

# County of Kern

## Public Safety Realignment Act

### FY 2017/18 Plan

(Approved by CCP July 5, 2017)

(Approved by Kern County Board of Supervisors July 18, 2017)



## Community Corrections Partnership

### Executive Committee

TR Merickel, Chief Probation Officer (Chairperson)

Lisa S. Green, District Attorney

Terry McNally, Chief Executive Officer of the Superior Court

Pam Singh, Public Defender

Bill Walker, Director-Behavioral Health & Recovery Services

Lyle Martin, Chief-Bakersfield Police Department

Donny Youngblood, Sheriff-Coroner

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# AB 109 Background

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Assembly Bill 109 (AB 109), the Public Safety Realignment Act of 2011, was signed into law by Governor Jerry Brown on April 4, 2011. It became effective on October 1, 2011. This Act, along with numerous trailer bills, made major changes to the criminal justice system in California. With these changes has come a large shift of responsibilities passed from the State to the Counties.

Some of the most significant changes in the law that Realignment brought include the following:

- Certain felonies, often referred to as Non, Non, Nons (non-serious, non-violent, and non-sex offenses), are no longer punishable by a state prison term. Instead, these felony charges are only eligible for county jail sentences.
- Certain offenders released from State prison are no longer released on State parole but instead are released on “Post Release Community Supervision” (PRCS). These offenders are supervised by the Probation Department.
- Most offenders on State parole and all offenders on PRCS will now serve time in county jail for violations instead of State prison.
- The Court and not the State Parole Board began hearing violations of PRCS offenders. On July 1, 2013, the Court also began hearing violations of offenders on State Parole.
- The law states that counties should focus on using alternative sanctions and evidence-based practices in order to more effectively reduce recidivism (PC 17.5).

AB 109 also created the Executive Committee of the previously established Community Corrections Partnership (CCP). This committee is responsible for creating and presenting a plan to the County Board of Supervisors regarding allocation of funds and implementation of policies and procedures related to Realignment. The plan is deemed accepted unless the Board of Supervisors rejects the plan with a four-fifths vote against. In such a circumstance, the plan is returned to the CCP for further consideration.

# Existing Implementation

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Each fiscal year since October 1, 2011, the Kern County Board of Supervisors has unanimously approved the Kern County Public Safety Realignment Act Plan as recommended by the Executive Committee of the Community Corrections Partnership (CCP) as mandated by Penal Code Section 1230.1. These plans have directed funding to numerous county agencies and community organizations to account for the additional public safety burden placed on the County. The plans included a mix of intense supervision, evidence-based assessments and treatment, mental health services, substance abuse treatment, a day reporting center, increased jail capacity, jail incarceration alternatives, employment services, community-based organizations, District Attorney and Public Defender staff, and multiagency law enforcement operations.

The CCP understood from the beginning that the Realignment process would evolve and change as it moved forward. The CCP acknowledged the need to be flexible in its approach to address aspects of Realignment as the practical and logistical realities presented themselves. The keys to making Realignment successful include the collection of data, communication between community partners, and a willingness to find solutions which best benefit our community.

There have been both successes and struggles since the beginning of Realignment. Challenges include the sheer number of realigned offenders continues to be significantly higher than projected (Tables 1 and 2). These higher than anticipated numbers put a strain on all CCP partners in the form of higher supervision caseloads and increased need for a variety of community services. The limited amount of State dedicated funds for Kern County has also been a challenge. This puts Kern County at a disadvantage compared to other counties who have considerably more resources to devote to services. The CCP developed a strategic plan to address the performance elements which will impact the amount Kern receives in Growth funding (the strategic plan is discussed in greater detail below). While Kern County has taken many positive and innovative steps to address Realignment, additional steps are needed; however, limited funding may restrict implementation.

There have been many positive actions taken by the CCP in response to Realignment. All parties involved in implementation have been fully engaged and worked together to make this difficult transition as successful as possible. By incorporating AB 109 legislative intent and ideas, Kern County is currently doing the following:

- Implementing evidence-based programs that have more long-lasting positive results
- Utilizing Sheriff's Virtual Jail to allow and monitor conditional releases, which can save millions of dollars compared to incarceration
- Improving interdepartmental cooperation in addressing specific issues and goals to improve communication, form partnerships, and expand services
- Creating employment services and paid work-experience program
- Initiating Pre-Trial Release Program

- Reorganizing department workloads and units for maximization of efficiency related to implementation of AB 109 programs
- Operating the Day Reporting Center, which produces pivotal changes in anti-social behaviors of offenders
- Expanding Sheriff’s in-custody educational, vocational, and evidence-based programs to provide the necessary tools to reduce recidivism
- Utilizing the community-based organization (CBO) program, which provides a multitude of services to offenders
- Applying information gained from the Results First criminal justice system benefit-cost analysis developed through collaboration with the national Pew-MacArthur Results First Initiative
- Operating the Probation Department’s Adult Programming Unit, which has an emphasis on evidence-based programming focused on changing anti-social behavior

Moving forward, this year’s plan will continue and expand on its successes while also addressing the challenges noted above. The CCP is dedicated to ensuring Realignment will be as successful as possible. Reviewing and revising the plan each year, provides the impetus for a strategic continuous improvement process.

*Table 1 – PRCS and Mandatory Supervision Offenders (Sentenced under 1170-h)*

Time Period	PRCS Packets Received	PRCS Population* (Snapshot as of May 31, 2017)	Offenders Sentenced to MS	MS Population* (Snapshot as of May 31, 2017)
Oct 2011-May 31, 2017	5,791	1,526	2,071	732

\*Includes those on warrant status

*Table 2 – AB 109 Population Impacts to Kern County Sheriff’s Office (KCSO)*

Time Period	Parole Violators Received	Probation PRCS Violators PC 3455(A)	Probation Flash Violators PC 3454(C)	AB 109 NNN Population Received	Total AB 109 Population Impact to KCSO
Oct 2011-May 31, 2017	15,677	7,482	1,540	7,115	31,814

# Strategic Plan for Factors Affecting Growth Funds

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In October 2014, the CCP approved the establishment of an Ad Hoc Strategic Planning committee to develop a strategic plan specifically to address the factors affecting AB 109 Growth funds which become performance-based beginning with the Growth funds received in the Fall of 2016. In December 2014, the CCP contracted with a consultant to assist in the development of the plan. From January to May 2015, over 250 various community, agency and offender stakeholders were engaged through personal interviews and surveys. Many of them also participated in one of three stakeholder sessions which elicited their input regarding gaps, barriers, community resources, and innovative programming for the criminal justice community of Kern County. Their input was captured into five key focus areas. From the data collected, the Ad Hoc committee developed Mission, Vision, and Values statements (listed below) which were approved at the July 15, 2015, CCP meeting. The Strategic Plan is in final draft form and will be an on-going document as the CCP proceeds with refining and further developing Strategic Plan initiatives.

The Strategic Plan was relied heavily upon when determining the focus areas for the Request for Applications (RFA) released in September 2015, and the Request for Proposals (RFP) released in October 2015, and June 2016. The CCP will continue to utilize the Strategic Plan when determining areas of need for the adult criminal justice population.

On November 30, 2016, the CCP approved the establishment of an Ad Hoc CCP Planning Committee. The CCP Planning Committee is tasked with reviewing and integrating the Strategic Plan, Results First, Sequential Intercept Mapping, and other material as appropriate. This committee is currently determining the progress that has been made in each of the five focus areas identified within the Strategic Plan. A final report is anticipated on or before June 30, 2018.

## **Mission:**

***The Community Corrections Partnership is committed to working together in order to promote a safer community through effective strategies.***

## **Vision:**

**The Community Corrections Partnership provides leadership through the partnering agencies and partnerships with the community to encourage, support, and network effectively for a safer community by doing the following:**

- **Decrease criminal recidivism through data-driven decision making which addresses substance abuse, criminogenic factors, and mental health issues**
- **Increase offenders' successful reintegration into the community using research-based strategies and interventions**
- **Encourage and support effective prevention strategies for members in the community**
- **Create opportunities for self-sufficiency among offenders**

### **Values:**

**Community Safety:** The CCP is committed to decisions which prioritize a safe and secure community, which increases the quality of life for all people in Kern County.

**Accountability:** The CCP holds itself and its partners to all established standards, agreements and policies.

**Fiscally Responsible:** The CCP believes in being good fiscal stewards of the public funds entrusted to the Partnership.

**Research Matters:** The CCP recognizes the importance of outcome-driven decision making by implementing current research and evidence-based practices.

**Transparency:** The CCP meetings are open to the public, all reports and agendas are available for review, and public input is welcomed.

**Change:** The CCP acknowledges people can change when they are willing and provided the opportunity and resources to succeed.

# Evidence-Based Programming

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Realignment encourages counties to focus on community-based corrections programs and evidence-based practices. To this end, Kern County has focused on the use of proven assessment tools, evidence-based practices, and the addition of evidence-based programs specifically to reduce recidivism and ensure public safety.

The Kern County Probation Department and Sheriff's Office utilize the Static Risk and Needs Assessment (SRNA). The SRNA can accurately predict the level of an offender's risk to recidivate which allows targeted supervision for those at higher risk to re-offend. These departments have also implemented the dynamic needs portion of the assessment tool, the Offender Needs Assessment (ONA). The ONA is a critical aspect of Programming and Supervision plans that focus on addressing the specific criminogenic needs of the offender.

Behavioral Health and Recovery Services' (Kern BHRS) Substance Use Disorder Division uses three evidence-based screening tools which include the Addiction Severity Index (ASI), American Society of Addiction Medicine (ASAM), and Socrates. These tools are strength-based, multidimensional assessments that address the patient's needs, barriers, liabilities, and willingness to participate in treatment. The screening tools also incorporate clients' strengths, resources, and support structure within their environment. These assessments are utilized in the creation of treatment plans in order to accurately place individuals into programming. Departments are committed to continuing to increase the use of assessments in the upcoming year.

In addition to utilizing these various assessment tools, Probation Officers, Sheriff's Deputies, and Kern BHRS staff have been trained in Motivational Interviewing (MI). MI is an interviewing method that assists staff with developing intrinsic motivation within clients in order to change behavior. Once a Supervision, Programming, and/or Treatment plan is developed individuals are referred to various evidence-based programs.

Evidence-based programs are valuable assets due to their significant reduction of recidivism when completed with fidelity. The Probation Department's Adult Programming Unit (APU) provides validated evidence-based programs to address specific criminogenic needs. APU offers Thinking for a Change (T4C), Aggression Replacement Training (ART) and Moral Reconation Therapy (MRT), and utilizes Effective Practices in Community Supervision (EPICS) which is an evidence-based approach to case management.

The Sheriff's Office Programs Unit of the Population Management Section has partnered with the Kern BHRS' Substance Use Disorder Division and Correctional Mental Health to provide evidence-based classes to individuals in custody. Inmates are offered ART, Dialectical Behavior Therapy (DBT), Matrix Program, MRT, Seeking Safety, and T4C. The classes equip offenders with new ways of thinking, substance-abuse treatment, cognitive behavioral therapy and coping skills. Kern BHRS also provides these classes as out-patient services after release from custody.

A key component to the success of evidence-based programming is contributed to the collaboration between the Probation Department, Sheriff's Office, and Kern BHRS. The Probation Department

shares data such as SRNA scores with the Sheriff's Office which is used as an added element for release and programming decisions. There is also a high level of inter-departmental cooperation between the Sheriff's Office and Kern BHRS. Many evidence-based classes offered to clients are facilitated by the two departments. This collaborative effort fosters greater communication and helps contribute to the success of programs.

Cooperation among the three departments is also seen in the coordination of services and care of clients. There is a significant level of communication between the Sheriff's Office and Kern BHRS regarding release dates to ensure that clients are prepared with necessities such as housing and medication. The Joint Evaluation Team (JET) is an AB 109 co-response team consisting of a law enforcement officer and a member of Kern BHRS' Mobile Evaluation Team (MET). MET staff partner with an officer from the Sheriff's Electronic Monitoring Program (EMP) or an officer from the Bakersfield Police Department to respond to crisis situations and to visit a prioritized list of AB 109 individuals with mental health and/or substance use disorder issues. The joint response approach places a law enforcement officer and member of MET in the same vehicle for the first time in Kern County, increasing the level of collaborative crisis care services. JET is uniquely qualified to assess the individual's crisis care service needs and simultaneously address public safety. This collaboration leads to better service for individuals in crisis and heightened public safety. The increased use of evidence-based tools and inter-departmental cooperation is a positive by-product of Realignment.

# Data Collection, Research, and Analysis

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AB 109 compelled department heads to examine the cooperation, coordination, and collaboration between county agencies. These department heads aspired to understand what impact AB 109 would have on individual departments and the county as a whole. Each department assigned key knowledgeable staff to work together, formulate innovative ideas, make decisions quickly, and produce results.

In October 2011, the Probation Department created the Research, Analysis, and Data (RAD) unit to assist Probation and the CCP with data collection and reporting. The RAD unit provides the following services:

- Vital data and reporting of quarterly financial and dashboard reports to the CCP and Board of Supervisors on Realignment activity in Kern County
- Annual data reports to the Chief Probation Officers Association of California (CPOC) reporting on data elements pertaining to PRCS, Mandatory Supervision, felony probation, and juvenile offenders
- Conducts program evaluations, such as the DRC evaluation
- Manages large inter-departmental projects, such as the Results First Initiative

The Sheriff's Office is also committed to data collection, research, and analysis of data. The Sheriff's Office has partnered with California State University, Bakersfield (CSUB) to examine the effects of the Residential Substance Abuse Treatment (RSAT) program. In 2013, the Department received grant funding from the Board of State and Community Corrections (BSCC) for the RSAT program, an expansion of the Matrix Program. The RSAT program focuses on intensive, outpatient, substance abuse treatment which requires extensive data collection. Through the RSAT program, the Sheriff's Office provides two Office Service Assistants to collect and monitor data elements such as drug tests, class participation, ONA scores, recidivism, and others.

Additionally, the Department staffs two Sheriff Program Technicians (SPT) to collect and monitor data. One SPT is designated to evidence-based programming and works closely with Sheriff Deputies in the Programs Unit to monitor out-of-custody case management, recidivism, and other factors. The second SPT is dedicated to the CBO Program and receives daily census data from CBOs, tracks financial information, enrollment, waitlists, successful completions, failures, and other elements as needed.

In an effort to collect and maintain the most accurate data, Kern BHRS has implemented a number of changes. In FY 2014/15, the Substance Use Disorder Division implemented the use of Flow Data to manage number of program participants. Flow Data is used to capture the most accurate AB 109 participant numbers. The Substance Use Disorder Division uses Flow Data to run reports and to generate conclusions from the inputted data.

Correctional Mental Health uses the Electronic Health Record (EHR) to collect screening data and run reports such as crisis calls and discharge plans. Correctional Mental Health has also created pre and

post tests that will collect information for programs such as Thinking for a Change (T4C). The pre and post tests will allow for an in-depth analysis of data to move programs forward, and will be implemented starting in FY 2017/18.

Since the implementation of AB 109, the Probation Department, Sheriff's Office, and Kern BHRS have started data sharing with greater frequency to effectively serve the population. The three departments collaborate and pool data to report CBO information (financial information, number of participants, services received, etc.) to the CCP, Board of Supervisors, and state agencies on an as-needed basis.

The Sheriff's Office participates in the Public Policy Institute of California (PPIC) pilot project. The department contributes to the state-wide research project to track and assess the reorganization of California's incarceration systems through data sharing.

Additionally, numerous agencies including the Probation Department, Sheriff's Office, Kern BHRS, Employer's Training Resource (ETR), Bakersfield Police Department, County Administrative Office (CAO), Public Defender's Office, and Kern County Superior Court collaborated to participate in the national Results First initiative. Results First is brought to jurisdictions through a Pew Charitable Trusts and John D. and Catherine T. McArthur Foundation collaborative. Results First is a benefit-cost analysis of the Kern County adult criminal justice system. All agencies involved participated in data sharing and internal research to identify programs offered, marginal operational costs, and a county recidivism rate. The Results First model indicates the projected recidivism reduction produced by programs offered here in Kern County and monetizes these results. This information is then given to Departments and Policy Makers to inform program decisions.

In FY 2017/18, data collection, research, and reporting remain significant as decision making will be based upon data extracted and reported, correlations between variables, and statistical analysis, especially as it relates to future "Growth" funding. Plans include further development of data tracker definitions, working within the development of the new system(s), expanding and/or improving capacity for data collection, measurement and evaluation training, visiting or directly interacting with other counties for networking and ideas, and a marketing/educational program for AB 109 information and awareness.

County staff remain active on the State level to ensure Kern County is receiving all crucial and available resources, accurate and useful information, and being heard as an important and significant Central Valley community. Each year, information will be provided to the CCP and the Board of Supervisors with a more comprehensive assessment of AB 109 implementation and Realignment activities.

# FY 2017/18 Plan

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Every year the CCP is tasked with developing a new plan which will address the pressing issues of Realignment in Kern County. The guiding principles remain public safety, reducing recidivism, and data-driven decision making. The FY 2017/18 plan's starting point is a continuation of all existing programs and allocations. Each individual agency's specific plans are explained in the following pages.

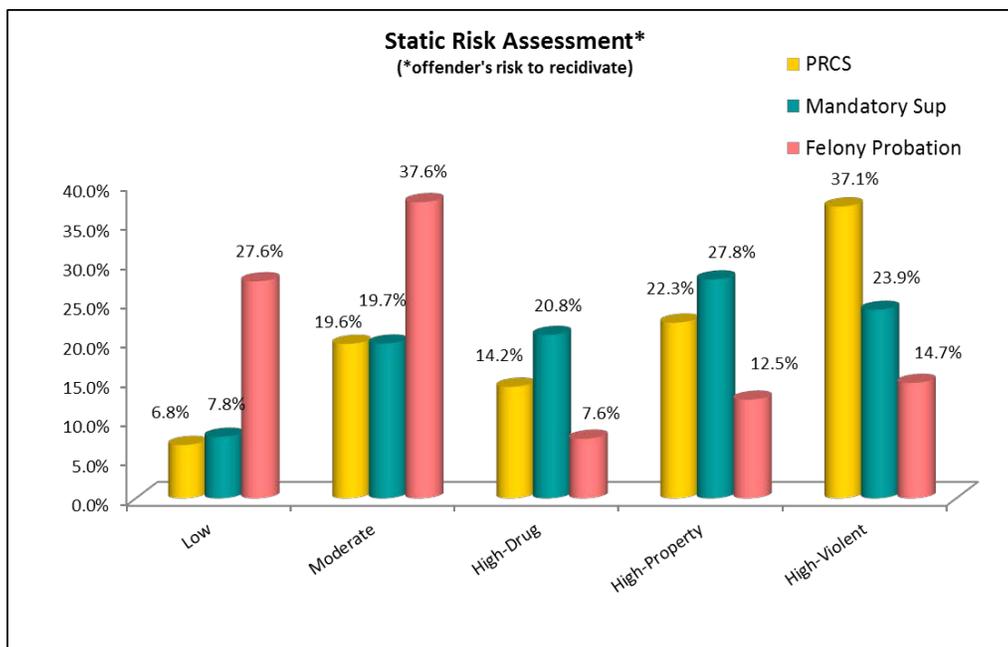
## Probation Department

AB 109 has redefined the California criminal justice system resulting in significant changes to the Adult Divisions of the Probation Department. Since the inception of Realignment, approximately 3,000 additional felony offenders are now under the supervision of the Probation Department. However, there are much more significant changes beyond the sheer numbers. Real philosophical and pragmatic transformations have permeated the way Probation does business. Evidence-based practices and data collection are the cornerstones of our recidivism reducing strategy. Breaking the cycle of re-offending is essential to ensuring long-term safety in our County. The CCP has made a real commitment to this end and the Probation Department is a vital piece in our success. The Probation Department is on the cutting edge in this arena using such tools as evidence-based assessments, individualized case plans, incentive/sanction matrix and criminogenic targeted programming. The benefits of reducing recidivism are evidenced by the reduction in victimizations and significant systematic cost savings. In addition, county allocations of AB 109 Growth Funds are based upon recidivism reduction performance. So the more success our PRCS, Mandatory Supervision and felony probation offenders have in community reintegration, the more resources we will secure for Kern County. A detailed explanation of Probation's plan follows below.

### Evidence-Based Assessment Tool

The foundation of the Department's movement toward evidence-based practices is a proven assessment tool. The Static Risk and Needs Assessment (SRNA) can predict with great accuracy the level of an offender's risk to recidivate. This allows targeted supervision for those at higher risk to re-offend, thereby utilizing the Department's resources to greater capacity, efficiency and effectiveness. Every offender under supervision is assessed with a SRA (Static Risk Assessment). This provides needed direction with caseload processing and prioritization. This tool also reveals the fundamental differences between the different supervision statuses (Chart 1).

*Chart 1 - Static Risk Assessment (as of March 31, 2017)*



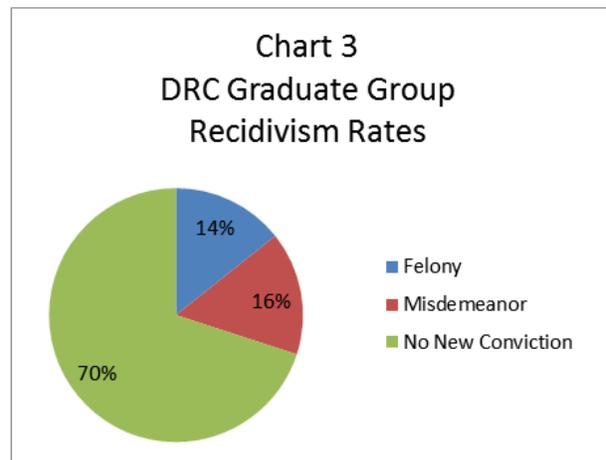
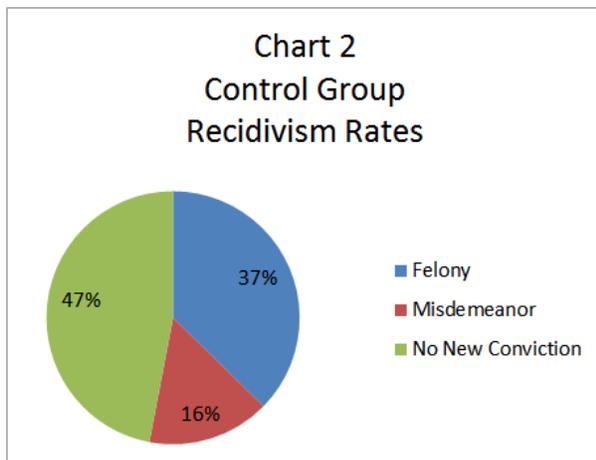
Based on this information it is clear the realigned offenders (i.e. Post Release Community Supervision and Mandatory Supervision) are at a much higher risk to reoffend than the traditional felony Probationers from a ratio standpoint. However, based on the high total of felony Probationers, there is a significant number of high risk offenders in this population as well.

The Probation Department shares our SRA scores with the Sheriff's Office. This information is used as another element in decision making for releases and programming. The increased use of evidence-based tools and inter-department cooperation is a positive by-product of Realignment. The Probation Department is committed to cooperating with all of our criminal justice system partners. We all benefit when we share information and business tools.

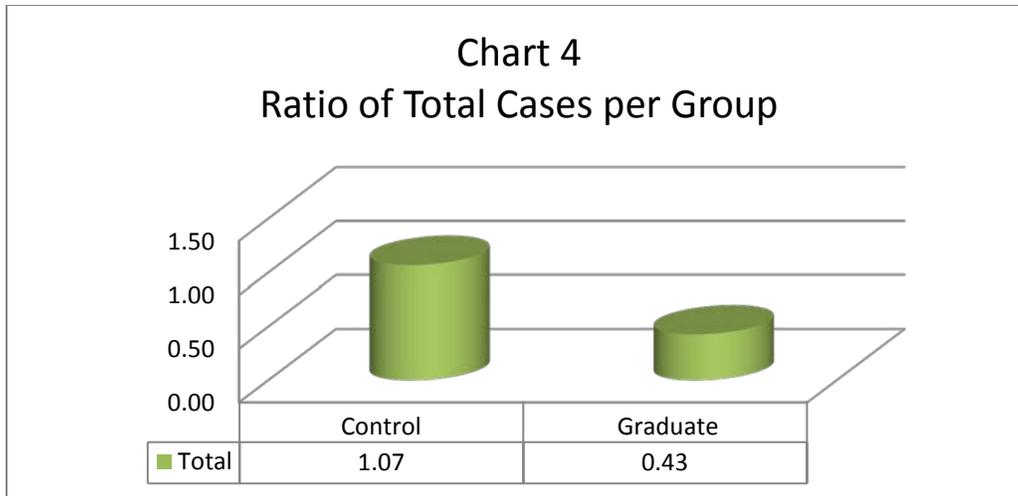
In addition to the SRA, the Department has implemented wide spread use of the dynamic needs portion of the assessment tool, the Offender Needs Assessment (ONA). The ONA is a critical part of Probation's supervision plan post Realignment. The ONA identifies the offender's criminogenic needs and helps develop an individual case plan to address those needs. This is a shift in Probation's past practice of mainly focusing on term and condition enforcement to a more holistic supervision paradigm. Holding offenders accountable is a priority; however, we must also attempt to place them in the best situation to succeed. This can be accomplished by matching their needs to the appropriate services. The Department is committed to continuing to increase the use of the ONA this upcoming year.

### Day Reporting Center

One of the most innovative programs the Probation Department has as a result of Realignment is its Day Reporting Center's (DRC). The DRC has a capacity to serve 200 high risk offenders at a time. This number was increased from 100 due to the CCP initial authorization of growth money followed by carry forward funding. An internal study of the effectiveness of the DRC showed the positive impact the program has on participants by significantly reducing recidivism. Graduates recidivated only 30% of the time compared to the control group at 53%; felony recidivism was 14% compared to 37% (see Charts 2 and 3).



The impact was even more pronounced when the actual number of criminal cases was examined. The control group produced a ratio of 1.07 criminal cases to offender while the graduates only produced .47 cases to 1 offender (see Chart 4). The full study can be located at <http://www.kernprobation.com/ab109ccp-realignment/plans-and-reports/>.



In addition to our internal study, there are national studies which reflect the positive benefits of day reporting centers.

The Probation Department reserves participant slots for the Sheriff’s Office Virtual Jail program. This allows for offenders still serving their sentence to benefit from the DRC’s programming and provides for a better transition to community supervision. This is another illustration of Kern County’s commitment to inter-departmental cooperation and teamwork.

The DRC is contracted with GEO Reentry, which operates DRC’s throughout the nation. GEO Reentry has a long history of successfully reducing recidivism with their programs. They use the same assessment tool as the Probation Department, formalize specific case plans to address criminogenic needs, and are able to provide a wide variety of evidence-based programs (EBP’s) and other services onsite. Criminogenic needs related to employment, education, aggression, parenting, anti-social behavior and substance abuse can all be addressed in one location. Key components of the DRC include Cognitive Behavioral Therapy, job readiness, substance abuse testing, daily reporting, sanctions, rewards and supervision in conjunction with GEO Reentry and the assigned Deputy Probation Officer (DPO). The DRC can change the lives of offenders and break the cycle of criminal behavior which is crucial to decreasing recidivism, reducing crime, ensuring public safety, and limiting societal and monetary costs. The Probation Department has witnessed the incredible and positive transformation of DRC graduates and believes this program is key in reducing recidivism and complying with AB 109 legislative intent.

#### Adult Programming Unit

The Adult Programming Unit (APU) is a newly structured unit within the Adult Divisions. It contains the DRC assigned officers as well as the Probation Program Supervisor and nine (9) Probation Program Specialists. These Probation Program Specialists provide validated evidence-based programs to address specific criminogenic needs. The benefits of evidence-based programs are that they significantly reduce recidivism when completed with fidelity. Examples of EBP include Thinking for a Change (T4C), Aggression Replacement Training (ART) and Moral Reconciliation Therapy (MRT). These programs are used in conjunction with the Department’s assessment tool, so officers can identify top criminogenic needs and immediately refer offenders to the appropriate services.

The Kern County CCP has developed a true continuum of reentry services. The spectrum of services include in-custody Sheriff Program Specialist positions, community-based organizations, Kern BHRS, Probation Program Specialists and the Day Reporting Center.

### Supervision

As a result of Realignment, the Probation Department's supervision responsibilities now include PRCS, Mandatory Supervision offenders and an increased number of felony probationers. No matter the supervision status, certain supervision principles are universal. This includes manageable caseload sizes with the goal of continuing to improve the officer to offender ratio. The smaller this ratio, the more able officers can be in maximizing the effectiveness of evidence-based practices.

A Response Matrix including redirection, additional terms, treatment, electronic monitoring, flash incarceration, the DRC, community-based organizations, and a formal violation resulting in custody time is being used to address violations of terms. A response commensurate with the nature of the violation, the number of prior violations and the defendant's risk level will be imposed. Responses will be swift, certain, specific, and graduated. As part of the Response Matrix, appropriate incentives will be utilized to facilitate and reinforce positive behavior change in offenders. Research shows that the incentives to sanctions ratio should be 4:1 to be effective. The Response Matrix was designed to be clear and easy to follow which fosters consistency in officers' responses to offender behaviors. DPO's also utilize Motivational Interviewing, a technique which has been shown to lead offenders to be more apt to initiate a change in their behavior.

### Investigations

Investigations staff have responded to the need for additional assessments, increased court reports and other needed services. These staff help ensure the Court continues to receive pre-sentence investigation reports in a timely manner and that current courtroom coverage can be maintained. They also create an SRA for every felony offender who is sentenced locally. Investigations staff play an integral part in the criminal justice system. Several AB 109 positions have been added to these units to help compensate for the increased demand for work as a result of Realignment.

### Research, Analysis, and Data Unit

The Research, Analysis, and Data (RAD) unit is responsible for data collection, state and local reporting, and program evaluations. The unit has also been involved in several large projects, including the Pew-MacArthur Results First initiative, the data collection effort lead by the Public Policy Institute of California, and several Request for Proposals/Applications. The RAD unit consists of five (5) staff, a Supervising Departmental Analyst, three (3) Departmental Analysts, and an Office Services Specialist. The Probation Department understands the importance of, and has committed to, research and data.

### Information Technology

AB 109 has created numerous IT challenges for the Probation Department. The Department is the hub of Realignment data collection for the CCP and the County. Integration of information, data reports and complex recidivism formulas are all necessary and important components of the overall success of Realignment. Furthermore, the changes in the law have created the need for additional reports and case management system (CMS) capacities. There has also been an increased request for information from State agencies and organizations for numerous studies. The Probation Department must maintain a sufficient level of IT services to meet these challenges. It is also noted the County has decided to move forward with a new criminal justice case management system through Tyler. While this is an exciting project and will produce many positive aspects, the transition will be difficult and staff intensive. Ensuring the program meets all of Probation's CMS and data collection needs moving forward will be vital.

### Support Staff

A total of six (6) Office Service Technicians (OST's) have been added as a result of Realignment. These positions are needed to support the increased work associated with reception areas, reports, filing and miscellaneous paperwork. Support staff play a vital role in the Department's success in meeting mission critical goals and in the implementation of programs.

### Collaboratives

The Probation Department has maintained and grown numerous collaboratives since the beginning of Realignment. It is clear that in order to accomplish the Department's goals of public safety and reducing recidivism, a county-wide team approach is needed. Some of these collaboratives include ETR, Kern BHRS, CBOs, and law enforcement. ETR receives referrals from DPOs for AB 109 employment and work experience programs. These programs offer offenders a way to improve skills and potentially gain employment. Officers work closely with both mental health professionals and substance abuse specialists from Kern BHRS. Certain offenders must have these issues addressed before they can move forward with their overall rehabilitation. With the AB 109 CBO Program, the Probation Department can directly refer offenders into a number of programs that address many different issues. These additional services increase the likelihood of successful completion from supervision and are a welcome and needed resource for officers. Probation staff also continued their collaborations with law enforcement agencies. Probation is very active in Street Interdiction Team (SIT) operations throughout the County and assists other law enforcement agencies when requested.

### Operating Costs

In order to achieve the stated goals and objectives as listed in this section, there are numerous associated operating costs. These costs include office and field equipment, licensing rights, vehicle maintenance and fuel, training, overtime, and more. The largest expenses are building leasing costs for our AB 109 staff.

Probation Department's FY 2017/18 AB 109 Allocation:

<u>Position/Item</u>	<u>#</u>	<u>Cost per Unit</u>	<u>Cost for 1 Year</u>
Probation Division Director	1	\$231,102	\$231,102
Probation Supervisor	5	\$181,688	\$908,440
Deputy Probation Officer III	11	\$165,029	\$1,815,319
Deputy Probation Officer	53	\$134,369	\$7,121,557
Probation Program Supervisor	1	\$114,886	\$114,886
Probation Program Specialist	9	\$99,677	\$897,093
Office Services Specialist	1	\$86,314	\$86,314
Office Services Technician	6	\$80,831	\$484,986
Departmental Analyst	2	\$93,392	\$186,784
Database Analyst	1	\$138,272	\$138,272
Programmer	1	\$122,260	\$122,260
Day Reporting Center		\$920,000	\$920,000
Operating Expenses		\$761,167	\$761,167
<b>Total</b>	<b>91</b>		<b>\$13,788,180</b>

## **Sheriff's Office**

As the seventh year under Public Safety Realignment gets underway, inmate population levels in the Sheriff's jails appear to be stabilizing in the wake of AB 109 and Proposition 47. Having established a robust inmate program regime and virtual jail system in the early years of Realignment; the Sheriff's Office moves into Fiscal Year 2017/2018 with an eye towards further improvement of the quality and capacity of its Realignment related programs.

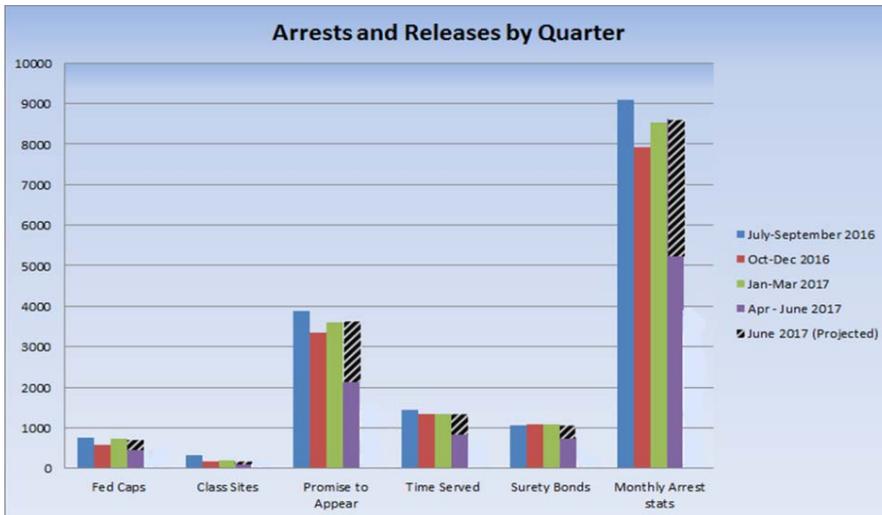
At the same time, the Sheriff's Office continues to be hobbled by budgetary restrictions and staffing shortages. As of late May, there were 82 deputy sheriff and 46 detentions deputy positions (of varying ranks) vacant, which significantly hinder jail operations and the delivery of inmate programs. While academies and other hiring efforts seek to mitigate this issue, the Sheriff's Office continues to struggle in keeping up with the rate of attrition.

These staffing shortages have forced the Sheriff's Office to close roughly 13% of its overall jail capacity. This has caused an increase in the number of inmates released early to keep the jail population below its federally mandated maximum. As of June 1, 2017, 2,511 inmates have been released early in Fiscal Year 2016/17, as opposed to 1,075 in Fiscal Year 2015/16.

AB 109 diverted many offenders who would previously have been sentenced to State prisons and sentenced them instead to the County jail. This shift increased the jail population such that during the first three years of Realignment, the Sheriff's Office was forced to release approximately 9,500 inmates per year in order to keep the population under federally stipulated limits. While current early release rates have not reached this level, the recent increase is cause for concern.

The impact of AB 109 went beyond the number of inmates incarcerated in Sheriff's Office facilities. Realignment sentenced inmates to County jail for terms similar in length to what they would have served in State prison. Whereas the maximum sentence in the pre-Realignment jail was generally one year, inmates are now being sentenced to two years or longer. The longest sentence currently being served in the Sheriff's jail is ten years, though an inmate with a fourteen year term was recently placed on electronic monitoring after completing one of the most rigorous in-custody rehabilitative programs currently offered.

As the inmate population stabilized after AB 109, Proposition 47 became effective in November of 2014. This law converted many crimes, particularly drug related crimes, from felonies to misdemeanors. As a result, the number of arrests per month initially decreased by approximately 20% and has remained fairly steady since that initial decline. The initial decrease in arrests created sufficient jail space to allow nearly all inmates sentenced to the County jail to serve their entire sentence.



Unfortunately, the aforementioned closure of jail beds due to staffing shortages has begun to reverse this trend.

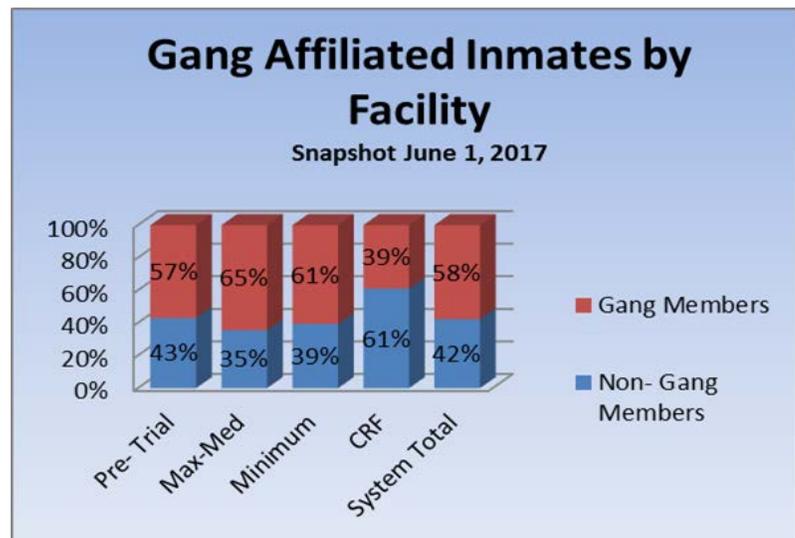
The chart to the left illustrates the number of arrests each quarter of Fiscal Year 2016/17, along with the types of releases during the same time periods.

Note: Projected data is provided for the fourth quarter of FY 16/17 because data for June 2017 was not available at the time of this report.

### The Challenges of the Post-AB 109 Inmate Population

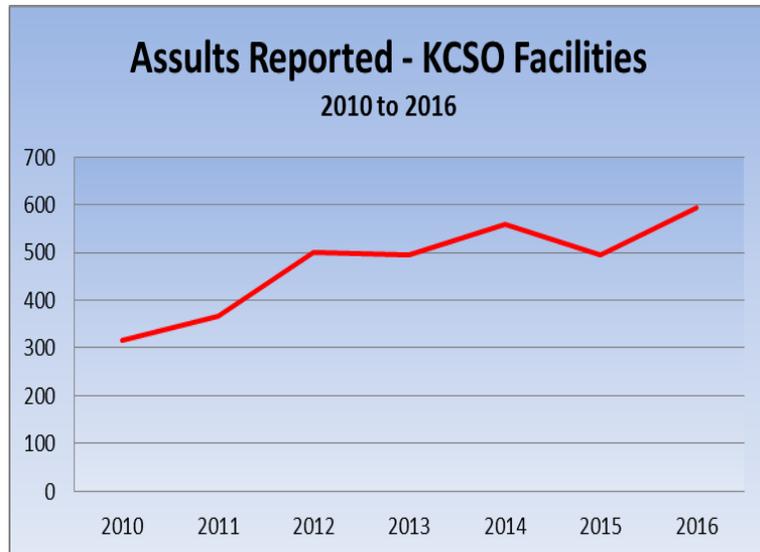
The combined impact of AB 109 and Proposition 47 has yielded a different inmate population than existed in previous years. AB 109 created a core of inmates serving longer sentences. Long-term inmates tend to present more challenging inmate management issues, as they tend to require more services, including medical and mental health care. What is more, they become more familiar and comfortable in their surroundings, learning to manipulate procedures and circumvent security. As they become more skilled, they influence shorter term inmates to act in a similar fashion.

Gang activity among inmates is of particular concern. It is estimated that 58% of the current inmate population is gang affiliated, as compared to the 2010 estimate of 33%. This increase has had a marked impact on inmate behavior. Serious rivalries and gang-politics that were more commonly a feature of State prisons have become commonplace in the County jails. Coordinated criminal gang activities, such as the smuggling of narcotics, cell phones, and other contraband have increased in recent years.



Also of concern is the trend of gangs forming within the Protective Custody population (inmates who can be housed together, but as a group must be kept separate from the general population). Not only are such gangs disruptive in and of themselves, but they influence other Protective Custody inmates to adopt gang behaviors, multiplying the resulting problems. Thus, this once easy to manage population has become as problematic as the general population, if not more so.

Increased gang activity brings with it increased violence. From 2011 to 2016, assaults in the jail system increased by 62.1%, as shown by the chart on the right. Assaults weigh heavily on jail staffing resources, forcing deputies to suspend normal operations to respond and investigate assaults, as well as escorting inmates to the hospital when their injuries warrant it. A single assault can divert multiple deputies from their normal tasks for several hours.



The changing nature of the inmate population can also be seen in the increase of inmates needing special housing. In previous years, inmates needing Administrative Segregation (those who are unable to be housed with other inmates) were between 4-5% of the population. Approximately 11% of the current population requires this type of housing. Likewise, Protective Custody inmates now constitute roughly 23% of the inmate population, where 3-5% was typical in pre-Realignment years. This increase in inmates who require special housing creates a significant draw on jail resources in terms of available beds, the capacity of holding cells, and the staff time needed to manage and supervise these inmates.

### Meeting the Challenge

In order to meet the challenges of the post-realignment inmate population, the Sheriff's Office has continued to improve safety and security in its jail facilities. The project to expand the use of cameras in the jails has continued in FY 16/17. The system at the Pre-Trial Facility has been expanded to 147 cameras. A similar project funded by AB 109 growth funds is underway that will result in a total of 56 cameras in the Maximum-Medium Facility. A camera system is also planned for the main kitchen to monitor inmate workers. Throughout the jail system, cameras that record inmate activity play an increasingly important role in holding inmates accountable for their actions and assisting in prosecution of crimes committed within the jail.

Other AB 109 funded projects are underway that will improve facility security and operation. The replacement of the aging electronic security control systems at the Lerdo Pre-Trial Facility has begun, funded in part by AB 109 growth funds. The installation of tamper resistant towel hooks at Pre-Trial, which are designed to prevent inmate suicide attempts by hanging, are an important improvement in inmates' safety and facility security. Improved perimeter lighting is also being added to the Lerdo complex. The PIPE system, which allows deputies to record security checks electronically in real time, was recently installed and is expected to improve the supervision of inmates by replacing less accurate, hand-written logs.

While cameras and other technologies can help monitor inmates, there is no substitute for dedicated and well-trained staff. Realignment funding continues to assist the Sheriff's Office in maintaining staffing levels needed to manage the increasingly problematic inmate population. As budgets tighten and staffing becomes an ever more challenging issue, the fiscal support provided by Realignment funding plays an increasingly important role in maintaining safety and security in Kern County's jail facilities.

### Programs and Services

The Sheriff's Office remains on the cutting edge of inmate programs grounded in evidence-based practices. Empirically proven curriculum is delivered to give inmates the tools they need to successfully re-enter the community. Evidence-based practices provide high quality services to meet the specific needs of inmates by integrating clinical expertise, external scientific evidence, and client perspectives. The reduction of recidivism remains the core mission of program delivery.

Proper assessment is the key to ensuring inmates are provided the treatment, services, and level of supervision appropriate to their needs and risk of recidivating. Sheriff's program staff is trained in the evidence-based technique of Motivational Interviewing, which improves the accuracy of information used for program placement. These skills help in the creation of a re-entry plan and in linking the inmates to available resources upon release.

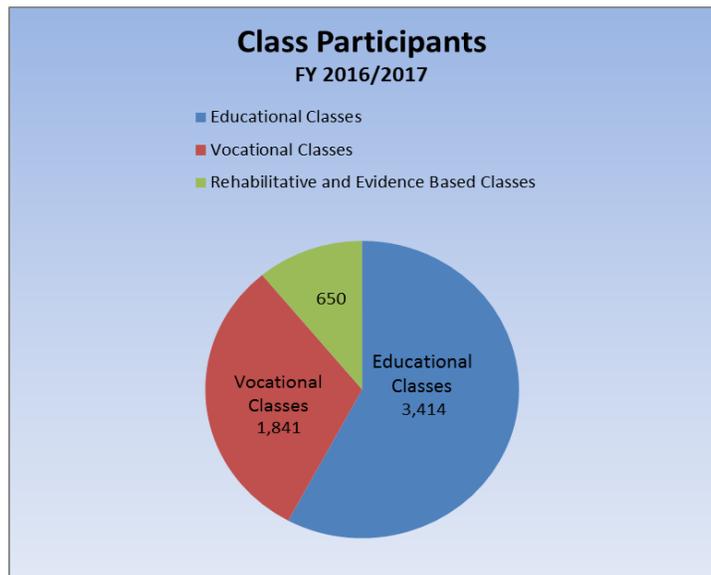
In Fiscal Year 2016/17, 650 inmates attended rehabilitative and evidence-based classes. Some of the evidence-based classes currently being offered within the jail facilities include:

- The Residential Substance Abuse Treatment (RSAT) Program is a program in which participants are housed separately from the general population. The treatment program includes a 3-month in-custody component followed by a 4-6 month aftercare (out-of-custody) component. It consists of substance abuse treatment, education, a contingency management plan, community reentry resources, and employment preparation.
- The Matrix Model is an intensive drug treatment program that teaches inmates about their addictions and helps them identify and examine ways to cope with high risk situations that lead to relapse.
- Seeking Safety is a cognitive therapy course that teaches coping skills, assists in formulating discharge plans, and helps with barrier recognition.
- Aggression Replacement Training (ART) utilizes multi-component, cognitive-behavioral treatment to promote pro-social behavior by addressing factors that contribute to aggression. Such factors include limited interpersonal social and coping skills, impulsiveness, over-reliance on aggression to meet daily needs, and egocentric values.

- Moral Reconciliation Therapy (MRT) is a cognitive behavioral treatment strategy designed specifically for offender populations. The purpose of MRT is to instill and develop higher levels of moral reasoning in inmates, which leads to moral thinking and behavior. It also helps inmates acknowledge how their behaviors affect others and helps them learn to change their behaviors to more positive social behaviors and beliefs.
- Dialectical Behavioral Therapy (DBT) is a treatment program that has been proven successful for those diagnosed with Borderline Personality Disorders. It focuses on the here and now and keeps a client in the present while planning with various coping skills for potential future crisis.
- Thinking for a Change (T4C) is an integrated, cognitive behavioral change program for offenders that includes cognitive restructuring, social skills development, and development of problem solving skills. T4C develops participants' social and problem solving skills through demonstrations and role-play activities. It teaches participants how to create changes in their thinking and behavior in order to make better decisions in their daily lives.

Educational and Vocational Services: The Bakersfield Adult School (BAS), which is part of the Kern High School District, is one of the largest partner agencies currently working with the Sheriff's Office. Nearly 30 teachers instruct over 90 classes per week in a variety of subjects. In FY 16/17, 1,841 inmates attended vocational courses during their incarceration.

Recognizing the importance of education in reducing recidivism, the Sheriff's Office/BAS program at Lerdo maintains its status as a certified GED testing site. Inmates take classes to ready themselves for the GED test and are able to test while in custody. In FY 16/17, 3,414 inmates attended educational classes and 49 earned their GED while in custody. Those who partially complete the program can continue their work with BAS once they leave custody. Acquiring a GED can be a significant step on the road to successful re-entry and employment.



Additional courses offered by BAS include Substance Abuse Prevention, Anger Management, Life Skills, and Adult Basic Education. Computer classes for male and female inmates are provided in Lerdo's state-of-the-art computer labs and continue to be among the most popular courses. Health classes are also available and provide inmates with basic health and wellness information related to physical, emotional, and social well-being. Many of these classes are approved by the courts, as well as the Department of Human Services, Child Protective Services, Probation, and State Parole.

The Sheriff's Office has also entered into a partnership with California State University, Bakersfield as part of the university's Project Rebound. This program provides outreach services to the inmate population and seeks to recruit eligible inmates to attend the university upon release. This program is similar to a longstanding partnership between the Sheriff's Office and Bakersfield College, in which inmates take a computerized assessment test while in-custody for possible enrollment in the college upon release.

Other services and programs include the following:

- The Lerdo staff dining facility is operated by female inmates who are taught basic food service skills and receive a ServSafe certificate, which improves their employment marketability when applying for jobs after release.
- The Sheriff's Office has several inmate work crew programs that respond to various locations in the community to clean trash from freeways, highways, abandoned homeless camp sites, and local streets. In FY 16/17, 355 job sites were completed and 702 miles of highways and streets were cleaned, amounting to over 581 tons of litter removed by inmate work crews.

The provision of inmate programming in facilities where the physical design limits the space and secure access to classroom areas has long been a challenge in the higher security facilities. To answer this challenge, the Sheriff's Office is currently converting a large storage area in the Maximum-Medium Facility into an inmate classroom. Once this is completed, another classroom will be added to the Pre-Trial Facility by converting a laundry area to a secure classroom. The addition of classroom space at these two facilities will aid in providing educational and rehabilitative programs to inmates that were previously difficult to reach due to limitations enforced by the facility design.

#### Partner Services

The Sheriff's Office partners with numerous governmental agencies and community-based organizations to improve the provision of services that help inmates successfully re-enter the community. For example, the Sheriff's Office continues its partnership with the Department of Child Support Services (DCSS) to assist inmates in resolving child support issues. A Child Support Kiosk has been installed at the Lerdo Minimum Facility. The Kiosk features teleconferencing capability that connects with staff at DCSS. In FY 16/17, over 1,215 inmates utilized this service. The kiosk can reduce stress on inmates who were previously unable to manage their child support obligations while incarcerated.

The Sheriff's Office is currently in discussions with the Department of Motor Vehicles and the California State Association of Counties to implement a program by which eligible inmates can replace lost driver's licenses or identification cards. Inmates will fill out the necessary paperwork while in custody and the DMV will send the license to the jail, where it will be given to the inmate upon his/her release. The fees for the license will be paid out of the inmates' accounts, though the Sheriff's Office has allocated a small portion of its AB 109 base funding to cover fees for inmates who are unable to pay the fee. The lack of valid identification has long been a significant barrier to successful re-entry into the community and it is hoped this program will mitigate that barrier for many participants.

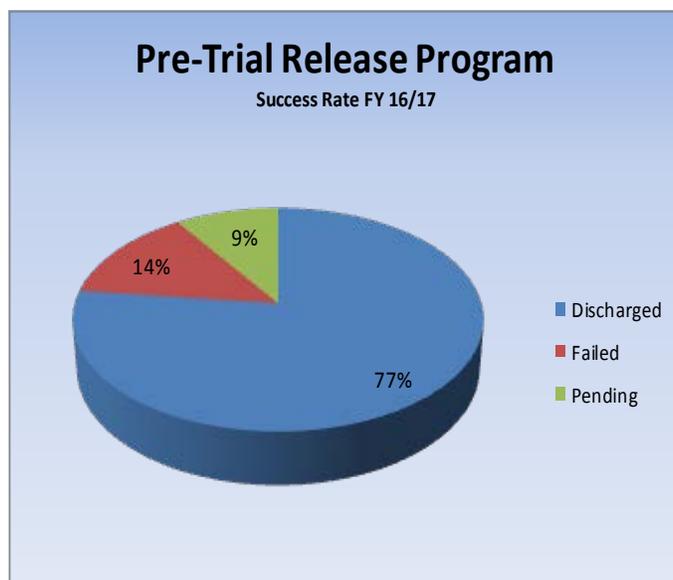
The Sheriff's Office also maintains a strong working relationship with ETR to provide services to the in-custody and Virtual Jail population. ETR staff provides employment services to participants of the Residential Substance Abuse Treatment program and efforts are underway to expand their outreach in the jail system.

In October of 2017, the Sheriff's Office plans to host its fourth annual Resource Fair. Local providers are invited to attend and educate inmates about services that are available after they are released. Resource Fair providers supply information that may assist inmates with employment, housing/shelter, education, counseling, rehabilitation, medical/dental care, child support, and probation information.

### Pretrial Release Program

The Sheriff's Office continues to release low risk inmates back into the community prior to their arraignment via the Pretrial Release Program. The Kern County Superior Court has given the Sheriff's Office authority to release inmates deemed eligible by the Virginia Pretrial Risk Assessment Instrument (VPRAI). The VPRAI is an evidence-based tool that assesses an inmate's risk of failing to appear in court and the risk to community safety.

In FY 16/17, 203 inmates were released on the Pre-Trial Release Program. This program has played an important role in helping the Sheriff's Office manage its jail bed space while maintaining public safety and combating recidivism.



### Sheriff's Virtual Jail

The Virtual Jail program allows the Sheriff's Office to maintain varying degrees of oversight and compliance monitoring for released participants. Many Virtual Jail inmates participate in mental health services and substance abuse treatment programs. Some continue to attend educational or vocational programs. There are three Virtual Jail programs: Sheriff's Parole (SP), the Work Release Program, and the Electronic Monitoring Program (EMP). The overall goal of the Virtual Jail is to reduce recidivism and to help participants reconnect with their families and become gainfully employed, law-abiding citizens.

Over the past eleven months, EMP and SP combined had 1,382 total participants. As of June 5, 2017, 827 participants had successfully completed the EMP and Sheriff Parole program. However, 570 participants violated the terms of the program and were subsequently returned to custody.

The Virtual Jail staff has continued their emphasis on drug testing this year in order to ensure compliance among program participants. EMP and SP have conducted 409 drug tests with a 79% negative test rate. For participants who tested positive, referrals were made to the Probation Department Day Reporting Center (DRC), GATE Team, and NA/AA meetings to help rehabilitate the individual.

More than 115 remote alcohol detection devices have been deployed with released inmates who have multiple convictions for driving under the influence. The remote alcohol detection devices require participants to test randomly every three hours and use facial recognition software to confirm the identity of the users. These devices have conducted 58,387 breath tests on participants and there have been only 34 positive tests and 3,541 missed tests, resulting in an 82% compliance rate. Participants who miss a scheduled test are contacted and required to test immediately. Those who test positive are arrested for a violation of their terms of supervision.

The Sheriff's Office continues to use ankle monitors for inmates requiring prolonged admittance at Kern Medical Center. This past year, the Sheriff's Office used the monitors on 15 inmates for over 1,682 hours. This equates to 210.3 eight-hour shifts that would otherwise have been filled by a deputy to guard the inmates, resulting in approximately \$66,001.68 in staff cost savings.

#### AB 900 Construction Update



Construction of the Sheriff's new Justice Facility is now well underway. This 825-bed facility will be the first new jail built in Kern County in 30 years. Funded by Assembly Bill 900, the Justice Facility is slated for completion in October of 2017.

The new facility will include a de-centralized programs design, which includes two classrooms in each of the four housing modules and a centralized classroom. These nine classrooms will provide additional opportunity to expand educational and rehabilitative programming to a larger portion of the inmate population.

### Moving Forward

This fiscal year, the Sheriff's Office will receive a base fund allocation in the amount of \$15,226,946 in accordance with the established 39.37% of the overall base allocation. This total represents an increase of \$8,901 over the FY 16/17 base allocation. The increase, along with the reallocation of base funding previously identified for overtime, will be allocated to adjust for increased personnel costs and to fund the following:

- The addition of one Administrative Coordinator position, at a cost of \$115,247 in salary and benefits. This position is needed to assist in the increasing administrative duties related to contracts, data analysis, and budgetary administration for jail operations and AB 109 programs and services.
- The addition of one Sheriff's Program Technician position, at the cost of \$91,867 in salary and benefits. This position is needed to assist in the Sheriff's Office portion of tracking and administering CBO contracts. These tasks, which are currently performed by a single technician, have increased dramatically from the original six contracts to an anticipated eighteen contracts during the next fiscal year.
- The addition of \$1,400 to support the planned Inmate DMV License/Identification Program and pay DMV license fees for indigent inmates.

The chart below reflects the recommended Sheriff's Office AB 109 Budget for FY 16/17, including updated staffing costs.

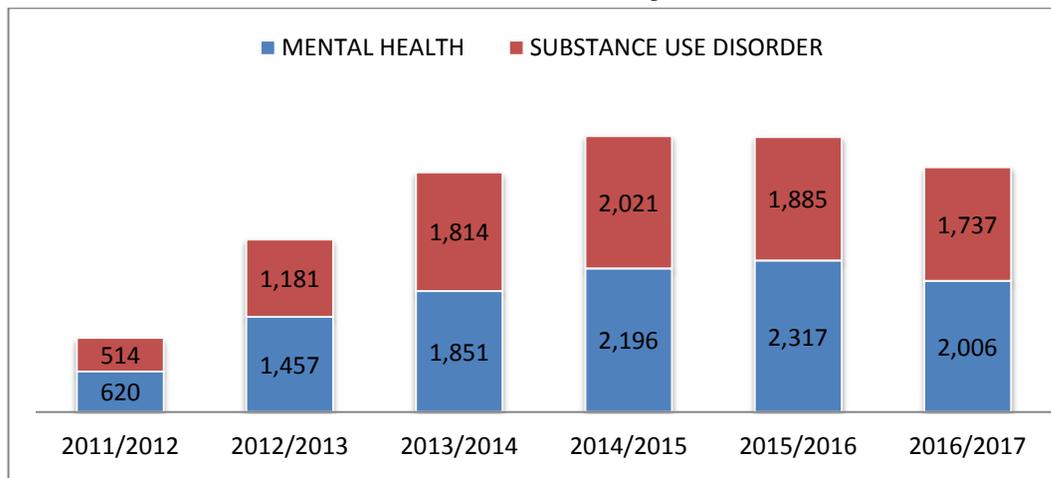
**Sheriff's Office Proposed FY 17/18 AB 109 Allocation**

POSITION /ITEM	QTY	COST PER UNIT	ANNUAL COST
Detention Deputy	43	\$120,424	\$5,178,232
Deputy Sheriff II CA	14	\$166,719	\$2,334,066
Deputy Sheriff II C	6	\$150,514	\$903,084
Program Specialist	8	\$109,854	\$878,832
Detention Senior Deputy	4	\$138,415	\$553,660
Sheriff's Support Technician	7	\$78,695	\$550,865
Deputy Sheriff II C	3	\$144,314	\$432,942
Senior Deputy Sheriff	2	\$180,998	\$361,996
Program Technician	3	\$91,867	\$275,601
Sheriff's Lieutenant	1	\$237,902	\$237,902
Admin Coordinator	2	\$115,247	\$230,494
Detentions Lieutenant	1	\$204,957	\$204,957
Sheriff Sergeant	1	\$203,764	\$203,764
Sheriff's Aide	2	\$86,652	\$173,304
Detentions Sergeant	1	\$151,791	\$151,791
Deputy Sheriff II	1	\$150,514	\$150,514
Programmer II	1	\$128,134	\$128,134
Maintenance Worker 4	1	\$95,067	\$95,067
Sheriff's Support Specialist	1	\$86,202	\$86,202
<b>Total Salaries &amp; Benefits</b>	<b>102</b>		<b>\$13,131,407</b>
Overtime			\$107,251
<b>Total Personnel Costs</b>			<b>\$13,238,658</b>
<b>Total Services and Supplies</b>			<b>\$1,988,288</b>
<b>Total Proposed FY 17/18 AB109 Allocation</b>			<b>\$15,226,946</b>

## **Kern Behavioral Health and Recovery Services Department**

Since the inception of AB109 in October 2011, Kern BHRS has continued to experience an increase in service need for individuals with criminal justice involvement. The impact has been seen across the continuum of care, including within both substance use disorder (SUD) and mental health (MH) in-custody, outpatient, crisis, and inpatient settings. From July 1, 2016 to April 30, 2017 Kern BHRS served a total of 3,743 individuals with an AB 109 category assignment. MH services were provided to 2,006 individuals, and SUD services were provided to 1,737 individuals. Moreover, 971 individuals were treated in both MH and SUD service systems. Given data available for this report covers only part of FY 16/17, the department is on track to serve a higher number of individuals this fiscal year than in previous years. The table below reflects the number of AB 109 assigned individuals who were provided mental health and/or substance use disorder services through the department since 2011.

### **Individuals Served by Fiscal Year**



FY 16/17 data is limited to a 10-month period of July 1, 2016 to April 30, 2017.

Through AB 109 Public Safety Realignment funding, Kern BHRS aims to address mental health and substance use disorders, thereby reducing recidivism in the areas of hospitalization and incarceration, and reducing days of homelessness for the population served. Services utilize evidence-based and best practice strategies focusing on both mental illness and substance use, and targeting the areas of anger management, psychological trauma, and errors in reasoning or criminal thinking.

## **Programs and Services**

### **Mental Health In-Custody Services:**

The Correctional Mental Health (CMH) Team provides mental health services onsite in Kern County correctional settings operated by the Kern County Sheriff's Office. The department partners with the Sheriff's Office, Probation, and Community-Based Organizations (CBO) to coordinate services from incarceration through release into the community. The Sheriff's Office provides CMH space within the correctional settings to provide services. In addition, the Sheriff's Office has dedicated a deputy, trained and knowledgeable in MH services, to function as a liaison with CMH staff to coordinate care. Multi-agency coordination within the correctional setting also includes the Sheriff's Office assisting inmates with the Medi-Cal application process, Probation Department's involvement in the discharge planning process, and CBOs who provide post-discharge placement and support services.

Growth of the mentally ill inmate population in Kern County has corresponded with an increased need for psychiatric care. The Kern BHRS FY 2015/16 AB 109 Spending Plan recommended several staffing additions to support in-custody mental health services. During FY 2016/17, these additional staff were hired to include: (1) Unit Supervisor, two (2) Mental Health Nurses and one (1) Licensed Vocational Nurse, two (2) Mental Health Therapists, and two (2) Recovery Specialists.

Services provided by these staff include evidence-based therapy and interventions, crisis response, psychotropic medication support, and discharge planning. Treatment includes theoretical frameworks such as Motivational Interviewing (MI) and Cognitive Behavioral Therapy (CBT) focused on a client-centered approach to increase engagement in treatment. MI is a collaborative approach aimed to assess and strengthen an individual's own motivation to change his/her behaviors. CBT teaches participants an introspective process for examining their way of thinking, feeling, belief systems, and attitudes. This approach has been found effective when addressing substance use, anger management, trauma, and criminal thinking.

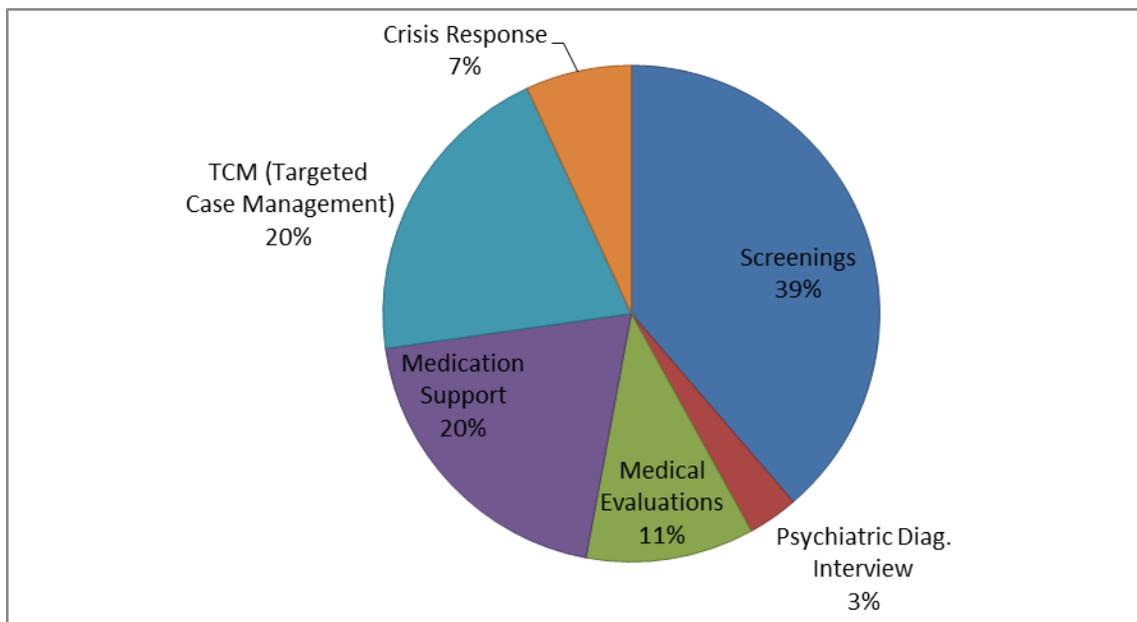
Discharge planning is an important element of in-custody treatment. The first few days after release from incarceration is a critical period and individuals are often at high risk for recidivism if they are not directly linked to appropriate services. Each discharge plan developed by CMH staff ensures that individuals have appropriate housing, are linked to outpatient treatment, have applied for medical insurance, and are linked to a primary care provider. These comprehensive discharge plans are shared with coordinating agencies to further support successful integration into the community.

Additional elements of a successful discharge have been identified as medication access and post incarceration service engagement. A Bridge Medication process is in place to assist individuals to continue psychiatric medications upon release. Over the past fiscal year, this process was refined to encourage linkage to services after release from custody. Over the ten month period from July 2016 to April 2017, there were a total number of 383 bridge medication authorizations issued. To support post release service engagement, the Kern BHRS AB 109 Co-Response Team follows up post incarceration to ensure that individuals succeed with a viable plan and integration back into the community. In addition, the Joint Evaluation Team (JET) identifies AB 109 assigned individuals who

are eligible for the Electronic Monitoring Program (EMP), with referrals made for individuals in need of medication support services to ensure medication compliance upon release into the community.

During this reporting period, Correctional Mental Health staff provided a total of 8,488 MH services consisting of screenings, crisis response, suicide watch evaluations, medication support, psychiatric evaluation, and targeted case management. An average of 852 services was reported per month. In this same reporting period, 134 court-ordered medication evaluations were conducted and recommendations submitted; of those 134 recommendations, 123 individuals were court ordered to receive involuntary medications. The table below reflects mental health services provided in-custody by service type.

### In-Custody MH Services by Type



#### Substance Use Disorder In-Custody Services:

In-custody Substance Use Disorder Services are funded through the Sheriff’s Office, and provided by substance use disorder specialists hired and supervised by Kern BHRS. Although the program is not directly supported through AB 109 Realignment funding, the programming is part of a larger continuum of care serving AB 109 assigned individuals, and program participants are directly linked to outpatient AB 109 funded services upon release.

Substance Use Disorder services in the in-custody setting include evidence-based group programming based on Motivational Interviewing and Cognitive Behavioral Therapy (CBT) treatment approaches. Groups include: Matrix, Seeking Safety, and Thinking for Change (T4C). The Matrix Program is an evidence-based modality that teaches individuals about their addiction and provides opportunities to identify and strategize high-risk situations which may lead to relapse. Seeking Safety is also an evidence-based model, and is designed to address trauma through examining thoughts, feelings, behaviors and belief systems. It encourages participants to develop safe coping skills to

deal with the triggers associated with trauma. T4C was expanded within the Matrix curriculum during FY 2016/17 and is an integrated cognitive behavioral change program. T4C integrates cognitive restructuring, social skills, and problem solving skills. Problem solving becomes the central approach offenders learn that enables them to work through difficult situations while not engaging in criminal behaviors.

Individuals are selected based upon eligibility criteria by Sheriff's Office detention deputies for participation in one of three in-custody treatment programs: male maximum/medium, Residential Treatment Program for male minimum and female program. Over the ten (10) month period of July 2016 to April 2017 there were 218 total participants screened and admitted into the in-custody treatment program at the Lerdo correctional facility. The Matrix Program enrolled 69 total participants and obtained a 53% successful completion rate. The Seeking Safety Program enrolled 35 total participants and obtained a 64% successful completion rate.

The in-custody SUD treatment program involves coordination of services with the Sheriff's Office and CBOs. This coordination of care ensures individuals are provided support in-custody, and throughout the transition to post release services, to maximize their opportunities for successful re-integration. Upon discharge from the program, SUD staff screen each inmate to determine their treatment needs upon re-entry. Each inmate is assigned a community-based treatment provider. All providers are electronically connected to the central assessment center, known as the Gate Team, through the Kern BHRS electronic health record system. If an individual fails to report for their appointment, Sheriff's Office staff is immediately notified.

#### Mental Health Outpatient Services:

The Access and Assessment Center serves as the centralized access system for adults entering mental health treatment outside of the criminal justice setting. During the period of July 2016 to April 2017, the center served 155 AB 109 assigned individuals. For these 155 individuals, the Access and Assessment Center provided 76 mental health screenings, 73 mental health assessments, and six (6) "Other" face-to-face services. Of the AB 109 individuals who received mental health assessments, 53 were linked to services within the Kern BHRS system of care, including contracted rural providers.

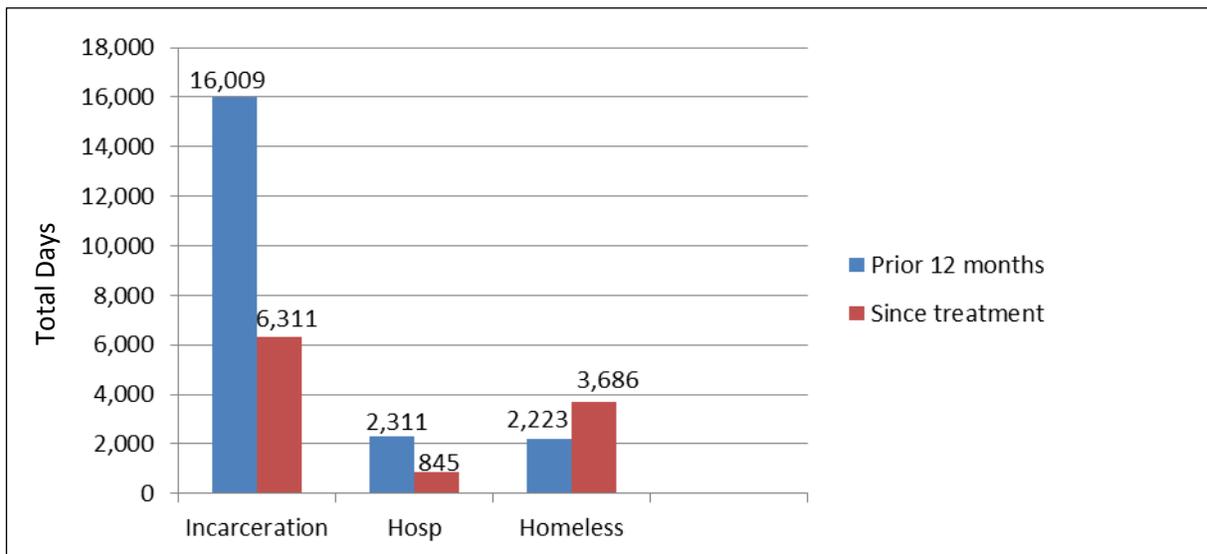
The Adult Transition Team serves individuals with serious and persistent mental illness who have been released from jail or are on post release community supervision from prison. The team screens individuals in the in-custody setting and provides a direct linkage to outpatient services upon release. These services aim to reduce days of hospitalization, incarceration, and homelessness for individuals served.

The evidence-based practices of Stages of Change, MI, Moral Reconciliation Therapy (MRT), Thinking for Change (TFC), and Seeking Safety are provided in outpatient settings, maintaining a continuum of care for individuals discharged from incarceration. Aggression Replacement Training (ART) was added in FY 2016/17 as an outpatient treatment option. The program uses principles of CBT and is delivered in a group format. ART uses a combination of learning new interpersonal skills and ways to identify anger cues and triggers as well as skills to reduce anger. Modeling, role-playing, weekly anger logs, and weekly homework assignments are important aspects to ART and help participants

generate more adaptive and healthier problem-solving and decision-making processes. ATT services are also enhanced with the evidence-based models of Solution Focused Brief Therapy (SFBT), Dialectical Behavioral Therapy (DBT) and Targeted Case Management.

Kern BHRS tracks the number of days each individual spends in custody, in an inpatient psychiatric setting, or homeless in the 12 months before entering treatment. The target is to reduce the aforementioned areas by 30% from the percentages attained during the previous fiscal year. From July 2016 to April 2017, ATT served 143 unduplicated individuals with severe mental illness, all of whom had a secondary diagnosis of a substance use disorder and were homeless. In aggregate, compared to the previous fiscal year, the number of days incarcerated decreased by 61%, the number of days in a psychiatric inpatient setting were reduced by 63%, and the number of days of homelessness was increased by 40%. The table below represents these outcomes.

### Adult Transition Team Incarceration, Hospitalization and Homelessness July 1, 2016 – April 30, 2017



#### Mental Health Intensive Outpatient Services:

Intensive Outpatient (IOP) mental health services are provided to AB 109 assigned individuals by Mental Health Systems, a contracted provider with Kern BHRS. These services are an enhanced level of outpatient service employed when an individual cannot sustain psychiatric stability. Mental Health Systems employ the Assertive Community Treatment (ACT) model through their ACTION program, with services available 24 hours per day, 365 days per year. The ACTION program offers

community-based treatment for individuals with severe and persistent mental illness, and/or a criminal justice background who have been diagnosed with a significant MH disorder. All individuals are eligible to receive medication management and monitoring, individual and group therapy, drug and alcohol counseling, case management, vocational rehabilitation, peer counseling and support, housing support services, and after hours crisis support. Due to the acuity of symptoms experienced by those served, the ratio of individuals per caseload is approximately 10 consumers to 1 staff member.

Between July 2016 and April 2017 the ACTion program served 69 AB 109 assigned individuals, with a total of 3,023 service contacts. In line with other Kern BHRS outpatient programs, the ACTion program aims to reduce incarceration, homelessness and hospitalizations. During this reporting period both homelessness and incarcerations were reduced while inpatient admissions remained static.

#### Outpatient Substance Use Disorder Services:

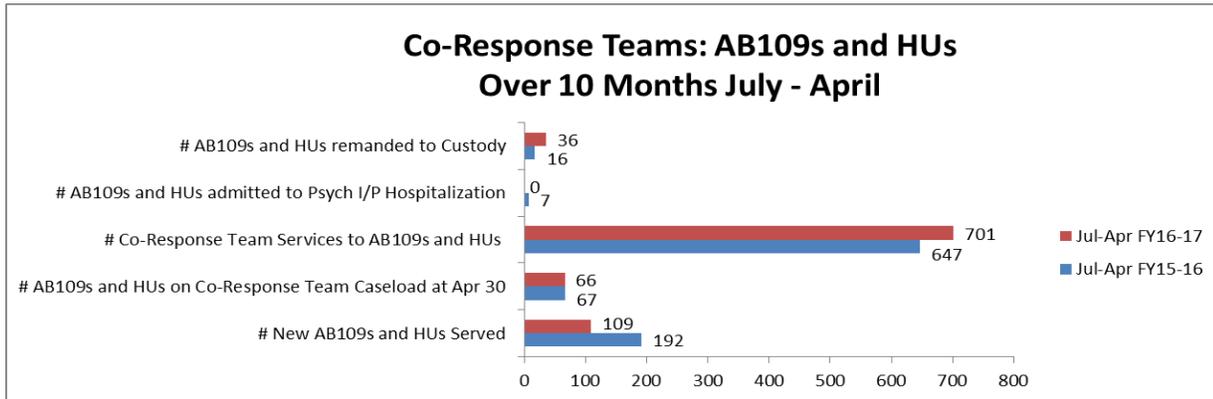
Outpatient substance use disorder services for AB 109 assigned individuals are primarily provided through Kern BHRS contracted service providers. Individuals are linked to service providers through the Gate Team. The Gate Team is the central screening and referral service for SUD treatment in metropolitan Bakersfield, and has several locations throughout the community. Screenings are also conducted in the in-custody and psychiatric inpatient setting, and at local hospitals. In outlying areas of Kern, contracted service providers conduct the screenings. There were a total of 1,452 criminal justice involved individuals referred to outpatient SUD services through the Gate Team between July 2016 and April 2017.

#### Mobile Evaluation Services:

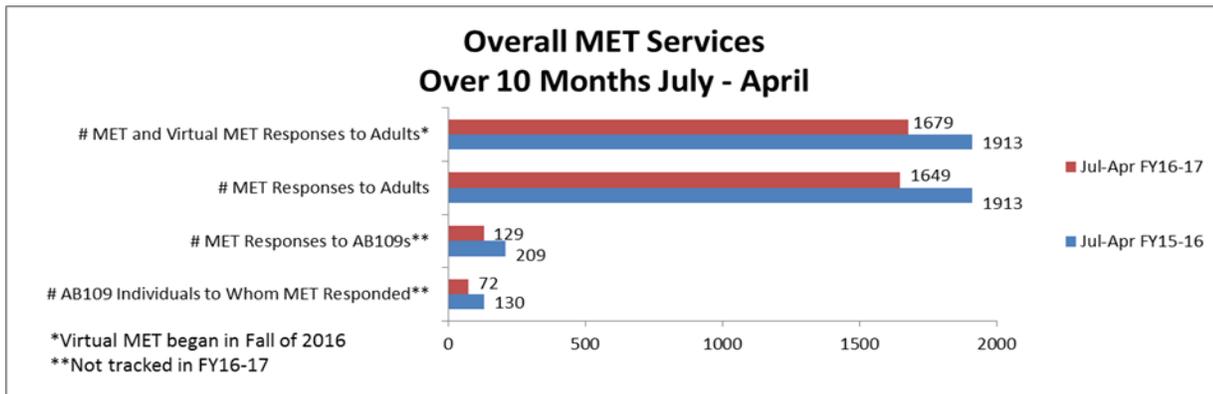
Mobile Evaluation Team (MET) services have historically acted as an adjunct to law enforcement with community response, and it has been standard for MET to be dispatched through law enforcement. Since the launch of the AB 109 Co-Response Team in June 2015 however, MET, in conjunction with the Sheriff's Office and the Bakersfield Police Department (BPD), has taken on a more proactive role in reducing crises and recidivism. There are now two Co-Response Teams in place: one for the Sheriff's Office and one for BPD. Each Co-Response Team consists of a law enforcement officer and a member of MET. The MET members of the Co-Response Teams are funded through AB 109 Realignment and are senior-level, experienced members of MET. Both Co-Response Teams spend most of their time in the field proactively visiting a prioritized list of AB 109 and High Utilizer (HU) individuals with MH and/or SUD challenges. These HUs are High Utilizers of law enforcement 911 services who without early intervention may become hospitalized or incarcerated. This joint response approach places the law enforcement officer and the member of MET in the same vehicle, increasing the level of collaborative crisis care services.

The Co-Response Teams provided initial contact to 109 new AB 109 and HU individuals during the period of July 2016 to April 2017. Overall, the Co-Response Teams provided 701 services to all AB 109 and HU individuals. Thirty-six (36) AB 109 and HU individuals were remanded to custody during

this period; and there were no (0) inpatient psychiatric hospitalizations. The caseload of the Co-Response Teams as of April 2017 included 66 AB 109 and HU individuals.



In addition to Co-Response Team services, traditional MET services continue to be provided throughout Kern County. At the request of law enforcement, MET provides community based crisis intervention services including evaluation and transportation for involuntary psychiatric care. Between July 2016 and April 2017, MET and/or Virtual MET responded to 1,679 adults with local law enforcement. 129 of these responses were provided to 72 unique individuals known and assigned as AB 109.



**Psychiatric Evaluation Center and Crisis Stabilization Unit:**

The Psychiatric Evaluation Center – Crisis Stabilization Unit (PEC-CSU) is the designated facility to receive involuntary psychiatric holds from law enforcement and staff designated by Kern BHRS to perform holds. Individuals may be voluntarily admitted to PEC-CSU during a crisis. The PEC-CSU determines if there is a need for hospitalization or if the individual can be treated and released back to the community. Discharge from the PEC-CSU is coordinated with the individual’s current service provider for the community release or as a notification that the individual was admitted to a psychiatric inpatient facility.

Between July 2016 and April 2017, the PEC-CSU served 315 individuals in crisis who were designated with an AB 109 client category. Many of these individuals had more than a single crisis encounter during the fiscal year. These services contribute to the impactation of this 24-hour facility.

### Inpatient Services:

A significant expense for Kern BHRS for AB 109 assigned individuals is psychiatric hospitalization. Individuals who receive hospitalization services usually present with thoughts of harm to self and/or others, or are deemed gravely disabled and unable to properly and intentionally care for their own well-being. Between July 2016 and April 2017, Kern BHRS expended approximately \$1,647,021 for inpatient treatment for AB 109 individuals. However, Kern BHRS expects to be reimbursed approximately \$1,088,560 from Medi-Cal.

### Housing Support Services:

Homelessness is often a significant barrier for individuals re-entering the community from incarceration. A welcoming, recovery-oriented home environment is important for successful reintegration. In addition to treatment services, Kern BHRS has certified sober living environments in Kern County for over a decade. With the advent of AB 109, certification became a standard for sober living homes receiving referrals through the Sheriff's Office and the Probation Department. Kern BHRS staff monitors these facilities through the Sober Living Certification process to ensure facilities met appropriate standards of care and safety.

In FY 2016/17 the CCP contracted with nine (9) sober living environment service providers, with a total of 17 facilities. These facilities provided temporary housing for individuals released from custody. During this reporting period, a Recovery Specialist was added to the Kern BHRS Housing Team to provide additional certification support and training for these facilities. Over the past fiscal year, training has been provided to sober living environments on various topics including: recognizing mental health and substance use symptoms, working with individuals experiencing psychosis, and common mental health diagnoses.

## **Moving Forward**

Kern BHRS continues to expand and shape services for AB 109 assigned individuals, with a focus on the recommendations outlined in the CCP Strategic Plan, the Kern County Stepping Up Initiative, and in consideration of capacity and service needs identified by the department.

### Substance Use Disorder Services:

With the advent of a new Drug Medi-Cal Waiver, substance use disorder treatment availability will expand in FY 2017/18 with additional residential treatment options, and case management services for individuals with a primary SUD diagnoses. It is the intention of the department to maintain parity of services for individuals served through Drug Medi-Cal and other funding streams, including AB 109 funding. For this reason, it is anticipated services for AB 109 clientele will be expanded to include additional treatment options and supportive services.

### Virtual MET Program:

Over the next year several Kern BHRS crisis programs will be implemented or expanded. These programs are not funded through AB 109, but will serve individuals assigned to this category, as well as other adult mental health consumers. One such program is Virtual MET.

Kern BHRS, in conjunction with the Sheriff's Office, has launched the Virtual MET program to support consumers and law enforcement first responders in East Kern. Kern BHRS was awarded SB 82 grant funding of approximately \$30,000 to purchase hardware and internet connectivity related to the implementation of Virtual MET. The Virtual MET Program expands the existing MET Team to serve East Kern. Due to the vast expanse of Kern County (over 8,000 square miles), the virtual presence of the highly qualified MET staff via law enforcement officers' online tablets provides increased access to high quality crisis services in a cost-effective manner. The Virtual MET Program supports law enforcement to determine the appropriateness of a 5150 Involuntary Hold, reduce unnecessary transports to the Emergency Room, and optimize linkages to behavioral health services for the person in crisis.

Following the successful initial Virtual MET pilot program with the Sheriff's Office in Ridgecrest and Kern River Valley, the Virtual MET program is being expanded to other rural areas of Kern, including Bear Valley Springs, Shafter, and Frazier Park. The Virtual MET program has also been expanded beyond the Sheriff's Office to include rural police departments.

### Ridgecrest Crisis Unit:

Kern BHRS has been awarded \$1.7 million in SB 82 grant funding to build a new CSU in collaboration with Ridgecrest Regional Hospital. The new Ridgecrest CSU is expected to open in Fall 2017, and will offer relevant alternatives to hospitalization and incarceration. Individuals who reside in East Kern will benefit from the new Ridgecrest CSU due to more timely access to crisis services during a mental health emergency. Currently, the closest designated facility is in the PEC-CSU in Bakersfield.

### Smart 911 Registry:

In addition to Virtual MET and the Ridgecrest CSU, Kern BHRS has received approval from the Mental Health Services Oversight and Accountability Commission (MHSOAC) to utilize \$3.1 million in Mental Health Services Act (MHSA) Innovation funding over a period of five years (July 1 2017-June 30 2022) for the implementation of Smart 911 across all Kern Public Safety Access Points (PSAPs). This project will emphasize a behavioral health focus for Smart 911 for the first time. Smart 911 is projected to go live in Kern during the Fall of 2017.

Kern County residents, including AB 109 assigned individuals, will have the opportunity to create a secure, password-protected Smart 911 profile on the Smart 911 website. Registration will be available on personal devices (computer, tablet, smart phone) and at online kiosks to be placed at each Kern BHRS System of Care treatment location. Information entered into the Smart 911 database is accessible to emergency dispatchers and responders. Individuals may enter details which include mental health conditions, medications, medical needs and mobility issues, crisis interventions

from their Crisis or Wellness Recovery Action Plan (WRAP) or Crisis Treatment Plan and other information which can assist in the event of a mental health or non-mental health related emergency.

As part of the project, emergency dispatch centers throughout Kern County will be provided Smart 911 software, allowing them to receive registry information when a call is placed. Emergency responders will have the ability to view vital information contained in the Smart 911 user profile when providing emergency services, allowing for better interagency collaboration between fire, police and other public safety entities.

### Stepping Up Initiative:

Continued implementation of the national Stepping Up initiative is planned for the year ahead. The Stepping Up initiative is focused on diverting mentally ill individuals away from the criminal justice system and into treatment. Stepping Up is designed to divert individuals into treatment at each of the following intercepts: law enforcement and Emergency Services, Initial Detention and Initial Court Hearings, Jails and Courts, Reentry, and Community Corrections and Community Supports. The Stepping Up initiative focuses on 6 key elements:

- Leadership commitment from multiple agencies and partners
- Timely screening and assessment
- Baseline data about the number of incarcerated people with mental illness
- Comprehensive process analysis and service inventory
- Prioritization of policy, practice and funding
- Tracking progress and overcoming barriers to progress

### Fiscal Year 17/18 Spending Plan:

In FY 2017/18, Kern BHRS has been designated to receive \$5,260,007 in Public Safety Realignment funding to support mental health and substance use disorder programming and administration. Over the past year, the department has experienced changes in personnel and contracts, making it necessary for funding shifts to support costs associated with in-custody mental health and crisis services. For the next year, Kern BHRS proposes to allocate costs as outlined in the chart below.

**KERN BEHAVIORAL HEALTH AND RECOVERY SERVICES  
AB 109 BUDGET JUSTIFICATION/SPENDING PLAN  
FY 2017/18**

<b>Salaries and Benefits</b>			
<b>Service</b>	<b>Position</b>	<b>FTE</b>	<b>Annual Cost</b>
Correctional Mental Health Jail Personnel	Mental Health Nurse I/II	2	364,734
	MH Recovery Specialist I/II/III	8	987,384
	MH Therapist I/II	7	868,253
	MH Unit Supervisor I/II	2	315,984
	Office Services Technician	4	311,419
	Licensed Vocational Nurse I/II	8	818,407
Mobile Evaluation Team Personnel	MH Recovery Specialist I/II/III	2	241,991
<b>Administration</b>			<b>598,282</b>
<b>Contracted Services</b>			
Mental Health Service Contractors			607,000
Crisis Service Contractors			159,450
Substance Use Service Contractors			641,333
Housing Contractors			117,000
Pharmacy Contractors			159,450
<b>Total Projected Expenditures for FY 2017/18</b>			<b>\$6,190,687</b>
<b>CCP Base Allocations to Kern BHRS for FY 2016/17</b>			<b>\$5,260,007</b>
<b>Total Projected Expenditures Exceeding Allocation for FY 2016/17</b> <i>(*Kern BHRS to absorb this projected expenditure cost)</i>			<b>- \$930,680</b>

The table above outlines Kern BHRS's budget justification/spending plan for FY 2017/18. Kern BHRS has and continues to plan to absorb any expenditure exceeding allocations to provide the most comprehensive treatment services for this population, but respectfully requests consideration at any time additional funding becomes available to cover the cost increases borne as a result of these programs and services. Kern BHRS will continue to identify ways to improve upon the programs established for the AB 109 population. Additionally, Kern BHRS will continue to develop, implement, and monitor more meaningful data collection methodologies and maximize the human resources and funding available.

## **Employers' Training Resource**

As ETR has reported for the past few years, the State of California initiated a new case management system, CalJOBS, for workforce development agencies and has been scheduling areas for transition to this case management system. Our Programmer II has attended several trainings this past program year and has learned that additional modifications are required as the State continues to bring more workforce development areas into CalJOBS. However, the State will need to identify a revenue stream in order to make the needed adjustments and for the present time will allow workforce development agencies the use of their current case management systems for non-WIOA programs.

Work has continued at the Beale Library. The renovations are complete and an application has been submitted to Pearson Vue to begin the process of having the library listed as a G.E.D. testing site. The next step will be to have the Library inspected and the curriculum downloaded to ensure compliance with Pearson Vue and the regulations set forth by the California Department of Education. The Library has a list of staff that have been identified as potential proctors, and who will test for proctorship in the final phase of the application process to Pearson Vue. Upholding the request from the CCP, ETR has shared information about library events with the Probation Department, Sheriff's Office, and the CBOs, specifically the Math tutors available and the Computer Literacy classes. In addition, information about job recruitments, job fairs and local resources has been shared as well as a Dept. of Labor training opportunity – Forward Focus: Readiness for Employment through Sustainable Education and Training (RESET). (Due to limited scheduling and time conflicts only a few agencies were able to participate; however, the PowerPoint presentation from the webinar was shared.)

Our effort to identify resources available in the desert communities has produced a directory of services for East Kern County and staff has continued to collect additional resources since publication. The Program Specialist in Ridgecrest has developed a strong working relationship with the Faith-Based organizations in the area as well as with the Probation Department and Sheriff's Office to enhance services in this part of the county. This has led to a request for a staff person in Mojave to address the needs of the ex-offenders in that desert community.

ETR's work experience program contracted to the Mexican American Opportunity Foundation is doing well. Of the 36 participants referred to the program, 19 have been placed at work sites, 7 secured unsubsidized employment, 3 were no shows, 2 declined services, 1 was not eligible due to a warrant, and 4 have finished orientation and are awaiting placement.

Our plan for the upcoming program year will be to continue the work initiated during Program Year 2016-17 and to identify evidence based programs that our agency can replicate given the dynamics of our area's economic environment, public infrastructure and available funding. One area of particular interest would be to address a common barrier faced by all working directly with this clientele-transportation. A 2014 study by New York University, Driving to Opportunity, found a link between poor public transit access and higher rates of unemployment. Using this study the New York Times published an article, "Transportation Emerges as Crucial to Escaping Poverty", May 7, 2015 and stated: "...those with some but insufficient access to transportation had the highest rates of unemployment and the lowest incomes." It was a theme to be repeated as The Atlantic printed "Public Transportation is Failing America's Poor", also published in May 2015, which stated: "Access

to just about everything associated with upward mobility and economic progress – jobs, quality food, and goods (at a reasonable price), healthcare, and schooling – relies on the ability to get around in an efficient way and for an affordable price.”

Given that reliable transportation is necessary for employment and that employment is an effective factor in reducing recidivism, ETR would like to request the assistance of the CCPs Ad Hoc Planning Committee and the PEW Foundation to help set the foundation for a localized transportation program.

Program Staff

<u>POSITION/ITEM</u>	<u>NUMBER</u>	<u>FTE</u>	<u>COST FOR A YEAR</u>
OFFICE SVCS TECH	2	0.06	\$4,706.27
PROG SUPPT SUPV	1	0.05	\$3,043.86
PROGRAM COORD	1	0.08	\$9,638.66
PROGRAM SPEC 2	5	4	\$349,409.18
JOB DEVELOPER	2	0.3	\$21,447.09
SR OFF SVC SPEC	3	0.14	\$9,698.60

Admin Staff

ACCOUNTANT 3	2	0.08	\$12,597.39
ACCOUNTANT 1	1	0.04	\$3,481.12
ADMIN COOR	1	0.04	\$5,414.99
BUSINESS MGR	1	0.03	\$3,147.46
DEPT ANALYST	1	0.28	\$27,887.50
SUPV DEPT ANALYS	1	0.03	\$3,107.10
ASSISTANT CAO	1	0.04	\$6,120.39
MONITORS	2	0.04	\$8,141.02
PROGRAMMER II	1	0.1	\$9,686.50
Staff Costs		5.31	\$477,527.11

Staff Costs	\$477,527
Overhead/Rent/Utilities	\$30,338
Supportive Services	\$3,500
OJTS	\$22,371
FY 17/18 Total Allocation	\$533,736

The additional staff costs this year are directly related to the needs of the participants and partnering agencies. ETR had reported last year that Supportive Services to the clients would be handled in-house, and that process was finalized shortly after the program year began. It is being administered through the Finance Department.

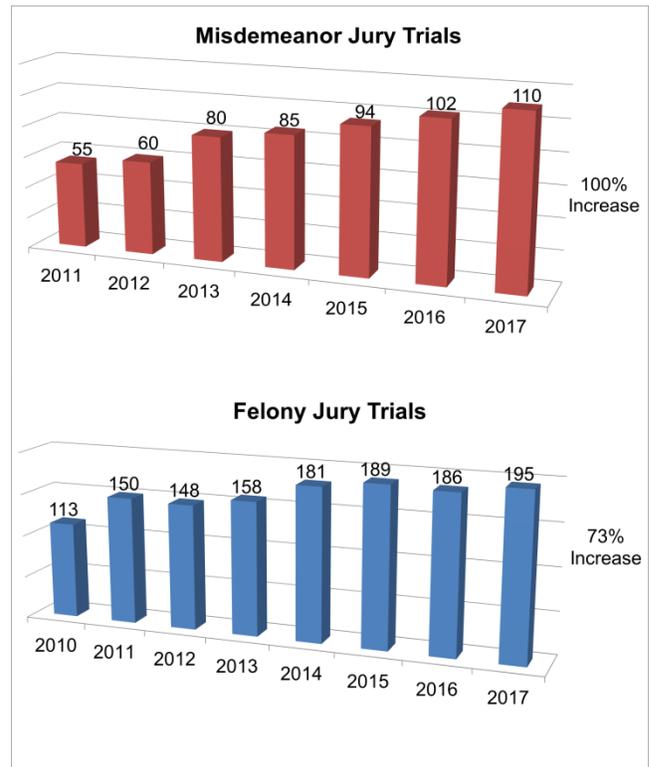
In addition, ETR has filled the position at the Lerdo facility and staff is anticipated to be there full-time by the end of May/beginning of June. ETR will be expanding our services in East Kern to supplement the work currently being performed in Ridgecrest. The agency will be hiring part-time staff to work in Mojave to address the needs expressed by the Probation Department and Sheriff's Office and the current case load of 63 clients.

Having had some success with developing On-the-Job Training Contracts for this population, ETR will continue with this type of training for participants who present with higher levels of educational achievement and a work history. An additional Job Developer has been assigned to assist with employing this population.

## **District Attorney's Office**

The District Attorney's Office has experienced a significant increase in both misdemeanor and felony jury trials. Although the total number has seemed to reach a plateau in felony cases, the misdemeanor cases continue to climb. These increases continue to put a strain on the ability of the District Attorney's Office to properly prepare each case. In having less time to prepare, some cases may not receive the attention they deserve.

The first graph shows the increase in misdemeanor jury trials from 2011 through an estimate for 2017. The misdemeanor unit increase of 100% has continued to put a strain on the misdemeanor unit. As AB 109 and Proposition 47 shifted many cases from felony to misdemeanor, the increase in jury trials followed.



The second graph demonstrates the increase in felony jury trials from 2010 through an estimate for 2017. This 73% increase has created a tremendous workload on the already overworked trial units. The general felony unit in particular has faced the biggest increase due to AB 109 and the dramatic increase in trials reflects the added work required from the deputy district attorneys assigned to that unit.

The effects of AB 109 and Proposition 47 continue to manifest themselves within various areas of the District Attorney's Office. This has created a very dynamic environment in which we strive to manage and contain the increases with minimal staffing increases. Although the increased staffing from prior years has helped to address some of the changes, we continue to experience heavy workloads throughout the office which is taxing on staff and at peak times results in the use of overtime to meet legal deadlines. Increasing costs that exceed the increasing appropriations requires the District Attorney to absorb unfunded costs within the department's budget, which creates additional operational challenges to meet budget guidelines. Further gaps in funding could result in the reduction of funded positions in future years.

The total request from the Community Corrections Partnership is \$2,079,235, which includes \$416,145 in carry forward funds to continued funding of positions from the previous year. The District Attorney's proposal is to receive the same percentage of funding that was received in the previous year. As staffing and benefits costs have gone up faster than the available appropriations, the District Attorney's Office does request that when/if additional funds become available, they are considered for additional funding. This request represents the minimum amount necessary to maintain the existing level of service within the District Attorney's Office and the Kern Regional Crime Laboratory, in order to ensure the public safety needs of the citizens of Kern County are met.

<b>Fund Source</b>	<b>Total</b>
Base Allocation	\$1,663,090
Carryforward	\$416,145
<b>Total</b>	<b>\$2,079,235</b>

<b>Position/Item</b>	<b>#</b>	<b>Salary</b>	<b>Benefits</b>	<b>Total</b>
Deputy District Attorney IV	4	\$135,000	\$87,000	\$888,000
Deputy District Attorney I	3	\$68,000	\$55,000	\$369,000
Legal Secretary	1	\$53,000	\$42,000	\$95,000
Criminalist	1	\$93,000	\$77,000	\$170,000
Victim/Witness Advocate	.5	\$28,500	\$22,500	\$51,000
Investigative Aide	1	\$45,000	\$40,000	\$85,000
Complaint Attorney	1	\$154,000	\$91,000	\$240,000
Total Personnel	11.5			\$1,903,000
Recurring costs, phones, computers, licensing, Internet access, cell phones, vehicles, office furniture, training, Bar dues, MCLE, office supplies, etc.				\$176,235
Total Miscellaneous				\$176,235
<b>Total</b>				<b>\$2,079,235</b>

## **Public Defender's Office**

### **Realignment has Profoundly Impacted Public Defender Workload**

The overwhelming majority of criminal defendants are indigent, and the Public Defender represents the large majority of these persons. If the department is successful in challenging the government's accusations (or, for example, in succeeding in securing a misdemeanor conviction instead of a felony), resources of multiple other agencies and organizations are preserved. Further, our mandate is Constitutional and statutory. Under the Sixth Amendment to the United States Constitution, persons accused of committing crimes, who cannot afford to hire private counsel, are entitled to appointed counsel. Pursuant to California Government Code § 27706, the Public Defender is charged with representation of persons qualifying for appointed counsel.

The Public Defender's approved FY 2017/18 allocation equals \$831,545, or 50% of the amount appropriated to the prosecution, \$1,663,090. The amount is intended to help our department keep comparative pace with the tenacious, aggressive, determined and professional efforts of our counterparts in the criminal justice system, the District Attorney.

### **Guiding Principles of Fairness Support the Department's Allocation**

Fairness and a "balanced allocation of resources" within the criminal justice system are recognized and operate as the controlling moral imperatives. Kern County Strategic Plan (2008), Section I, p. 5, Keeping Our Communities Safe; *ABA Ten Principles of a Defense Delivery System* (2002), p.3: "There should be parity of workload, salaries, and other resources (such as benefits, technology, facilities, legal research, support staff, paralegals, investigators, and access to forensic services and experts) between prosecution and public defense."

The Public Defender and the defense roles are reactive. Consequently, the impact of Realignment on the department reflects and is directly traceable to the District Attorney's work. Specifically, with the exception of dependency, mental health and conservatorship work, the Public Defender's workload is a function of law enforcement activity in identifying, apprehending and prosecuting suspected offenders. As noted, while the Public Defender does not defend all cases the District Attorney prosecutes,<sup>1</sup> the Public Defender represents the strong majority of alleged offenders.

Moreover, while the District Attorney's office performs certain functions with no analog to the defense (e.g., review and filing of complaints), so too the Public Defender performs work not visited on our prosecutorial counterparts. For example, lawyers with the Public Defender's office must investigate their own cases, while law enforcement has already (and often superbly) investigated and developed the prosecution's case. Separately, as the prosecutor relies on the police report and supplemental investigation requests, defense attorneys must spend substantial additional time and energy in connection with interviewing every client.

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<sup>1</sup> Some criminal defendants possess sufficient resources to hire their own counsel and, in other cases including co-defendant cases, the Public Defender has a conflict of interest which compels appointment of alternate counsel.

## Historical and Comparative Analyses Support the Department's Allocation

Prior years' budget and resource allocations provide historical and objective evidence regarding institutional judgments involving fairness in the funding of the defense and prosecutorial functions.

### Budget Comparison (Total Appropriations)

Fiscal Year	District Attorney	Public Defender	Public Defender Budget as % of District Attorney Budget
2016-2017	\$36,416,716	\$17,161,248	47.1%
2015-2016	\$37,106,125	\$17,339,216	46.7%
2014-2015	\$35,665,962	\$16,645,387	46.7%
2013-2014	\$34,441,499	\$16,842,568	48.9%
2012-2013	\$31,529,130	\$15,229,863	48.3%
2011-2012	\$28,425,82	\$13,973,886	49.2%
2010-2011	\$28,925,968	\$14,398,505	49.8%

### Budget Comparison (Net General Fund Cost)

Fiscal Year	District Attorney	Public Defender	Public Defender Budget as % of District Attorney Budget
2016-2017	\$16,915,175	\$8,504,844	50.3%
2015-2016	\$18,409,077	\$9,832,842	53.4%
2014-2015	\$17,820,311	\$9,558,264	53.6%
2013-2014	\$18,468,600	\$9,863,393	53.4%
2012-2013	\$17,196,243	\$9,206,471	53.4%
2011-2012	\$16,900,615	\$9,065,080	53.6%
2010-2011	\$17,205,566	\$9,378,350	54.5%

### Implementation Plan

It is not possible to precisely align or attribute a particular defendant or crime to Realignment. Consequently, the department again intends to utilize the AB 109 allocation to meet – as effectively as we can – the department's significant Realignment driven caseload. Graphical depiction of the approximate/equivalent funding capacity provided by the department's allocation is as follows:

Position Title	Number (A)	Salary (B)	Benefits (C)	Total(D) = (A)x[(B)+(C)]
Deputy Public Defender III-C	4	\$97,835	\$71,361	\$676,784
Public Defender Investigator II-C	.5	\$36,448	\$28,460	\$64,908
Office Services Technician (OST-B)	1	\$31,222	\$32,792	\$64,014
Office Expenses (computers, paper, travel, supplies, etc.)				\$25,839
<b>Total</b>	<b>5.5</b>			<b>\$831,545</b>

### **Material Disclosures - Consistent with Prior Year**

- 1) Use of Funds: Pen. Code §1230(b)(3) provides in relevant part that AB 109 funds shall be used to provide supervision and rehabilitative services for adult felony offenders. The department's intended use of the funds relies on an expansive interpretation of the statute's language, to wit, that the legal advocacy and representation of indigent individuals in criminal proceedings may be characterized as involving rehabilitative services.
  
- 2) Supplemental versus Supplanting: Pen. Code §1233.7 provides that AB 109 monies shall be used to supplement, not supplant, any other state or county appropriation. The department is informed and believes the CAO's recommended Net General Fund Contributions are calculated without regard to whether or not departments receive an AB 109 allocation. Consequently, the department's allocation request reflects supplemental rather than supplanting funding. (Compare to a situation where the recommended contribution was reduced dollar-for-dollar based on any subsequently obtained allocation).
  
- 3) Accounting of Funds: If approved, the department intends to again apply the AB 109 funds on a pro-rata (i.e., quarterly) basis. As noted, while the department recognizes a significant caseload is attributable to Realignment, it is impossible to identify all cases or alleged crimes caused by Realignment (e.g., did a defendant allegedly commit a crime because he was aware or believed, if convicted, he could not be sentenced to State Prison?)

## **Street Interdiction Team (SIT)**

The Street Interdiction Team (SIT) is a multi-departmental law enforcement task force consisting of numerous law enforcement agencies throughout the County of Kern. SIT periodically plans and operates enforcement teams in different regional areas to address specific community needs.

Though SIT was previously functional, with the advent of AB 109, it was reactivated to address street-level crime. With the funds made available through the CCP, SIT operates in Kern County cities such as Arvin, Bakersfield, California City, Delano, McFarland, Ridgecrest, Shafter, Taft, and Tehachapi. In order to affectively address street-level crime, SIT does the following:

- Focuses on improving collaborations with law enforcement agencies throughout Kern County
- Establishes front-line operations in cities and towns throughout Kern County
- Meets on a monthly basis to discuss current AB 109 activities and impacts

Fiscal year 2016/17 was an active year for SIT with a total of 16 operations in 7 cities. Cities of operation included Arvin, Bakersfield, California City, Delano, McFarland, Ridgecrest, and Taft with some hosting multiple SIT operations throughout the year. Hosting law enforcement agencies networked with other county law enforcement agencies, and also teamed up with agencies such as the Federal Bureau of Investigations, Immigration and Customs Enforcement Agency, U.S. Marshal, and California Department of Corrections and Rehabilitation. Participating agencies that are part of the Memorandum of Understanding with the County were reimbursed for overtime in relation to AB 109 SIT operations. Outside agencies that assist SIT gladly provide assistance at no charge.

Depending on criminal activity and need, SIT teams have conducted multiple operations in a specific area over a short period of time. This has provided for a successful showing of force and cooperation throughout Kern County. SIT operations draw an assembly of federal, state, and local law enforcement agencies who provide a multitude of experience, information, and resources to ensure the most effective regional policing strategies. SIT offers regional law enforcement agencies some relief in addressing AB 109 impacts and pooling resources for intelligence gathering, leveraging of resources, and agency collaboration and cooperation in tracking offenders as they move throughout Kern County and State. As a result, the decline of criminal activity has been noticeable following the utilization of these operations. As of May 31, 2017, SIT operations had 229 attempted targets; 79 arrests; multiple weapons seized including guns, brass knuckles, and ammunition; varying amounts of marijuana, methamphetamine, cocaine, heroin, prescription drugs, and drug paraphernalia seized.

## **Community-Based Organization (CBO) Program**

In FY 2012/13, the CCP allocated a total of \$983,304 to CBOs through a competitive Request for Applications (RFA) process to assist in the overall success of Realignment in Kern County. This process focused on reentry services such as residential/transitional housing, employment and educational programs, and case management services. Residential/transitional housing programs create a structured living environment for individuals reentering the community, employment and educational programs provide individuals with valuable tools to succeed in the workplace, and case management services develop and maintain case plans for individuals. In 2013, the CCP voted to extend these contracts for another two years.

In October 2015, the CCP released a competitive Request for Proposals (RFP) in the amount of \$5,102,115 seeking qualified organizations to provide community-based services for male and female AB 109 individuals in Kern County. This process focused on sobriety and recovery support; providing a continuum of care between in-custody services and community-based services; educational, employment, and/or vocation services; transitional housing; transportation support services; Medi-Cal/ACA enrollment assistance; and other evidence-based programs, proven practices, and/or best practices aimed at reducing recidivism.

On December 16, 2015, the CCP awarded 35-month contracts, to conclude on or before December 31, 2018, to the following organizations providing services to male and female offenders reentering the community through Sober Living Environments (SLEs), sobriety and recovery support services, and case management services:

- ❖ Cottage of Hope & Gratitude Sober Living
- ❖ Freedom House Transitional Living
- ❖ Hearthstone Community Services<sup>2</sup>
- ❖ New Life Recovery and Training Center
- ❖ Positive Visions for Men, Inc.
- ❖ WestCare California, Inc.

In addition to AB 109 funding, the California State Budget Acts of 2014 and 2015 allocated a total of \$12 million to California counties to fund local Community Recidivism Reduction Grants as defined in Penal Code Section 1233.10. Kern County received a total of \$375,000 from the Board of State and Community Corrections (BSCC) to fund community recidivism and crime reduction services for the adult offender population.

In order to distribute funds to the appropriate entities, a Request for Applications (RFA) specifying the County's requirements was prepared and distributed in September 2015. The funding was allocated to nongovernmental entities with a maximum of \$50,000 per entity per funding year. The County was allowed to withhold up to 5 percent of the total County allocation for administrative costs equating to \$18,750, leaving a remaining balance of \$356,250 available to award to eligible applicants.

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<sup>2</sup> Hearthstone Community Service is no longer contracted with the County of Kern.

On December 16, 2015, the CCP awarded 12-month<sup>3</sup> BSCC contracts, to conclude on or before January 31, 2017, to the following organizations offering services to male and female offenders reentering the community through educational services, transitional housing, Medi-Cal/ACA enrollment assistance, mentoring, and sobriety and recover support services:

- ❖ Freedom House Transitional Living
- ❖ Garden Pathways, Inc.
- ❖ Hearthstone Community Services<sup>4</sup>
- ❖ Hope Now<sup>5</sup>
- ❖ Mexican American Opportunity Foundation
- ❖ Positive Visions for Men, Inc.
- ❖ Redemptive Beginnings, Inc.
- ❖ Special Treatment Education & Prevention Services, Inc.

Due to facility closures, an RFP specifically for SLEs was approved on May 3, 2016 by the CCP. On October 26, 2016, the CCP awarded contracts, to conclude on or before December 31, 2018, to the following organizations providing services to male and female offenders reentering the community through SLEs which offer at least one additional supportive service:

- ❖ Bakersfield Recovery Services
- ❖ Bethany Ministries Christian Men's Homes
- ❖ Freedom House Transitional Housing
- ❖ Links to Change Recovery House
- ❖ Minnie Marvels Sober Living for Women and Children

In June 2016, the CCP released a competitive Request for Proposals (RFP) in the amount of \$1,422,784 seeking qualified organizations to provide community-based workforce development services for male and female AB 109 individuals in Kern County. On October 26, 2016, the CCP awarded contracts, to conclude on or before December 31, 2018, to the following organizations providing services to male and female offenders reentering the community through educational and occupational training and supportive services:

- ❖ Community Action Partnership of Kern
- ❖ Dress for Success, Bakersfield
- ❖ Garden Pathways, Inc.
- ❖ Mexican American Opportunity Foundation
- ❖ New Life Recovery and Training Center

To ensure the CBO's success in providing streamlined services, the Sheriff's Office, Probation Department, and Kern BHRS continue working in conjunction by doing the following:

- Monthly collaborative meetings

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<sup>3</sup> Some contracts were extended to fully utilize funding granted.

<sup>4</sup> Hearthstone Community Services is no longer contracted with the County of Kern.

<sup>5</sup> Hope Now is no longer contracted with the County of Kern.

- Bi-Annual individual vendor meetings
- Monitoring data tracker elements and quarterly reporting
- CBO provider trainings
- Exchange of key information for improved offender services
- Tracking drug testing
- Encouraging CBO representatives to interview potential candidates at the Lerdo Detention Facility
- Fostering an open line of communication and addressing provider's questions, concerns, and requests as they arise

The CBO Program is designed in a way that provides flexibility to react to the needs of the community and respond under the direction of the Executive Committee. The CBOs have assisted the Probation Department, Sheriff's Office, and Kern BHRS in creating and improving a continuum of care, allowing offenders to receive much needed services, and provided 51,980 bed days in CY 2016. This has saved millions of dollars in incarceration costs, and provided case management, employment and educational services to over 2,500 individuals.

The CCP continues to focus on utilizing CBOs to help offenders gain access to the services and tools they need to become productive citizens of the community. The CCP is committed to the partnership with the CBOs and together making Kern County a safer place to live.

## Contingency Funds

The plan calls for the unallocated money, in the amount of \$50,280, to be placed in the contingency fund for unexpected expenses and/or additional items the CCP chooses to fund.

## Allocation of Realignment Funds

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The CCP has spent numerous hours developing a plan that addresses the pressing issues of Realignment in Kern County. In order to achieve the goals, the allocation of AB 109 funds is based on the CCP's plan as described herein utilizing the FY 2017/18 allocation from the State of California.

The base allocation amounts for FY 2017/18 totals \$38,676,521.

<u>Department/Entity</u>	<u>Base Allocation %</u>	<u>FY 2017/18 Base Allocation</u>
Sheriff's Office	39.37%	\$15,226,946
Probation Department	35.65%	\$13,788,180
Behavioral Health & Recovery Services	13.60%	\$5,260,007
District Attorney's Office	4.30%	\$1,663,090
CBO Program	2.74%	\$1,059,737
Public Defender's Office	2.15%	\$831,545
Employers' Training Resource	1.38%	\$533,736
Street Interdiction Team	0.68%	\$263,000
Contingency	0.13%	\$50,280
<b>Total Base Allocation</b>	<b>100%</b>	<b>\$38,676,521</b>