



PUBLIC SAFETY REALIGNMENT PLAN

COMMUNITY CORRECTIONS PARTNERSHIP

OCTOBER 2011

“Realigning the...supervision of certain felons...to local community corrections programs, which are strengthened through community-based punishment, evidence-based practices, and improved supervision strategies, will improve public safety outcomes among adult felons...and will facilitate their successful reintegration back into society.”

AB 109, Title 2.05, Section 3450 (b) (4) and (5)

COMMUNITY CORRECTIONS PARTNERSHIP

Chief Probation Officer Michael Daly, Chair

Sheriff - Coroner Robert Doyle

District Attorney Edward Berberian

Public Defender Jose Varela

Superior Court Judge Andrew Sweet

Police Chief Joseph Kreins, City of Novato

Director of Health & Human Services Larry Meredith

GUIDING PRINCIPLES OF MARIN COUNTY'S PUBLIC SAFETY REALIGNMENT PLAN

Emphasize and ensure public safety

Utilize evidence-based practices

Assist in behavior change

Be collaborative

Be data - driven

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I. INTRODUCTION

The 2011 Public Safety Realignment, which transfers responsibility for a large segment of the criminal justice population from the State to local jurisdictions, is arguably the most significant change to corrections in California since the implementation of the Determinate Sentencing Law (DSL) in 1977.¹ By fundamentally altering sentencing laws, expanding local responsibility for custody, and requiring the use of evidence-based correctional practices, the 2011 Realignment reverses more than 30 years of increasing reliance on incarceration in state prison.

Three primary factors have driven passage of this legislation:

- Budgetary

California's fiscal crisis has contributed to the need to reduce State costs. Corrections represents a little more than 9% of the State budget, and the State expects to experience some relief from its deficit by reducing the numbers of inmates housed in State prisons.

- Judicial

The *Coleman Plata* lawsuit, filed in 2001, alleged significant deficiencies in the State's ability to provide adequate medical care to prison inmates. In 2009, a panel of federal court judges ordered California to reduce its prison population from 156,000 to 110,000, or 137.5% of the system's design capacity, within two years. In May 2011, that decision was upheld by the United States Supreme Court.² AB 109, or Public Safety Realignment is, in part, a response to these federal court orders to reduce the population of prison inmates.

- Outcomes

According to a comprehensive report on corrections in California, noted criminologist Dr. Joan Petersilia wrote:

"The state's approach to corrections is enormously expensive and ineffective. Although California spent more than \$7 billion on its correction system in 2005, it produced one of the highest return-to-prison rates in the nation – 66% of released inmates return to California prisons within three years. The State's correctional system is in great need for reform in order to produce better outcomes from the significant amount of public dollars spent."³

¹ Chapter 1139, Statutes of 1976

² *Brown v. Plata*, No. 09-1233

³ "Understanding California Corrections," 2006, California Policy Research Center, University of California

Realignment's transfer of responsibility for a large segment of the criminal justice population is a change of such monumental proportions that it will require extensive, long term planning; however, the period of time between passage of the legislation and its October 1, 2011 implementation is woefully inadequate to complete that planning. For that reason, and because parts of the law are still being amended, the Community Corrections Partnership (CCP) is presenting a phased plan, recommending those elements to be enacted immediately and those that may be incorporated after a more thorough planning process has been completed, data and initial outcomes have been analyzed, and assurances of sufficient ongoing funding have been received.

Guiding Principles of the Marin County Public Safety Realignment Plan

Preparing for the start-up of Public Safety Realignment in Marin County has been a collaborative process, involving a large number of public sector and community-based personnel⁴ who have brought their expertise and energy to crafting a viable plan for implementation, as required by the realignment legislation. The process has been guided by the operating principles listed at the beginning of this document.

II. OVERVIEW OF REALIGNMENT

Before discussing the recommendations of the Community Corrections Partnership, this document will review important elements of the legislation.

Summary of Realignment Legislation

The basic realignment elements are embodied in Assembly Bill (AB) 109, signed by Governor Brown on April 5, 2011.⁵ Technical and substantive amendments and funding issues are found in AB 117 and 118, signed June 30, and AB 116 signed July 27, 2011.⁶ Further "clean-up" legislation continues to be passed as implementation indicates the need for clarifications. Together, these measures redefine many felonies, make certain crimes punishable by sentences to jail for more than one year, expand alternative custody for offenders under local jurisdiction, make changes to custody credits and eliminate state prison as a sentencing option for specified offenses.

The legislation does not intend for prison sentences to be simply replaced by jail sentences. Rather, it requires the use of evidence-based correctional sanctions and interventions to reduce the high rate of incarceration in California. It thereby directs a significant swing from emphasis on institutional corrections towards local, community-based strategies and interventions.

⁴ See pages 16-17 for a list of participants in the planning process

⁵ Chapter 15, Statutes of 2011

⁶ AB 117 is Chapter 39, AB 118 is Chapter 40 and AB 116 is Chapter 136 of the Statutes of 2011

The legislation's provisions, all of which apply prospectively to offenders sentenced or released to supervision on or after October 1, 2011, include the following:

- Realigns custodial and community supervision responsibility for specified non-serious, non-violent, and non-sex offenders to counties
- Realigns the supervision of some adult parolees returning from state prisons to counties
- Requires custody in county jails for specified parole violators
- Provides funding for local level corrections planning and programming
- Requires each county's Board of Supervisors to designate the county entity to be responsible for post-release supervision
- Requires creation of an Executive Committee of the Community Corrections Partnership (CCP) mandated by Penal Code Section 1230(b)
- Determines the membership of the Executive Committee
- Requires the Executive Committee to recommend a local plan to the Board of Supervisors for implementation of 2011 Public Safety Realignment

AB 109 realigns three major groups of offenders to counties: those on Post Release Community Supervision (PRCS) who formerly would have been on state parole; the Non-Non-Nons, or 3-Nons, who are those convicted of non-serious (1192.7(c) PC), non-violent (667.5(c) PC) and non-registerable (PC 290) sex offenses with no serious, violent, or registerable sex offense priors and who are sentenced locally; and State Parole Violators who must serve their revocation time in county jail rather than prison. The following table describes these three populations and the sanctions required for each. Please note that the estimated number of each is based on projections provided by the California Department of Corrections and Rehabilitation (CDCR) and are subject to change as realignment goes forward.

THREE POPULATIONS OF REALIGNED OFFENDERS		
Offender Type	Options for Management	Estimated Number in Marin County Per Year
POST RELEASE COMMUNITY SUPERVISION (PRCS)	Supervised by Probation in community for up to three years	53
	Can be discharged after 180 days	
	If no violations, shall be discharged after one year	
	Subject to flash incarceration of up to 10 days	
	Subject to revocation	
	If revoked, can be ordered to serve up to 180 days in jail (90 days with credit)	
3-NONS	Sentencing option 1: felony probation with or without jail	40
	Sentencing option 2: jail (recorded as a prison sentence); no supervision upon release	
	Sentencing option 3: 'split' or 'hybrid' sentence of jail and community supervision	
STATE PAROLE VIOLATORS	Revocation of State parole served in county jail	62
	Revocation custody capped at 180 days (90 days with credit)	
	Return to state jurisdiction after jail	

Community Corrections Partnership

Per the legislation, the CCP Executive Committee is to be comprised of the Chief Probation Officer as chair, the Sheriff, the District Attorney, the Public Defender, the Presiding Judge, a Chief of Police, and a seventh member designated by the Board of Supervisors from among specified county agencies. The Marin County Board of Supervisors selected the Director of the County's Health and Human Services (H&HS) to serve in that capacity.

The executive members of the Marin County CCP are listed on page *ii* of this document.

In its first meeting on July 26, 2011, the CCP established four working committees – the Probation Committee, Jail Committee, Court Committee and Treatment Committee – to identify key issues and begin suggesting ways to address them in the County’s Realignment Plan. The group also agreed on the guiding principles mentioned above. The four established committees met with staff from the partner agencies to discuss the particular elements of the law germane to their assignment. At the September 7, 2011 meeting, the CCP accepted progress reports from these four committees and charged each of them to summarize their findings and recommendations, as appropriate, for inclusion in the Realignment Plan. At a meeting held September 28, 2011, the CCP adopted this Marin County Public Safety Realignment Plan for recommendation to the Board of Supervisors.

In order to maintain the Plan’s viability as well as its flexibility, the CCP will continue developing the longer range elements and details of realignment, while monitoring the implementation and effectiveness of the Plan’s immediate, initial components. The CCP will convene quarterly, or as needed, to review data and consider the characteristics of the realigned population including their criminogenic needs and services that may be needed to address them. If the CCP determines that additional services are required, it will recommend and fund those services. This is consistent with the guiding principles of being data driven, being collaborative and delivering programs and services that support behavior change.

Realignment Funding

For the first nine months of realignment (the October 1, 2011 start date means the first year is not a full fiscal year), Marin County is due to receive a total of \$1,592,952, distributed as indicated in the table below:

PURPOSE	ALLOCATION AMOUNT
Program Costs	\$1,304,178
District Attorney and Public Defender Costs	\$46,749
Training and Development of Local Plan	\$150,000
Start-up Support	\$92,025
TOTAL	\$1,592,952

The Realignment Plan recommends that these first-year funds be used to address the immediate infrastructure needs related to public safety and the appropriate management of offenders being realigned to Marin County. Distribution of these funds is further discussed later in this document.

III. IMPACT OF REALIGNMENT IN MARIN COUNTY

Impact on Public Safety

The first principle guiding Marin County's approach to realignment is to emphasize and ensure public safety. Every aspect of the planning process, and of the County's Realignment Plan, is centered on protecting the public. Marin's Plan addresses public safety by incorporating both a coordinated and vigilant supervision presence and targeted evidence-based programs and services that support behavior change to reduce recidivism.

Strategies for Addressing the Public Safety Impact

- Marin has the lowest incarceration rate in California⁷ and thus will have fewer people returned from prison than will many other counties, including most of its Bay Area neighbors
- In Marin, as elsewhere, those being realigned will arrive over time, not all at once
- The Marin County Probation Department has considerable experience with and staff trained to provide evidence-based correctional practices (EBP)
- The County Department of Health and Human Services also is well versed in evidence-based treatments and services
- The Sheriff's Office has comprehensive classification processes in place to facilitate the housing and management of offenders in custody
- The Sheriff's Office has a 30+ year history of providing programs in the jail
- Marin County has three proven effective specialty courts, an Adult Drug Court, a Family Violence Court and the STAR Court which works with mentally ill offenders
- The County has proven mechanisms in place to provide alternatives to custody for appropriate pre-adjudicated and sentenced offenders
- The Marin County Jail provides re-entry information to inmates in preparation for their release from custody

Impact on the Court

The Criminal Court expects two impacts to its workload:

1. An increased number of proceedings related to revocations for violation of the terms of PRCS offenders

⁷ Computed from 2010 CDCR, CSA and State Department of Finance Census data

2. An increase in petitions related to the 3-Non offenders, who, although sentenced to prison, will serve their sentences in the County jail, and possibly a combination of jail and probation under a 'hybrid' sentence

Realignment's impact on the Court will be monitored closely as implementation goes forward. While the number of anticipated releases under PRCS for the first year is not overwhelming, it will rise over time as more offenders come under supervision. It is unclear as to how long these cases will remain under the jurisdiction of the Probation Department; some cases may require short-term (a minimum of 6 months is allowed by law) supervision after their release from prison, while others may require up to 3 years (the maximum allowable under the legislation) of guidance from the Probation Department. This will depend on the risk level presented by the offender and the needs for services. It also remains unknown how much Court involvement will be required for this population, as the ability for the probation officer to utilize flash incarceration per the legislation will considerably reduce the need for court appearances. The Court's workload related to the 3-Non offenders will become clearer when the legislation's practices regarding "hybrid sentencing" are put in place.

The Court's workload will increase after 2013, when a provision of the law is initiated that requires local courts, instead of the State Board of Parole Hearings, to begin conducting state parole revocation hearings. The impact of this provision will have to be considered at that time.

Strategies for Addressing Court Impact

- The Court has directed the Probation Department to make use of flash incarceration in order to reduce the need for court appearances and filing of petitions whenever possible.
- The Court has adopted the Pre-Trial Services program as a manner of releasing defendants awaiting sentencing who can be managed in the community without presenting a threat to public safety.
- The Court, in accordance with the Administrative Office of the Courts, is revising protocols for the new procedures caused by the legislation.
- A portion of the AB 109 funding is dedicated to supporting additional workloads incurred by the Offices of the District Attorney and the Public Defender

Impact on the County Jail

Realignment will impact the jail in four major ways:

1. It is likely to increase the jail's average daily population (ADP) by the addition of 3-Non inmates, revoked PRCS offenders, revoked state parole violators, and realigned offenders subject to flash incarceration. The Realignment Plan seeks to offset these increases by reducing the number of defendants housed in jail prior to

sentencing. Some of this reduction will be accomplished through the Pre-Trial Services program described below which will provide supervision of defendants in the community in lieu of jail.

2. Realignment will demand that additional housing units be dedicated to inmates classified as high risk, and thereby reduce flexibility in classification and housing decisions.
3. It will require long term housing and programming for 3-Non offenders who would formerly have served their sentences in state prison.
4. It will necessitate additional and perhaps different kinds of in-custody and re-entry programming, as well as more mental health treatment capacity, to serve higher risk inmates, parole violators, and those 3-Non offenders who are in custody.

The State Corrections Standards Authority (CSA) reports the Board Rated Capacity (BRC) of the Marin County Jail as 349 beds. In July 2011, the jail's average daily population (ADP) was 296 inmates, distributed as shown in the table below.⁸

GENDER	MALE	FEMALE
	92%	8%
TYPE OF OFFENSE	FELONY	MISDEMEANOR
	86%	14%
CRIMINAL CASE STATUS	NON-SENTENCED	SENTENCED
	82%	18%

Realignment is a paradigm shift requiring the jail to be used primarily for people who represent a threat to public safety. While the majority of the jail population up to the present has been defendants undergoing the criminal court process, realignment will increase the number of people sentenced to a period of incarceration in the jail. While jail sentences have historically been a year or less (with some exceptions), sentences under realignment may be considerably longer than that. The distribution of sentenced and non-sentenced cases shown in the table above is likely to change substantially.

The Sheriff's Department must have capacity to house the 3-Non and State Parole violator populations, PRCS offenders whose community supervision has been revoked, and those brought to jail for flash incarceration, in addition to the local, pre-adjudicated and sentenced offenders who will continue to be placed in jail. The County will be forced

⁸ CSA, Jail Profile Survey, 2010, 2nd Quarter Survey Results, and Marin County Sheriff's Department, Marin County Jail Statistics, July 2011

to carefully consider how to best use its custody capacity so as to maximize this limited resource.

In addition to recently implementing its Pre-Trial Release program in preparation for realignment, the County is considering other alternatives and strategies for managing lower-risk offenders and those ‘frequent flyers’ who continue to take up jail beds for non-dangerous behaviors. The Sheriff’s Office is analyzing inmate data and will work with its Probation, local Police Chiefs, Treatment and Court partners to ensure adequate space and appropriate in-custody services for realigned offenders as well as for those local offenders whose incarceration is necessary to keep Marin County safe.

Strategies for Addressing the Jail Impact

- The Sheriff’s Department will coordinate with local police agencies to encourage police officers to triage low level offenders who do not require incarceration in the County jail.
- The Sheriff’s Department will work with Immigration and Customs Enforcement (ICE) to reduce the number of jail spaces occupied by low risk offenders under ICE holds.
- The Sheriff’s Department will collaborate with the Courts and Probation Department to utilize alternatives to incarceration, including the use of GPS technology, where necessary and appropriate.
- The jail will increase staffing in order to appropriately and safely manage the facility and be able to provide transportation for AB 109 cases.
- AB 109 funding will include a “contingency fund” to deal with unexpected, extraordinary and unique circumstances (such as transportation or expensive medical costs associated with inmates incarcerated under AB 109).
- The Sheriff’s Department will collaborate with partner agencies to increase the availability of treatment programming within the facility, including substance abuse, mental health, cognitive behavioral training, and/or job readiness programs.

Impact on Probation

The Marin County Board of Supervisors has designated the Probation Department to be the primary agency responsible for supervision of realigned offenders. The Probation Department faces three major impacts:

1. Realignment will require an increase in staffing in the Department. The intensive supervision of PRCS cases will require Probation to create two (2) additional High Risk Supervision Deputy Probation Officer positions. Probation will also have to add staff to the Investigations Unit to assess realigned offenders in order to identify each person’s criminogenic needs prior to making a sentencing recommendation. The Level of Service Case Management Inventory (LS/CMI) assessment will be used to determine each offender’s suitability for supervision, incarceration or alternatives to incarceration. Probation will create a specialized position of “Re-

Entry Coordinator” described below and will add positions required to provide administrative support for its AB 109 efforts.

2. Probation officers protecting the public by supervising and working with high risk offenders will require equipment and training to ensure their ongoing safety.
3. Probation will enhance and expand its use of evidence-based programs that focus on identifying and targeting interventions to offenders’ criminogenic needs, as required by realignment. It will also seek to expand its contracts with community based and County agency providers to deliver proven cognitive behavioral services as well as such re-entry services as assistance with housing, education, vocational training, and employment, to name just a few.

The Probation Department is also responsible for the County’s Own Recognizance, Pre-Trial Release and County Parole programs, three of Marin’s major alternatives to incarceration. In these efforts, as well as in its work with offenders under community supervision, Probation will continue to coordinate and collaborate with community and County partners to identify and provide linkage to those programs, services, treatments and interventions that support positive behavior change and thereby reduce reoffending.

Strategies for Addressing the Impact on Probation

- The Probation Department will continue to coordinate and manage alternative to incarceration programs such as the Adult Offender Work Program, County Parole, Own Recognizance and Pre-Trial Services.
- The Probation Department will employ a “Re-Entry Coordinator” to develop case plans for inmates in jail to be considered for release under AB 109, and to coordinate services for them while they are in custody.
- The supervision of AB 109 cases will occur both through direct, intensive supervision and through coordinated law enforcement activities such as the Coordination of Probation and Parole (COPE) Task Force.
- The Probation Department will utilize evidence-based practices, such as comprehensive assessments of criminogenic needs, motivational interviewing, and case planning, in its supervision of offenders.
- The Probation Department will seek to expand capacity for conducting cognitive behavioral training programs for both inmates and AB 109 offenders in the community.
- The ratio for AB 109 offender to Supervising Deputy Probation Officer will be 1 to 30 in order to provide sufficient and effective supervision to ensure public safety.

Impact on Treatment Services

The County Health and Human Services-led Treatment Committee, which included participants from Probation, the Sheriff’s Office, and all Health and Human Services Divisions including Social Services, Mental Health, Health, Policy and Planning, Adult and

Aging, Alcohol and Drug Treatment and Veterans Services, identified four major impacts arising from realignment:

1. It will be essential to maintain Marin's already strong collaboration and coordination among multiple County and community providers, and with the Probation Department and Sheriff's Office, to prepare for and deliver the range of programs and interventions that research indicates reliably produce behavior change and reductions in recidivism.
2. Comprehensive screening and assessment and the ability to share assessment-generated, case planning information among all providers would enhance service delivery for realigned offenders.
3. The realigned population will likely require additional in-custody and community based alcohol and drug treatment, mental health services and co-occurring capable programs and services, including but not limited to psychiatric assessments, medication, and treatment. Strategies must be developed for providing these services in the jail as well as in outpatient and residential service settings in the community. Community Mental Health currently focuses services on those diagnosed as seriously mentally ill (SMI); services must be developed for realigned offenders with less serious, but nonetheless significant mental health issues if behavior change is to be achieved.
4. Additional services and service delivery strategies will also be required for the realigned PRCS and 3-Non offenders under community supervision, including but not limited to re-entry services for those returning from prison and leaving the jail.

All County agencies and individuals involved in realignment are committed to building a multi-agency, coordinated approach to treatment and services that maximizes opportunities for and support of behavior change for the realigned population. To accomplish this, the Treatment Committee is exploring the following strategies.

Strategies for Addressing the Impact to Treatment Services

- The Treatment Committee will continue considering the range of existing services and evidence-based interventions that may be needed for realigned offenders, and identifying gaps in those services. Once gaps are identified, the Treatment Committee may propose using Public Safety Realignment funds to develop programs or interventions to address those service needs
- H&HS will utilize the GAIN (Global Appraisal of Individual Needs) Assessment tool, a validated instrument for comprehensive screening and assessment of realigned offenders. The GAIN has its own data base, allows all users to input data and thereby enables all users to share information when appropriate releases are obtained to ensure confidentiality

- The Treatment Committee will use a multi-agency service team to facilitate case planning by defining individual defendant's service needs and identifying the range of services that might address those needs. This may be accomplished by developing a new team or assigning this role to an existing inter-disciplinary team
- The plan contains a "contingency fund," which will be used to eliminate barriers to services considered necessary by the team working on each case. This contingency fund is especially necessary early in the implementation of AB 109, as the full range of services ultimately funded under this program will not be available to the first few offenders released under the legislation
- The CCP will seek to utilize interns and other resources available from local universities for either direct services or to provide technical assistance whenever possible

Impact on Local Law Enforcement

Public Safety Realignment will ultimately result in less reliance on incarceration as a strategy for managing criminal offenders, and more use of community-based alternatives. This understandably presents a concern to local communities as to the potential for increased crime and impacts on local police agencies' workload. Many of these agencies are already facing cuts due to budget shortfalls, and additional responsibilities related to realigned populations could exacerbate already difficult situations for these police departments. It will be important to monitor closely the actual impact of AB 109 offenders in the community, and to make necessary adjustments to account for this.

Strategies for Addressing the Impact to Local Law Enforcement

- During realignment's initial implementation, the CCP does not anticipate additional offenders in the community. The shift from CDCR supervising these offenders to the Probation Department does not create an increase in numbers of offenders in the various communities of Marin County
- Over time, as the census of the Pre-Trial Service program grows, and as offenders sentenced under the 3-Non category are considered for alternatives to incarceration, this may create a new population of offenders in the community that could impact local police agencies. As the data is collected, the CCP will entertain proposals for ways to assist local law enforcement in managing this population.

Impacts and Strategies Across Departments

Information Sharing

As implementation goes forward, it will be important to maintain communication among all Executive Steering Committee members of the CCP, and with other service providers, all of whom will need to continue working closely together and sharing updates as the law is amended and rules of court change. The County of Marin is well-suited to achieve this, as the primary Departments affected under AB 109 have exceptionally good working

relationships. Members of the CCP have committed to continuing to meet regularly as realignment is implemented.

Data Collection

The need for ongoing data collection and information sharing among the partners implementing realignment will be accomplished through the County IST’s existing electronic justice information systems. The primary systems which will be counted on to provide data related to outcomes for AB 109 offenders are as follows:

DEPARTMENT	DATABASE
Probation	PRISM
Sheriff	Tiburon
Court	EJUS

Protocols for sharing information among these systems have already been developed and implemented. The information sharing capacity they permit will be extremely useful in maintaining the data necessary to track program and offender outcomes.

Ongoing Training

The realignment legislation is new, complex and evolving, and therefore requires ongoing training for all staff in the multiple agencies affected by its implementation. Staff of the various partner agencies have been involved in trainings being offered by the California Department of Corrections and Rehabilitation (CDCR) as well as by the Administrative Office of the Courts (AOC), the Chief Probation Officers of California (CPOC), the California State Association of Counties (CSAC), and the California State Sheriffs Association (CSSA) to prepare for implementation and identify emerging issues and legislative changes in the realignment package. Each of these organizations also maintains web sites and will continue to provide its members with new information as it becomes available.

Quality Control / Continuous Improvement

Consistent with its focus on outcomes, the CCP Plan calls for system-wide collaboration to ensure quality control and continuous improvement of programs and services provided as part of realignment. The CCP will continuously monitor, track and report the outcomes produced by its realignment efforts. Although AB 109 requires only that the CCP recommend an initial plan to the Board of Supervisors, Marin County’s CCP considers its initial plan a “work in progress.” The CCP intends to review, revise and update it throughout the life of realignment. With input from affected stakeholders, the CCP will continue to modify and augment the County’s realignment plan as necessary to dedicate appropriate resources and responses to realignment and realigned offenders. The Probation Department is committed to assuming primary responsibility for providing periodic updates on the AB 109 program, with data related to offenders, expenditures, programs and services, and outcomes.

IV. SUMMARY OF RECOMMENDATIONS FOR PUBLIC SAFETY REALIGNMENT

Acknowledging the scope and magnitude of realignment, as well as the opportunities it provides to enhance correctional effectiveness, Marin County's Realignment Plan has been crafted collaboratively to improve justice system outcomes and thereby further assure public safety. The funding recommendations in this plan will develop, offer, and deploy a variety of coordinated services focused on changing the behavior, lives and outcomes of some of Marin County's most challenging citizens, while also maintaining the level of public safety Marin County has always enjoyed. In addition to the guiding principles that the CCP created, the plan seeks to integrate specific strategies of interest to the community of Marin, including

- Provide alternatives to traditional jail and probation programs
- Target program investments toward specific offender populations or related realignment impacts, such as pretrial programs to reduce the jail population
- Make investment decisions based on best practices and continuous program evaluation of actual results
- Cover County costs, and be sustainable given the County's long-term financial outlook
- Set aside contingency funds to effectively adapt to changing conditions

The Plan is agile and flexible. Many of its recommendations are general rather than detailed in order to accommodate still emerging legislative and rule changes. This will also allow for development and modifications of operational protocols as necessary for effective service delivery throughout implementation.

The Plan's initial expenditures are directed to essential infrastructure issues, including:

- Supporting alternative to incarceration programs such as Pre-Trial Release
- Increasing staff in the Sheriff's and Probation Departments
- Providing equipment and training for staff to ensure officer and public safety
- Creating contingency funds for both the Jail and the Probation Department to enable response to unanticipated service needs of the realigned population

A summary of this portion of the Plan's recommendations is found in Attachment A of this document.

The Plan also proposes ongoing examination of program and offender data to enable consideration of future treatment interventions and expenditures under AB109. Some of the areas for potential future consideration include:

- Expanding treatment programs for drug and alcohol and mental health services
- Increasing access to cognitive behavioral training programs

- Developing employment assistance programs for realigned offenders
- Implementing housing assistance measures for realigned offenders
- Increasing law enforcement staffing as necessary to ensure public safety

A summary of this portion of the Plan’s recommendations is found in Attachment B of this document.

The CCP has created a transparent process for determining whether these or other programs, services or interventions that may require use of realignment funds are approved. Any of the member agencies represented on the CCP can contact the Chair to convene the Executive Steering Committee to hear a proposal for use of the funds. Proposals for additional use of AB 109 funds beyond what is described in Attachment A of this Plan will be submitted to the CCP using a short application form. The CCP will convene to review the proposal and will consider the following questions in making the decision as to whether to fund it or not:

- Is there data to support the need for the requested intervention, service or expenditure in managing AB 109 offenders?
- Is there evidence to indicate that the requested intervention, service or expenditure will be effective in managing AB 109 offenders?
- Is there a nexus between the requested intervention, service or expenditure and public safety?
- Does the proposal follow the guidelines of the CCP?
- Will the proposal be sustainable with AB 109 funds and not require County funds at some point in the future?

A simple majority of the voting members of the CCP (or their designees) will suffice to approve a proposal. Realignment programs will be managed in a County Special Revenue Fund with CCP approved transfers and future appropriations brought before the Board of Supervisors via the monthly budgetary transaction process

V. CONCLUSION

Public Safety Realignment is a sweeping and comprehensive reform that will present a significant challenge for all local jurisdictions. Concerns linger over the accuracy of the State’s predictions for numbers of AB 109 offenders, the lack of finality about some details of the reform, and the assurance of sufficient continued funding in future years. However, despite the enormity of the challenges, the Community Corrections Partnership is confident that Marin County can implement realignment well. This confidence is rooted in the County’s historical practices of collaboration, pursuit of excellence and commitment to public safety. These traditions will serve the County’s realignment efforts well, as they represent the foundation upon which successful correctional programs are built.

LIST OF PARTICIPANTS IN PLANNING

CCP Members

Michael Daly	Chief, Probation Department, Chair
Edward Berberian	District Attorney
Robert Doyle	Sheriff – Coroner
Joseph Kreins	Chief of Police, City of Novato
Larry Meredith	Director, Health & Human Services
Andrew Sweet	Judge, Superior Court
Jose Varela	Public Defender

Partner Agency and Community Members

Susan Adams	President, Board of Supervisors
Leslie Alden	Aide, Board of Supervisors
David Augustus	Sheriff's Office
Grant Beatty	Probation Department
Elizabeth Berg	HHS
Barry Borden	DA's Office
Michele Boyer	Probation Department
Charlene Brown	Probation Department
David Brown	Public Defender's Office
Lucie Brown	Probation Department
Don Carmona	Probation Department
Elizabeth Carranza	Probation Department
Susannah Clark	Aide, Board of Supervisors
Maria Teresa Cozzi	Probation Department
Pamela Dake	Community Member
Ziya Dikman	HHS / CMHS / Detention
Mary Donovan	HHS, Employment and Training
Raphael Durn	C.A.M. / Human Rights Commission
Eric Engelbert	CAO's Office
Elberta Eriksson	Community Action of Marin
Jay Everidge	Probation Department
Cheryl Fisher	Sheriff's Office
Kimberly Fitzgerald	Public Defender's Office
Cynthia Fix	Probation Department
Jessica Fort	Probation Department
Kendall Gewalt	Sheriff's Office
Paula Glodowski	HHS / ATP
Marsha Grant	HHS / Jail Healthcare
Terrie Green	Marin City Health & Wellness Center
Bruce Gurganus	HHS / CMHS

Peggy Harrell	Sheriff's Office – Jail Programs
Jim Hickey	Sheriff's Office
Israel Jones	Probation Department
Laura Kantorowski	Bay Area Community Resources
Laurel Kisliuk	HHS
Samantha Klein	Probation Department
Jesse Klinge	Sheriff's Office
Jennifer Lack	Sheriff's Office
Debra Leyva	Public Defender's Office
Kuo Lew	Probation Department
Tim Little	Sheriff's Office
Kevin Lynch	Probation Department
Cate McDonough	Probation Department
Racy Ming	HHS
Janet Minkiewicz	Superior Court
Pedro Oliveros	Public Defender's Office
Matthew Perry	Probation Department
D.J. Pierce	HHS / ADTP
Heather Ravani	HHS
Rob Reinhardt	HHS /ADTP
Jeana Reynolds	Probation Department
Bobbe Rockoff	HHS Administration
Jamie Scardina	Sheriff's Office
Kathrin Sears	Member, Board of Supervisor
Diana Smith	Probation Department
Neva Smith	Probation Department
Sean Stephens	Veterans Services
Susana Tabunut	Probation Department
Teresa Torrence-Tillman	Probation Department
Kim Turner	Superior Court
Sharon Turner	Marin City Network
Julie Van Winkle	HHS Administration
Jeff Virzi	Probation Department
Terry Wright	Probation Department
Jan Wyatt-Lucha	Sheriff's Office – Jail Food Service
Mariano Zamudio	Probation Department

ATTACHMENT A
RECOMMENDED INITIAL EXPENDITURES FOR AB109

DEPT	EXPENSE	IMP. FUNDS	FY 11-12 ALLOCATION*	FY 12-13 ALLOCATION Est	TASKS	CCP PRINCIPLE
CCP	Consultant	\$17,874	\$0	\$0	Assist in the coordination, development and preparation of the CCP Realignment Plan	DATA DRIVEN
CCP	Training	\$67,013	\$0	\$0	Provide up to date training on legislation and its impact	COLLABORATIVE AND DATA DRIVEN
PROBATION DEPT	DPO III Step 4	\$0	\$61,264	\$122,529	Provide supervision to AB109 defendants	PUBLIC SAFETY
	DPO III Step 4	\$0	\$61,264	\$122,529	Provide supervision to AB109 defendants	PUBLIC SAFETY
	DPO II Step 4	\$0	\$57,078	\$114,155	Conduct risk assessments of AB109 defendants	PUBLIC SAFETY
	LPS Step 4	\$0	\$41,560	\$83,120	Provide administrative support to Probation Dept. AB109 programs	PUBLIC SAFETY
	DPO IV Step 4	\$0	\$64,231	\$128,462	Re-Entry Coordinator for AB109 defendants	ASSIST IN BEHAVIOR CHANGE
	EQUIPMENT/TRAINING	\$75,000	\$0	\$0	Field equipment, automobiles, field radios, laptops,core academy training for AB109 DPO staff	PUBLIC SAFETY
	SERVICES CONTINGENCY FUND	\$0	\$75,000	\$150,000	Provides access to necessary services for AB109 defendants	ASSIST IN BEHAVIOR CHANGE
	PRE-TRIAL SUBSIDY	0	\$25,000	\$50,000	Supports capacity for creating space in jail for AB109 inmates	EVIDENCE-BASED PRACTICES
SHERIFF	JAIL CONTINGENCY FUND	\$0	\$50,000	\$100,000	Provides funds for unanticipated costs associated with AB109 incarceration	PUBLIC SAFETY
	DEPUTY SHERIFF	\$0	\$73,317	\$146,635	Managing AB109 inmates in jail	PUBLIC SAFETY
	DEPUTY SHERIFF	\$0	\$73,317	\$146,635	Managing AB109 inmates in jail	PUBLIC SAFETY
	DEPUTY SHERIFF	\$0	\$73,317	\$146,635	Providing support to field supervision of AB109 defendants	PUBLIC SAFETY
PD	Salary Offset	\$0	\$23,375	\$56,099	Offset for increased court activity related to Parole and PRCS revocations	PUBLIC SAFETY
DA	Salary Offset	\$0	\$23,375	\$56,099	Offset for increased court activity related to Parole and PRCS revocations	PUBLIC SAFETY
Total Planned Expenses		\$159,887	\$702,098	\$1,422,897		
Reserve Funds for Developing Programs**		\$82,138	\$648,829	\$1,707,255	Holding account for dispersal of funds for CCP approved programs to be developed.	COLLABORATIVE AND DATA DRIVEN
Total Allocation		\$242,025	\$1,350,927	\$3,130,152		

* Assumes 1/1/2012 start date ** Unspent funds roll to the next fiscal year

**ATTACHMENT B
POSSIBLE FUTURE EXPENDITURES FOR AB109**

DEPT	PROGRAM/SERVICE FOR AB109 OFFENDERS	CCP PRINCIPLE	
H&HS	Drug and alcohol treatment both in the community and in jail	ASSIST IN BEHAVIOR CHANGE	DATA DRIVEN
H&HS	Mental health services both in the community and in jail	ASSIST IN BEHAVIOR CHANGE	DATA DRIVEN
H&HS	Employment skills training, employment subsidies, job coaching both in the community and in jail	ASSIST IN BEHAVIOR CHANGE	DATA DRIVEN
H&HS	Sober living environment and/or housing support	ASSIST IN BEHAVIOR CHANGE	DATA DRIVEN
SHERIFF	Deputy Sheriff staffing assigned to inter-jurisdictional task force for supervision of AB109 defendants	PUBLIC SAFETY	DATA DRIVEN
PROBATION	Cognitive behavioral skills training both in the community and in jail	ASSIST IN BEHAVIOR CHANGE	DATA DRIVEN
PROBATION	DPO assigned to inter-jurisdictional task force for supervision of AB109 defendants	PUBLIC SAFETY	DATA DRIVEN

**MARIN COUNTY COMMUNITY PROTECTION PARTNERSHIP (CCP)
REQUEST FOR FUNDING**

“Realigning the...supervision of certain felons...to local community corrections programs, which are strengthened through community-based punishment, evidence-based practices, and improved supervision strategies, will improve public safety outcomes among adult felons...and will facilitate their successful reintegration back into society.”

AB 109, Title 2.05, Section 3450 (b) (4) and (5)

Requesting Agency		Contact:	
Request Title		Phone	
Request Date:		E-mail	
Request Amount			

Request is: <input type="checkbox"/> One-time <input type="checkbox"/> On-Going Population(s) Served: <input type="checkbox"/> PRCS <input type="checkbox"/> 3 nons <input type="checkbox"/> State Parolee's <input type="checkbox"/> Displaced Population Principle(s): <input type="checkbox"/> Public Safety <input type="checkbox"/> Behavior Change <input type="checkbox"/> EBP/Data Driven

I. Description of Funding Request:

II. Other Considerations:

Please attach further information/data/statistics that demonstrate the value of this funding and how it can impact the AB109 population.

III. Resource Requirements

A. Staffing Requested – Please provide all of the requested information.

FTE	Class Title	Step	Biweekly Salary Rate (Full Cost)	Effective Date

**MARIN COUNTY COMMUNITY PROTECTION PARTNERSHIP (CCP)
REQUEST FOR FUNDING**

B. Funding Requested (including salary costs).

Commitment Item Series (i.e. Salaries, Services & Supplies)	Budgeted Commitment Item #	Total Amount Requested	Check if One-Time
Total Expense		\$	

Please send completed request forms to Guiliانا Ferrer (Gferrer@co.marin.ca.us) to log in and schedule for a vote at the next CCP meeting. For financial questions please contact Samantha Klein (Sklein@co.marin.ca.us).

This proposal was voted on at the ___/___/_____ Meeting of the CCP

- Yes No Chief Probation Officer Mike Daly, Chair Designee: _____
- Yes No Sheriff - Coroner Bob Doyle Designee: _____
- Yes No District Attorney Ed Berberian Designee: _____
- Yes No Public Defender Jose Varela Designee: _____
- Yes No Superior Court Judge Andrew Sweet Designee: _____
- Yes No Police Chief Joseph Kreins, City of Novato Designee: _____
- Yes No Director of HHS Larry Meredith Designee: _____

This proposal was approved by a vote of ___ yes to ___ no with the following amendments:
