



County of Alpine

Public Safety Realignment Plan 2024-2025

Presented by Alpine County Community Corrections Partnership

TABLE OF CONTENTS

TABLE OF CONTENTS.....	1
BACKGROUND.....	2
SUMMARY OF LEGISLATION CHANGES.....	3-6
Local Sentences.....	3
Post release Community Supervision (PRCS).....	3-4
Parole Revocations.....	4
Community Corrections Partnership (CCP).....	4
CCP Executive Committee.....	4-5
PLAN ADMINISTRATION.....	5
FUNDING.....	5
PROJECTED IMPACTS FOR ALPINE COUNTY	6
SUPERVISION PLAN FOR PRCS RELEASES.....	6-7
GOALS OF REALIGNMENT.....	7
CURRENT RESOURCES.....	7-8
Jail Capacity.....	7
Jail Programs.....	7
Probation Department.....	8
Behavioral Health Services Department.....	8
UPDATE.....	8
REALIGNMENT PLAN BUDGET UPDATE.....	9-10

Public Safety Realignment

Alpine County Plan

BACKGROUND

On April 4, 2011, Governor Jerry Brown signed into law Assembly Bill (AB) 109, referred to as 2011 Public Safety Realignment. AB 109 was later modified by AB 117. Both bills taken together create extensive changes to previous law intended to reduce the number of offenders incarcerated in state prison and to “realign” these offenders to local entities, who are now responsible to manage the specified offenders. This realignment and change in law were intended as a response and partial solution to the state’s budget crisis and a U.S. Supreme Court order requiring the state to reduce prison overcrowding. Public Safety Realignment was proposed as a method to lower state prison inmate population in the safest possible way by allowing for county-level management and supervision of certain offenders, as opposed to the alternative option of massive releases of state prison inmates to communities with no further supervision or accountability.

The intent of Realignment was to allow maximum local flexibility within the statutory framework set forth in these two pieces of legislation. The legislation requires a local collaborative planning and implementation process which emphasizes community-based corrections and punishment, use of evidence-based practices, and improved supervision strategies. Further, the legislation states “the purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidence base strategies that increase public safety while holding offenders accountable.

The provisions of the public safety realignment were operative on October 1, 2011, and were prospective. Therefore, as offenders are sentenced on or after October 1, 2011, or released to community supervision on or after October 1, 2011, they will be the responsibility of the county, if they meet the criteria for the realigned population. No one in prison on October 1 was transferred to county jails and no one currently on state parole supervision was transferred to the local jurisdiction.

SUMMARY OF LEGISLATIVE CHANGES

The provisions of 2011 Public Safety Realignment change the jurisdiction of specified populations from state to local control to complete their sentences:

Local Sentence

Revised the definition of a felony to specify certain non-violent, non-serious, non-sex offenses will be punishable for more than one year in county jail or other local alternative sentencing options but cannot be sentenced to state prison.

Did not change length of sentences; entire sentence imposed will be served locally and can exceed three (3) years in some instances.

Options at sentencing for specified felony offenses: Jail instead of prison for the entire sentence; felony probation; jail with early release to alternative custody; or split sentence (sentence of jail custody combined with mandatory probation which cannot exceed the maximum sentence allowed by law).

Options in custody: The Sheriff retained all existing tools to manage this population. In addition, counties may use new alternative custody options and electronic monitoring and home detention (1203.018 PC), and/or contract back with the state to house some inmates.

Post-Release Community Supervision (PRCS)

Any offender convicted of a non-serious, non-violent felony and is not deemed a high-risk sex offender who is released from prison after October 1 will be supervised in the community by the Probation Department as previously designated by the Board of Supervisors.

All others will remain subject to state parole supervision provided by the California Department of Corrections and Rehabilitation (CDCR).

CDCR must notify the county who the offender is being released to PRCS thirty days prior to release and is required to provide relevant background and assessment information concerning the offender.

The level of supervision and case plan is determined by the local supervision agency (Probation Department).

General conditions of supervision established by law and the supervision agency can add in addition relevant conditions.

PRCS terminates by law at the end of 3 years. PRCS may be discharged after 6 months of no violations and shall be discharged after a continuous year of no violations.

Supervision can impose intermediate sanctions for violations of PRCS without Court involvement.

Intermediate sanctions include short term “flash incarceration” in jail for up to 10 days; intensive community supervision; home detention with electronic or GPS monitoring; community service work; education and vocational programs; work release program; day reporting programs; substance abuse treatment programs; drug testing; community-based residential programs; and other appropriate counseling and treatment programs.

The Court is responsible for any final revocation hearings for violations. The maximum sentence for PRCS revocation is 6 months confinement in county jail. The violator cannot be returned to prison for violation of PRCS.

Parole Revocations

All parole revocations for state paroles (except those with a life term) will be served in county jail but capped at 180 days and received day for day credit.

County cannot “contract back” with CDCR to house parole violators in state prison.

After a parolee completes jail sentence for a parole violation, they return to state parole jurisdiction for supervision in the community.

Parole revocation hearings for state parolees will continue to be done by the Board of Parole Hearings (BPH) until July 2013 when this responsibility transfers to local courts.

Community Corrections Partnership (CCP) Executive Committee

The 2011 Public Safety Realignment legislation expanded the role of the CCP in each county to now act as a planning body for 2011 Public Safety Realignment. As established in Penal Code §1230.1 and as modified by subsequent committee action, membership of the executive committee of the Alpine County CCP currently consists of:

Chief Probation Officer (Chair)

Sheriff

District Attorney

Public Defender

Director of Health and Human Services

Board of Supervisors Designee

Director of Behavioral Health Services

These members are all designated by the county Board of Supervisors “for purposes related to the development and presentation of the plan.”

PLAN ADMINISTRATION

Pursuant to Penal Code §1230.1(c), “The plan shall be deemed accepted by the county Board of Supervisors unless the board rejects the plan by a vote of four-fifths of the board, in which case the plan goes back to the Community Corrections Partnership for further consideration.”

Additionally, the legislation established Penal Code §1230.1(d), which states, “Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidenced-based correctional sanctions and programs, including, but not limited to , day reporting center, drug courts, residential multi-service center, mental health treatment programs, electronic and Global Positioning System (GPS) monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs.”

Realignment, under AB 109, shifts offenders from State supervision to local supervision. This includes both PRCS offenders being released from state prison and additional offenders no longer eligible to sentence to state prison. Intense supervision of offenders is a key component to public safety and the Probation Department will be a significant partner with all law enforcement agencies throughout Alpine County.

FUNDING

AB 118, the budget trailer bill that creates the funding framework for 2011 Public Safety Realignment, requires the county to create the County Local Revenue Fund 2011 (Government Code §30025(f)(1). Within the County Local Revenue Fund 2011, each county has been required to also establish a:

Local Community Corrections Account

Trial Court Security Account

District Attorney and Public Defender Account

Juvenile Justice Account

Health and Human Services Account

Supplemental Law Enforcement Account

PROJECTED IMPACTS FOR ALPINE COUNTY

For Alpine County, the projected Average Daily Population (ADP) for total Jail Inmates is 2. The projected ADP for the Post-Release Community Supervision population is 2. Based on these figures the impact on the county is small; however, this does not reflect any new felony convictions that might be sent for prison commitments or prison returns for revocations of PRCS. In addition, Alpine County Probation continues to be responsible for supervising convicted felons who are placed on probation under local supervision.

In terms of procedural notification, approximately 30 to 60 days prior to release, the Probation Department will receive notification from the CDCR regarding which offenders are to be released on PRCS. The Chief Probation Officer (CPO) will review the material provided by CDCR and complete a Risk assessment.

SUPERVISION PLAN FOR PRCS RELEASES

Each of the offenders will be assigned one of the following risk classifications:

Low-One office visits every 45 days and field visits, and testing will be conducted randomly.

Moderate-One office visit every 45 days, one field visit every three months, and random urinalysis.

High Priority-One office visit per month, one field visit every 45 days, and random urinalysis.

Within 14 days of release, the Probation Department will conduct one home visit and one office visit with the offender.

Pursuant to AB 109, any offender who has been on PRCS for a period of six consecutive months with no violations of his or her conditions may be considered for successful discharge from PRCS by the Chief Probation Officer. Additionally, as mandated by AB 109, an offender who has been on PRCS continuously for 12 months with no violations of his or her conditions must be discharged from supervision within 30 days. Upon serving a three-year term on PRCS, the offender shall be discharged immediately from community supervision.

Many California counties are using AB109 funds to strengthen law enforcement. Many report they believe California realignment of former state prisoners and parolees to local incarceration and local supervision will have a negative impact on local crime patterns. They believe property crimes will increase and the rise in crime rates justifies increasing more financial resources towards law enforcement or jails. In Alpine County, we have limited resources to dedicate to local law enforcement to manage these kinds of problems. State realignment is expected to have the unintended consequence of increasing local crime rates, which will impact enforcement activity by our Sheriff's Department. This means we

need to invest more resources in local control and enforcement activities because many of these offenders will be supervised locally under Realignment instead of at the state level.

GOALS OF REALIGNMENT

- Maintain offender accountability and public safety
- Responsibly manage impact on jail population capacity
- Provide successful alternative sentencing options
- Inspire public confidence
- Offender rehabilitation

CURRENT RESOURCES

Jail Capacity

As Alpine County does not have its own jail facility a contract has been established for jail services at the Jail facilities operated by the El Dorado County Sheriff's Office in South Lake Tahoe and Placerville California. As of April of 2024, a new Memorandum of Understanding (MOU) agreed upon by the Alpine County Sheriff's Office and El Dorado County Jail to change the annual allotment to \$100,000.00 with no cap based on 2023/2024 usage and bed rates increasing.

Jail Programs

Currently the El Dorado County Jail in South Lake Tahoe has the following programs available to inmates: Instructors are on a volunteer basis except the GED/School and Parenting Classes.

GED/School

Parenting

Jehovah's Witnesses

Church

Narcotics Anonymous

Overcomers Outreach

Alcoholics Anonymous

Probation Department

The Probation Department has in place policies, procedures, training and Evidenced-Based Practices (EBP) to effectively address this Realignment-population. A key component of correctional EBP is the use of a validated assessment tool and case management program to establish the risk an offender presents and to identify the needs of an offender. The Probation Department implemented the Tyler Odyssey System in 2018-2020. The implementation has added to the compliance level in the department. The system also includes a risk assessment tool which has been implemented.

Behavioral Health Services Department

Alpine County currently employs a full-time substance use disorders counselor licensed by the State of California. Services include assessments, referrals for recovery support services, referrals for mental health therapy, groups, and coordination of support services with the Alpine County Probation Department and other agencies whose function is to optimize success for Alpine County's justice-involved community members.

UPDATE

Public Safety Realignment was effective October 1, 2011, the Alpine County CCP created an initial implementation plan to address immediate issues presented by population shift and has updated this plan to create a longer-range plan.

The most recent changes were to staff. With the Chief Probation Officer position upgraded to 100% and the addition of a new position, Senior Deputy Probation Officer at 100%, the department became fully staffed in 2022 with three employees.

The purchase of a 2nd vehicle, equipped for department use in the field, was ordered in May 2022. The Tahoe arrived in December of 2023. An annual allotment was budget for emergency housing and other emergency needs. This money was used for emergency housing during the extreme winter of 2022/2023.

The existing MOU with the Sheriff's Office was amended to include some training components, such as taser and firearms certification for probation, increasing the allocation to \$50,000.00 annually. Also, \$20,000.00 was requested and voted on to upgrade the furnishings in the Probation Department, including office furniture, filing cabinets, and a computer for the lobby.

Due to increased costs and jail time the jail transfer was increased to \$100,000.00 annually. The Sheriff's Office was also granted an annual allocation for a new deputy sheriff position of \$150,000.00 beginning fiscal year 2023/2024. Probation was granted a one-time allocation of \$50,000.00 for field drug testing equipment.

The Probation Department requested a move to 100 Foothill Rd, Markleeville with rent and utilities to be paid out of AB 109 funding. This request was voted on and passed on the August 21, 2024 agenda. Also voted on and approved was a request to use remaining

allocated funds for the field drug testing equipment to be used to purchase another device in the amount of \$29,668.50.

A one-time allotment for the Public Defender (\$75,000.00) and the District Attorney (\$50,000.00) was voted on and approved by the Committee, with \$20,000.00 each coming out of their AB 109 funding and the remainder will come from the partnership account.

REALIGNMENT PLAN BUDGET

The base allocation for the fiscal year 2024-2025 is projected to be \$400,881.00.

Department / Entity	Additional Funding 2019-2020
Probation Department, District Attorney, and Public Defender Tyler Odyssey Case Management System	\$160,000.00 – Tyler Odyssey Case Management System \$40,000.00 – Infrastructure Approved - 2019
Department / Entity	Additional Funding 2021-2022
Probation	Upgrade to 55% Chief Probation Officer Salary 50% Sworn Officer Salary 25% Computer supplies, small tools& miscellaneous equipment, office supplies, and clothing for new position 50% Vehicle Approved -2021
Department / Entity	Additional Funding 2022-2023
Probation	\$50,000.00 for Emergency Funding
Department / Entity	Additional Funding 2023-

	2024
Sheriff	Increase appropriation to the Sheriff's Office to \$50,000.00
Probation	\$20,000.00 for Office furniture, filing cabinets, and a computer for the lobby.
Sheriff	Increase jail transfer to \$100,000.00 annually
Probation	One time allocation for field drug testing equipment of \$50,000.00
Sheriff	New Deputy Sheriff annual allocation \$150,000.00
Department / Entity	Additional Funding 2024-2025
Probation	Rent and utilities for 100 Foothill Rd.
Probation	IT costs \$10,000.00
Probation	A 2 nd field drug testing device using the remainder or the allocation from 2023-2024 of \$29,668.50
District Attorney	One-time allocation of \$20,000.00 from DA/PD CCP funding and \$30,000.00 from the CCP funds
Public Defender	One-time allocation of \$20,000.00 from DA/PD CCP funding and \$55,000.00 from the CCP funds.

Previously approved spending was discussed in previous plans.