



## Sierra County Public Safety Realignment Implementation Plan Fiscal Year 2023-2024

This document is to serve as the updated Sierra County Community Corrections Partnership (CCP) plan for the fiscal year noted above in compliance with The Budget Act of 2020 (AB 74, Chapter 6). This document will highlight the legislation, provide information about the actual implementation of the 2022-2023 CCP plan and it will address progress made in achieving the outcome measures available for 2022-2023 as well as the plans for the allocation of funds in 2023-2024. Those plans will highlight specific goals, tasks to achieve those goals, and future outcome measures as accepted by the Sierra County Board of Supervisors.

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## **Legislative Background:**

Senate Bill 678, the California Community Corrections Performance Incentive Act was signed into law on October 11, 2009. The legislation allocates funds to Probation Departments annually based on costs avoided by the California Department of Corrections and Rehabilitation (CDCR) from a reduction in the percentage of adult probationers sent to prison. The SB 678 funds are to be utilized by Probation Departments specifically for the development and implementation of evidence-based community corrections programs. Programs are to be developed and implemented by the Chief Probation Officer with advice from the local Community Corrections Partnership (CCP). The goal of the Community Corrections Performance Incentive Act is to provide for the implementation of evidence-based community corrections practices, programs, supervision and rehabilitative services for adult felony offenders. Examples include (a) evidence-based risk and needs assessments, (b) evidence-based substance abuse treatment, mental health treatment, cognitive behavior programs, anger management, job training / employment services, and (c) intensive probation supervision.

On October 1, 2011, the AB 109 Public Safety Realignment Act also went into effect in Sierra County and across California. The law altered the California criminal justice system by (a) changing the definition of a felony, (b) shifting housing for low level offenders from state prison to local county jails, and (c) transferring the community supervision of designated parolees from the California Department of Corrections and Rehabilitation (CDCR) to local county probation departments. Several companion trailer bills followed, clarifying the legislative intent, correcting drafting errors and providing initial statewide implementation funding. Both AB 109 and the companion trailer bills, taken together, created extensive changes to statutory law which is intended to reduce the number of convicted offenders incarcerated in California's State prison system by "realigning" these offenders to local criminal justice agencies who are now responsible for these offender groups.

Under the AB 109 legislation, the Penal Code was amended to provide incarceration terms in county jail rather than State prison for over 500 specific felony offenses. Offenders ineligible to serve their incarceration in state prison instead of county jail are known as County Jail Prison (N3) offenders. Under the law, a sentencing Superior Court Judge has the option of splitting the sentence of a convicted County Jail Prison (N3) defendant between an incarceration term in county jail and mandatory supervision. If the Court sentences these offenders to serve their full term of incarceration in jail, the offender is not supervised upon release. Additionally, the law creates a new offender status called "Post-Release Community Supervision (PRCS)." The law requires that a county agency supervise any convicted felon released from state prison with a committing

offense that was non-violent, non-serious, and not a high-risk sex offense, or inmates committed after admitting one serious or violent prior. The Sierra County Probation Department has been designated by the Board of Supervisors as the supervising County agency for the PRCS offender group.

The third offender group AB 109 assigns to counties includes state parole violators who are revoked into custody. With the exception of offenders sentenced to life with parole, this group is being revoked to local county jail instead of state prison. The California Department of Corrections and Rehabilitation (CDCR) continues to supervise parolees released from prison after serving a term for a serious or violent felony, murder, life, or certain sex offenses, as well as high-risk sex offenders and mentally disordered offenders.

The Public Safety Realignment Act also expanded the role and purpose of the Community Corrections Partnership (CCP) which was previously established in Penal Code Section 1230. Through SB 678 and pursuant to AB 117 an Executive Committee of the CCP was required to prepare an AB 109 Implementation Plan that will enable each county to meet the goals of the Public Safety Realignment legislation. The Executive Committee is comprised of the Chief Probation Officer (the Chair of the CCP); the Superior Court Presiding Judge or designee; the District Attorney; the Public Defender; the Sheriff; a Police Chief; and the Administrator of Health and Human Services.

Each county was originally required to develop a Public Safety Realignment Implementation Plan approved by the Board of Supervisors before State funding could be reallocated to local law enforcement and other county justice agencies. The legislation assumes counties will handle these offender populations differently than the California Department of Corrections and Rehabilitation (CDCR) by utilizing incarceration, community supervision, and/or alternative custody and diversion programs during the offender's sentence length. Each implementation plan was required to identify evidence-based practices, which could be established so that the community's public safety is not jeopardized because of these new offender populations.

### **Reason for Annual Updated Plan and Current Status:**

Sierra County developed its initial plan in 2013. On October 16, 2020, the State of California Board of State and Community Corrections (BSCC) distributed a memo informing all counties that effective immediately per The Budget Act of 2020 (AB 74, Chapter 6) counties who wished to seek and receive funds under the AB 109 Training and Planning Grants (\$100,000 annual funding for Sierra County CCP) needed to submit updated plans as noted above in addition to annual surveys. Updated plans are required to be submitted to the BSCC by December 15 annually after being approved by the CCP and the County's Board

of Supervisors in order to be eligible for such funding. This funding is identified as “RI” in the proposed CCP annual budget.

### **Current Membership:**

The Sierra County Community Corrections Partnership is currently composed of the following members (Penal Code 1230):

- (b)(2) \* Charles Henson, Chief Probation Officer/ Chairman;
- (b)(2)(A) \* Ann Mendez, Court Executive Officer, Superior Court of Sierra County designee;
- (b)(2)(B) Sharon Dryden, Supervisor District 5;
- (b)(2)(C) \* Sandra Groven, District Attorney;
- (b)(2)(D) \* J. Lon Cooper, Public Defender;
- (b)(2)(E) \* Michael Fisher, Sheriff;
- (b)(2)(F) N/A (Local Police Chief);
- (b)(2)(G) \* Lori McGee, Director Public Health and Social Services;
- (b)(2)(H) \* Kathryn Hill, Administrative Director Behavioral Health (MH);
- (b)(2)(I) Sierra Alliance For Workforce Development;
- (b)(2)(J) \* Kathryn Hill, Administrative Director Behavioral Health (AOD);
- (b)(2)(K) James Berardi, Superintendent, Office of Education;
- (b)(2)(L) High Sierras Family Resource Center; and
- (b)(2)(M) Sandy Marshall, Victim Advocate, Victim Witness.

*Note: \* Distinguishes an “Executive Member” eligible for voting. (1230.1 PC)*

### **Main Goals of the Original 2013 Plan:**

The original CCP Plan was contained in a lengthy comprehensive report called the SB 678 Community Corrections Performance Incentive Act & AB 109 Public Safety Realignment Act Integrated Implementation Plan, dated December 18, 2013. That plan was required to develop and form the CCP. It contained, amongst the roles and responsibilities of each partner, and the goals that the group sought to work towards with the new local roles and responsibilities of realignment. The key goals of that implementation plan were focused on:

- 1) Community Safety: Program goals will strive to maintain maximum public safety through enhanced sanctions and reducing recidivism.
- 2) High-risk Offenders: Identified and targeted offenders with the highest risk of reoffending using evidence-based risk assessment tools and providing intensive supervision within the community.

- 3) **Efficient Use of Jail Capacity:** Minimizing the impact of the increased jail population by employing recognized techniques to increase efficient use of current pretrial and sentenced jail bed capacity by reserving jail beds for the most serious and violent offenders while diverting those manageable to community alternative programs.
- 4) **Targeted Interventions:** Using research and evidence-based needs assessment tools to identify criminogenic needs and find, create, or contract for target interventions. This included the need to provide services to cover factors such as employment, education, housing, physical and mental health, and drug / alcohol treatment.
- 5) **Incorporate Reentry Principles into the Jail Custody Environment:** Aimed to reduce recidivism through the development and improvement of an offender's life skills that are necessary for successful reintegration into the community by expanding in-custody jail programming using evidence-based practices.
- 6) **Incorporate Evidence-based Practices into Supervision and Case Management of Post-Release Offenders:** Utilizing principles and practices proven to reduce recidivism through more effective supervision and intervention services for offenders sentenced to local terms of imprisonment as well as offenders returning from prison to post-community release supervision.
- 7) **Sentencing for Felony Offenders:** Presentence recommendations should be guided by static risk scores (low risk – minimal sanction, increasing sanctions for higher risk levels). Encourages the use of evidence-based practices in the sentencing for felony offenders by utilizing principles proven to lower recidivism through more effective sentencing.
- 8) **Offender Accountability:** Prioritizes the focus of resources on providing alternatives to criminal behavior. Increased offender accountability through effective use of graduated violation sanctions, custody, and custody alternatives.
- 9) **Monitoring and Reporting Performance:** Sought to regularly measure and assess data and programs, followed by community reporting and adjustments in programs and services as determined to reduce recidivism. Made a point to guide the local justice system by research and to implement the most cost-effective practices that reduce recidivism, victimization and program failure.

**Implementation of the 2022-2023 Plan:**

As previously noted, beginning FY 2020-2021, the Sierra County CCP revised its plan to be in compliance with the Budget Act of 2020 (AB 74, Chapter 6). Although updated plan(s) had not been submitted between 2013 and 2020, strategic planning had occurred at some level at least annually when the CCP met and each year’s budget had been developed, discussed and approved by the membership. Each year’s planning centered on the prioritization of funds to be allocated to available resources to support the areas that had been identified as being successful in managing targeted populations using evidence based approaches.

The table below represents the 2022-2023 Approved Budget for the Sierra County CCP. Funds were budgeted appropriately in accordance with Penal Code 1229 and 1230.1. Funds directly enabled, supported, and/or built upon enhancing the public safety, a range of supervision tools, sanctions and services, maximizing restitution, reconciliation and restorative services to victims, holding offenders accountable, and reducing the number of offenders sent to the California State Prison after a revocation of probation through rehabilitative services. Local services consisted of evidence based correctional sanctions (jail, flash and EM), a day reporting center resource (dedicated desk space with phone, computer and internet for online counseling and employment, etc.), drug court/ reentry court (meeting once a month with positive reinforcement tokens, certificates and gift cards), residential treatment and counseling, interactive journaling, intensive supervision, regular drug and alcohol testing, and electronic monitoring. Those guidelines have remained consistent with the goals in the original plan and are detailed in the outlined budget below:

2022-2023 Approved Budget For CCP

|                                | <b><u>SB678</u></b> | <b><u>AB109</u></b> | <b><u>RI</u></b> | <b><u>Total</u></b> |
|--------------------------------|---------------------|---------------------|------------------|---------------------|
| Fund Codes                     | 8130000             | 8131000             | 8131010          |                     |
| <b>Description</b>             |                     |                     |                  |                     |
| Beginning Cash (5-27-22)       | 285,473             | 349,033             | 116,963          | 751,469             |
| 2022-2023 Allotment            | 210,000             | 300,000             | 100,000          | 610,000             |
| <b>Total Funds Available</b>   | <b>495,473</b>      | <b>649,033</b>      | <b>216,963</b>   | <b>1,361,469</b>    |
| <b>Salaries &amp; Benefits</b> |                     |                     |                  |                     |
| Deputy Probation Officer       | 135,000             |                     |                  | 135,000             |
| Probation Specialist           | 48,880              | 31,200              |                  | 80,080              |
| Sheriff's Office               |                     |                     | 127,000          | 127,000             |

|                                |         |         |         |         |
|--------------------------------|---------|---------|---------|---------|
| <b>Services &amp; Supplies</b> |         |         | 24,042  | 24,042  |
| <b>Inmate Housing</b>          |         |         |         |         |
| CDCR                           |         |         | 56,210  | 56,210  |
| Jail contracting               |         |         | 250,000 | 250,000 |
| <b>Professional Expenses</b>   |         |         |         |         |
| Inmate Health                  |         |         | 14,231  | 14,231  |
| IT                             |         |         | 10,000  | 10,000  |
| Lexipol                        | 2,825   | 2,500   |         | 5,325   |
| Lexis-Nexis                    | 3,876   |         |         | 3,876   |
| CSS                            | 6,240   |         |         | 6,240   |
| Noble & BDS-ICMA               | 3,000   |         |         | 3,000   |
| Drug Court medical             | 10,000  |         |         | 10,000  |
| Drug Court expenses            |         | 5,000   |         | 5,000   |
| Additional Treatment           | 30,000  | 30,000  |         | 60,000  |
| Electronic Monitoring          | 5,000   |         |         | 5,000   |
| Alcohol Monitoring             | 3,000   |         |         | 3,000   |
| Drug Test Supplies             | 3,000   |         |         | 3,000   |
| Drug Lab                       | 3,000   |         |         | 3,000   |
| Additional training            | 5,000   | 5,000   |         | 10,000  |
| Equipment                      |         | 5,000   |         | 5,000   |
|                                | 258,821 | 408,952 | 151,231 | 819,004 |

**Outcome Measures of the 2022-2023 Plan:**

The table below reflects the number of targeted offenders that were served during the 2022-2023 fiscal year.

|                             | Initial<br>Prison | Initial<br>1170(h) | VOP<br>Prison | VOP<br>1170(h) | PRCS | Split<br>Sentence<br>(MS) | Probation | Total |
|-----------------------------|-------------------|--------------------|---------------|----------------|------|---------------------------|-----------|-------|
| Felony<br>Offenders         | 1                 | 0                  | 1             | 0              | 3    | 1                         | 18        | 24    |
| Collaborative<br>Court (CC) |                   |                    |               |                | 2    | 0                         | 3         | 5     |



|  |  |  |  |  |   |   |             |   |
|--|--|--|--|--|---|---|-------------|---|
| Transfer In                            |  |  |  |  | 1 | 0 | 0           | 1 |
| Transfer Out                           |  |  |  |  | 0 | 0 | 1           | 1 |
| Successful Completion                  |  |  |  |  | 0 | 1 | 4<br>0 (CC) | 5 |
| Fresh Felony (During Supervision)      |  |  |  |  | 0 | 0 | 0           | 0 |
| Fresh Misdemeanor (During Supervision) |  |  |  |  | 0 | 0 | 0           | 0 |
| Active Warrants                        |  |  |  |  | 0 | 0 | 6           | 6 |

**Updated Goals and the 2023-2024 Plan:**

For the 2023-2024 fiscal year the Sierra County CCP plans to prioritize funding to proven evidence-based services and programs that are consistent with the local need and resources in three (3) main areas. Outcome measures will be monitored in each area. Those areas are:

1) Goal:

To continue to maintain and enhance public safety. It is essential to the program that resources are available to appropriately house the in-custody population and to monitor realigned higher risk offenders in the community. Those offenders may be persons either on suspended sentences or persons who are being supervised after a prison term or on mandatory supervision. Contracted jail facilities with the Wayne Brown Correctional Facility, Nevada City and the Plumas County Jail, Quincy are utilized. Electronic monitoring will be provided by the Sierra County Probation Department for approved offenders as an alternative to jail for sentenced offenders, violation custody time, and as a general supervision tool. Flash incarceration will also be utilized when appropriate.

Task:

The CCP will continue to commit funding to appropriately house targeted offenders from initial arrest to final discharge in a contracted jail facility that is utilized by the Sierra County Sheriff's Office. Funding will also be allocated to contract within the California Department of Corrections and Rehabilitation. Offenders who assess for electronic monitoring will be eligible to be monitored in the community amongst their support network and/or other protective factors based on their individual risk to reoffend and case knowledge. Funding will address the daily costs of housing

inmates, their medical insurance, supportive programs within those facilities, staffing to house, transport, and to monitor offenders. Funding will also address the equipment and other services needed to ensure public safety.

Outcome measure:

Successful completion rates and recidivism rates for all offenders on any type of supervision will be tracked.

2) Goal:

To ensure quality effective supervision of all offenders. It is a primary goal of the CCP to support and encourage successful rehabilitation of all offenders through supportive probation supervision that emphasizes personal accountability and betterment based on modern evidence-based principles. The CCP will allocate funding to appropriate assessment tools, supervision tools and training, case management programs, and other systems or tools that directly contribute to the effective management of offenders.

Task:

Offenders will be assessed for risk and needs. The court, prosecution and defense will be provided comprehensive reports that will include an offender's individual risk and criminogenic needs/protective factors to assist in decision-making. The proper level of diligent supervision will be afforded to each offender. Supervision staff will utilize modern and effective Intrinsic Motivational Interviewing techniques when possible and appropriate in assisting offenders through the stages of change. Offender needs will be addressed timely, and staff will be properly trained and have access to the proper modern tools necessary. Supervisors will make regular efforts to ensure that proper practices are being implemented consistently. In addition to an offender's static and dynamic factors, supervision levels and techniques will consider case specific information that is obtained through both routine interactions and staff experience based knowledge. Compliance with the terms and conditions of supervision will be positively reinforced. Behavior constituting a violation of supervision will be evaluated for potential preventative measures and will be addressed timely in a constructive environment with emphasis on accountability and personal growth.

Outcome measure:

All offenders will regularly be monitored for compliance and violations of their supervision will be tracked and evaluated for supervision/case management improvements.

3) Goal:

To ensure an equal opportunity for all offenders to participate in appropriate treatment and services. All services will center on a common goal to achieve a successful reintegration of offenders to the community. With consideration to Evidence Based Practices and availability all offenders will be afforded treatment and other supportive services, including but not limited to; residential drug and alcohol treatment; transitional living; outpatient services; mental health management services; medical evaluations; educational, and employment services. The CCP will remain committed in supporting the Sierra County Drug Court Program, Reentry Court, and other Collaborative Courts that target higher risk offenders through funding of a part time Collaborative Court Coordinator, a contracted medical advisor and assessment provider, additional treatment access, drug and alcohol testing, training to personnel and electronic monitoring. The CCP will also support the practice of positive reinforcement and incentives to all Collaborative Court offenders helping fund shortfalls in other funding for tokens, certificates, and gift cards. Incentives will be both monetary and privilege based.

Task:

The principles of Targeted Interventions will be utilized. These principles are:

- A) Risk/Needs. Appropriately allocate resources to individual offender risks and needs. Maximizes the effective allocation of resources and helps protect offenders from being overly treated or overly exposed to higher risk person that has been proven to be detrimental. Assessments through Corrections Solutions Software/Noble, Sierra County Behavioral Health, interactive journaling with The Change Companies, and other specialty-contracted providers will be used to make informed decisions on how to treat/support offenders.
- B) Responsivity. Considers an individuals' temperament, learning ability and style, motivation, culture, and gender in applying appropriate programs. When possible, proven programs are fit to an offender to ensure maximum effectiveness. Programs that contain a component such as Cognitive Based Therapy (CBT) and/or Moral Recognition Therapy (MRT) will be utilized when available.
- C) Dosage. Recognizes the scientifically proven information that high-risk offenders need between 40% and 70% of the time in their first three (3) to nine (9) months of supervision to be filled with a positive routine of services such as inpatient, outpatient, self-help, employment, education, pro social support, and effective supervision.

- D) Treatment. Treatment must take into consideration all the above factors and focus on a program that also takes into consideration mental health, drug and alcohol abuse disorders, and dual diagnoses.

Outcome measure:

Offenders will be reassessed periodically throughout their period of supervision when there are significant changes in their situation and/or at the discretion of the supervising officer and/or treatment professional(s). Targeted interventions will evolve with the ongoing assessments of offenders.



The Integrated Model highlights how the implementation of evidence-based principles is an intertwined complex system. With a closer look one can see that components of the three goals above can be put into each of the three circles. By ensuring that each goal and its components are implemented effectively and synchronously, the Sierra County Community Corrections Partnership will ensure that realignment funding and supported resources will adhere to the fundamentals of evidence-based practices.

## 2023-2024 Budget

2023-2024 Approved Budget For CCP

| Fund Codes                   | <b>SB678</b>   | <b>AB109</b>   | <b>RI</b>      | <b>Total</b>     |
|------------------------------|----------------|----------------|----------------|------------------|
| <b>Description</b>           |                |                |                |                  |
| Beginning Cash (5-18-23)     | 331,778        | 284,524        | 74,630         | 690,932          |
| 2023-2024 Allotment          | 215,489        | 399,127*       | 100,000        | 714,616          |
| <b>Total Funds Available</b> | <b>547,267</b> | <b>683,651</b> | <b>174,630</b> | <b>1,405,548</b> |

\* Note- The above AB 109 FY 23-24 allotment does not include a growth allocation factored into the total. The initial FY 22-23 growth amount to be awarded is \$1,009,690, far above the typical growth allocation which can range from \$3,225 to \$138,448 (FY 2018-2019 and FY 2020-2021). The growth allocation is factored on several factors including prison commits and revocation rates and each years' numbers are unpredictable. However, this year's projected allocation (FY 2022-2023), can be viewed as an extreme anomaly.

At the time of this budget proposal, it is unknown if the Sierra CCP will be in fact awarded the full amount or if action will be taken at the state level to reduce the amount prior to disbursement. If in fact the funds are awarded as mentioned, a series of subsequent CCP meetings should be set to address the potential uses of such funding.

### Salaries & Benefits

|                          |         |        |         |         |
|--------------------------|---------|--------|---------|---------|
| Deputy Probation Officer | 135,000 |        |         | 135,000 |
| Probation Specialist     | 48,880  | 31,200 |         | 80,080  |
| Sheriff's Office         |         |        | 127,000 | 127,000 |

### Services & Supplies

|  |  |        |  |        |
|--|--|--------|--|--------|
|  |  | 24,042 |  | 24,042 |
|--|--|--------|--|--------|

### Inmate Housing

|                  |  |         |  |         |
|------------------|--|---------|--|---------|
| CDCR             |  | 56,210  |  | 56,210  |
| Jail contracting |  | 250,000 |  | 250,000 |

### Professional Expenses

|                       |        |        |        |        |
|-----------------------|--------|--------|--------|--------|
| Inmate Health         |        |        | 14,231 | 14,231 |
| IT                    |        |        | 10,000 | 10,000 |
| Lexipol               | 2,825  | 2,500  |        | 5,325  |
| Lexis-Nexis           | 4,032  |        |        | 4,032  |
| CSS                   | 6,240  |        |        | 6,240  |
| Noble & BDS-ICMA      | 2,625  |        |        | 2,625  |
| Drug Court medical    | 10,000 |        |        | 10,000 |
| Drug Court expenses   |        | 5,000  |        | 5,000  |
| Additional Treatment  | 30,000 | 30,000 |        | 60,000 |
| Electronic Monitoring | 5,000  |        |        | 5,000  |


|                     |         |         |         |
|---------------------|---------|---------|---------|
| Alcohol Monitoring  | 3,000   |         | 3,000   |
| Drug Test Supplies  | 3,000   |         | 3,000   |
| Drug Lab            | 3,000   |         | 3,000   |
| Additional training | 5,000   | 5,000   | 10,000  |
| Equipment           |         | 5,000   | 5,000   |
|                     | 258,602 | 408,952 | 151,231 |
|                     |         |         | 818,785 |

**Conclusion:**

As evidenced above, the Sierra County Community Corrections Partnership will continue to allocate funding, including the requested Training and Planning Grant, to provide and expand upon the essential programs and services to the targeted realigned offenders.

Adopted by The Sierra County Community Corrections Partnership by majority

vote on 5-30-2023.

  
 \_\_\_\_\_  
 Charles Henson  
 Chief Probation Officer/ CCP Chairman

5-30-2023  
 \_\_\_\_\_  
 Date