Management System (CMS) program with implementation by June 2012.

Develop a MOU for exchange of relevant N,N,N and PCRS information with local law enforcement agencies.

Evaluate staff effectiveness and focus.

8. Provide Measurement Feedback.

Once a method for measuring relevant processes/practices is identified, the information must be used to monitor process and change. Providing feedback to offenders regarding their progress builds accountability and is associated with enhanced motivation for change, lower treatment attrition, and improved outcomes. The same is true within an organization, monitoring delivery of services and fidelity to procedures helps build accountability and maintain integrity to the agency's mission.

Task:

Hire Legal Secretary to provide support to PO, PA and counselor, process data and maintain reporting information.

Perform regular audits and case reviews with an eye toward improved outcomes for offenders

Keep staff focused on the ultimate goal of reduced recidivism through the use of evidence-based principles and provide review and feedback on their efforts.

Draft

2011 109 Implementation Budget

	12 month Allocation	10 month Allocation
2011/2011 Allocation	\$278,472.00	\$214,391.00

Probation Department

New Hires: Salary & Benefits (S/B)	12 months	10 Month October 1, 2011
Probation Officer I/II	\$57,000.00	\$47,500.00
Probation Aide	\$38,000.00	\$31,670.00
Counselor I/II	\$45,000.00	\$37,670.00
Office Assistant (.5 FTE)	\$29,000.00	\$24,166.00
Administrative costs		
Probation Department		
(Full year S/B)	\$169,000.00	
(Ten month S/B)		\$140,836.00

Sheriff Department

	12 months	10 Months
--	-----------	-----------

Housing Costs	\$32,000.00	\$26,000.00
---------------	-------------	-------------

Rewards

Positive Reinforcement	\$5,000.00	\$5,000.00
------------------------	------------	------------

Program Fees

APL Alcohol and Drug Programming In Custody (One session per week)	\$7,800.00	\$6,500.00
--	------------	------------

GPS (Three offenders/week/\$6.91 ea.)	\$7,566.00	\$6,305.00
---------------------------------------	------------	------------

Supervision of Interns by Behavioral Health Staff	\$20,000.00	\$16,666.00
--	-------------	-------------

Total 12 months - 10 Months	\$241,366.00	\$201,307.00
-----------------------------	--------------	--------------

Reserves	\$37,106.00	\$13,084.00
----------	-------------	-------------

Draft

2011 Start Up Budget

Total Available \$15,000.00

Computers	4 @ \$900.00 ea	\$3,600.00	
Cost associated with hiring PO/PA/Counselor			
Advertising		\$2,600.00	
	(Actual for PO/\$1,267.00)		
PO CORE meals (5 weeks)		\$1,250.00	
832 PO/PA meals		\$500.00	
Psychological		\$500.00	
Radio		\$1,200.00	
Misc Equipment (PO/PA)		\$1,000.00	
			\$10,650.00
Work Stations (Cubicles) 4 @ 800.00 ea		\$2,400.00	
			\$13,050.00

Check Numbers

2011 109 Implementation Budget

October 1, 2011 through June 30, 2012

	12 Month Allocation	9 Month Allocation
2011/2012 Allocation	\$278,472.00	\$214,391.00
Probation Department		
Probation Officer	\$57,000.00	\$42,750.00
Probation Aide	\$38,000.00	\$28,500.00
Counselor I/II	\$45,000.00	\$33,750.00
Legal Sec.	\$56,582.00	\$35,000.00
Administrative Costs	0	\$3,000.00
Sheriff Department		
	\$32,000.00	\$26,000.00 *
Rewards		
Positive Reinforcement	\$5,000.00	\$3,750.00
Programs		
APL In Custody Programing (One session/week)	\$7,800.00	\$6,500.00
GPS (Three Offenders/week/\$6.91 ea)	\$7,566.00	\$5,850.00
Supervision of Interns by Behavioral Health Staff	\$18,934.00 **	\$15,000.00
Western Corrections	\$990.00	\$750.00
Case Management System (Approx. \$800.00/month)	\$9,600.00	\$8,000.00
Total	\$278,472.00	\$208,850.00
Reserves	\$0.00	\$5,541.00

* As there will be additional savings due to the time it will take to implement many of the above processes, it is recommended the reserves of \$5,541.00 be added into the Sheriff's budget line and that Departments total allocation for 2011/2012 be increased to \$31,541.00.

** In order to bring forward a balanced budget this line item was reduced from an actual projected cost of \$20,000.00 to \$18,934.00

2011 Start Up Budget

Total Available \$15,000.00

Computers 4 @ \$900.00 ea	\$3,600.00
Costs Associated with hiring a PO/PA/Counselor	
Advertising	
(Actual for PO/\$1,267.00)	\$1,600.00
PO CORE (Registration/Meals)	\$1,200.00
832 PO/PA (Registration/Meals)	\$500.00
PO Psychological	\$500.00
Radio	\$1,200.00
Misc Equipment (PO/PA)	\$1,000.00
Work Stations 4 @ \$800.00 ea	\$2,400.00
CMS Set-up	\$1,000.00
CMS Training	\$2,000.00
Total	\$15,000.00