

# County of Kern

## Public Safety Realignment Act

### FY 2020/21 Plan

(Approved by CCP June 10, 2020)

(Approved by Kern County Board of Supervisors June 30, 2020)



## Community Corrections Partnership

### Executive Committee

TR Merickel, Chief Probation Officer (Chairperson)

Tamarah Harber-Pickens, Chief Executive Officer of the Superior Court

Greg Terry, Chief-Bakersfield Police Department

Pam Singh, Public Defender

Bill Walker, Director-Behavioral Health & Recovery Services

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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, multiagency law enforcement operations, and veteran services.

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. Due to the 2020 global pandemic, also known as COVID-19, County operations, businesses, and the economy slowed, resulting in significant reductions in resources. The financial impacts of the depressed economy are projected to continue over the next few years. Kern County will continue to look for innovative ways to provide quality programs and services to constituents with restricted resources.

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 in-custody educational, vocational, and evidence-based programs to provide the necessary tools to reduce recidivism
- Utilizing the community-based organizations (CBO) program, which provides a multitude of services to offenders
- Applying information gained from the criminal justice system benefit-cost analysis developed through collaboration with the national Pew-MacArthur Results First Initiative
- Operating the Probation Department's Adult Programs Center, which has an emphasis on evidence-based programming focused on changing anti-social behavior

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, 2020)	Offenders Sentenced to MS (As of April 30, 2020)	MS Population* (Snapshot as of May 31, 2020)
Oct 2011-May 31, 2020	8,201	1,778	2,879	1,105

\*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 29, 2020	20,417	11,893	2,165	8,783	43,258

# 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 June 2016 and June 2018. The CCP will continue to utilize the Strategic Plan when determining areas of need for the adult criminal justice population.

Note: Due to the economic downturn brought on by the COVID-19 pandemic there will be no Growth funds for FY 2019/20 or FY 2020/21.

## **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' (KernBHRS) Substance Use Disorder Division bases screening and assessment on the American Society of Addiction Medicine (ASAM) criteria that covers six dimensions including withdrawal potential, biomedical conditions, psychiatric conditions, motivation for recovery, relapse or other problem potential and recovery environment. The Stressful Life Experiences Screening (SLES) is utilized in Substance Use Disorder treatment programs in order to gauge trauma that individuals may have experienced and to address it in a trauma-informed environment. 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 KernBHRS staff have been trained in Motivational Interviewing (MI). MI is a conversational 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 Programs Center (APC) provides validated evidence-based programs to address specific criminogenic needs. APC offers Thinking for a Change (T4C), Aggression Replacement Training (ART) and Moral Reconciliation 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 Compliance Section has partnered with the KernBHRS' Substance Use Disorder Division and Correctional Behavioral Health to provide evidence-based curriculum 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 use disorder treatment, cognitive behavioral therapy and coping skills. KernBHRS also provides these programs as out-patient services after release from custody.

Joint Evaluation Teams (JET) are AB 109 co-response teams uniquely qualified to assess the individual's crisis care service needs and simultaneously address public safety. Each co-response team is comprised of a staff member from KernBHRS and an officer from the Sheriff's Electronic Monitoring Program (EMP) or Bakersfield Police Department (BPD). JET responds to crisis situations and visits a prioritized list of AB 109 individuals with mental health and/or substance use disorder issues. This collaborative approach places a law enforcement officer and member of KernBHRS in the same vehicle for the first time in Kern County, increasing the level of collaborative crisis care services. This collaboration leads to better service for individuals in crisis and heightened public safety.

A key component to the success of evidence-based programming is attributed to the collaboration between CCP agencies. 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 KernBHRS.

Many evidence-based programs offered to clients are facilitated by CCP agencies. These collaborative efforts foster greater communication and helps contribute to the success of programs. 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
- Prepares, conducts, and administers the Request for Proposals (RFP) and Request for Applications (RFA) competitive grant processes for AB 109 funds distributed through the Community-Based Organizations (CBO) Program
- Conducts program evaluations, such as the DRC evaluation
- Manages large inter-departmental projects, such as the Kern Targeted Outcomes Project

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, KernBHRS has implemented a number of changes. In FY 2014/15, the Substance Use Disorder Division implemented the use of Flow Data to manage the 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 were implemented in FY 2017/18.

Since the implementation of AB 109, the Probation Department, Sheriff's Office, and KernBHRS 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, KernBHRS, 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 2020/21, data collection, research, and reporting remain significant as decision making will be based upon data extracted and reported, correlations between variables, and statistical analysis. 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 2020/21 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. Each individual agency's specific plans are explained in the following pages.

## **Probation Department**

AB 109 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, response matrix and criminogenic targeted programming. The benefits of reducing recidivism are evidenced by the reduction in victimizations and significant systematic cost savings. 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.

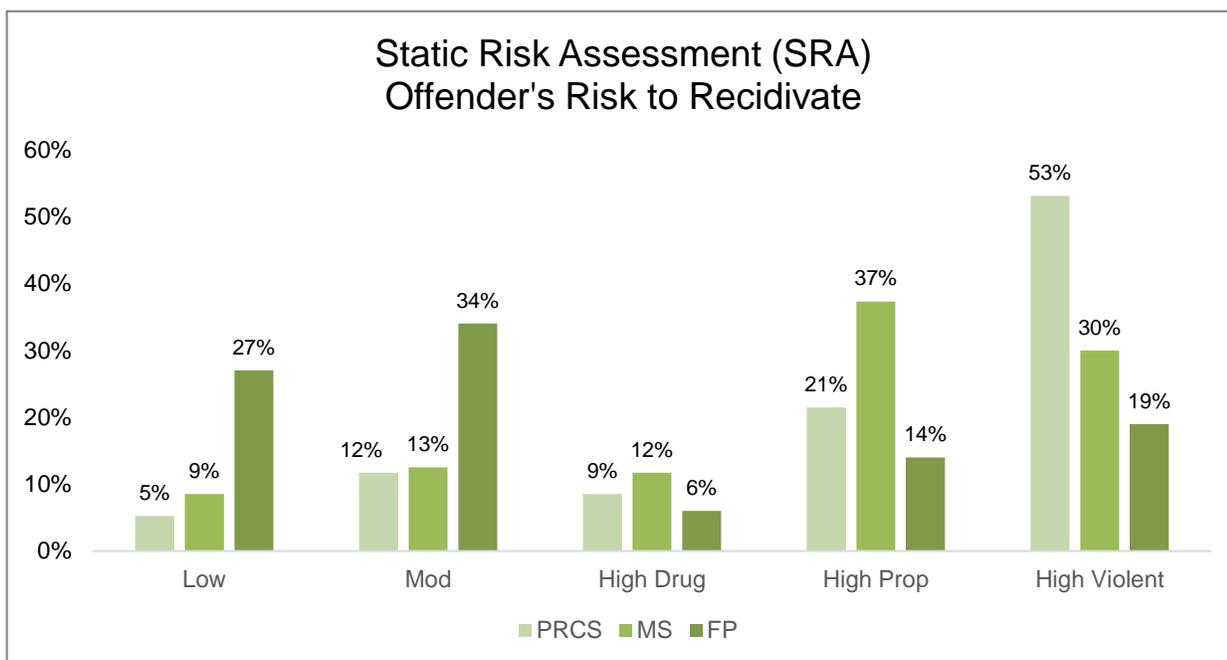
### **Fiscal Impact of COVID-19**

This budget year will see a significant drop in Realignment resources to the County. This reduction equates to a loss of \$2,228,022 specifically to the Probation Department. In order to absorb this reduction in base allocation the Department will unfund seven positions and significantly reduce its contract for the Day Reporting Center (DRC). Furthermore, this year's funding for the reduced DRC will not be included in the base allocation. Instead it will be funded with non-AB 109 dollars. The Department will continue to focus on an evidence-based approach to community supervision through effective supervision and treatment modalities via the DRC, our Adult Programs Center, and community referrals. It is the Department's intention that when AB 109 Realignment funding increases it will utilize those dollars to once again fund the DRC.

### **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 significant 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 an 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, top of page 14).

Chart 1 - Static Risk Assessment (as of March 31, 2020)



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.

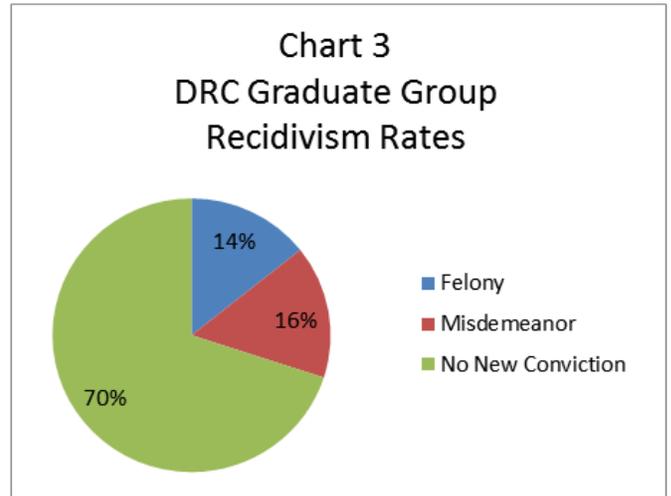
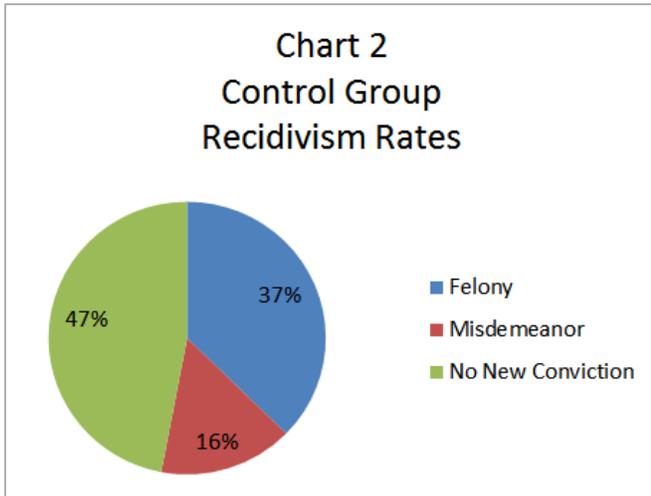
The Probation Department shares our SRA scores with the Sheriff's Office. This information is used as another element in decision making for releases and programming. The increased use of evidence-based tools and inter-department cooperation is a positive by-product of Realignment. The Probation Department 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 widespread 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. The Probation Department utilizes a 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 conducting ONAs on all offenders on high risk caseloads.

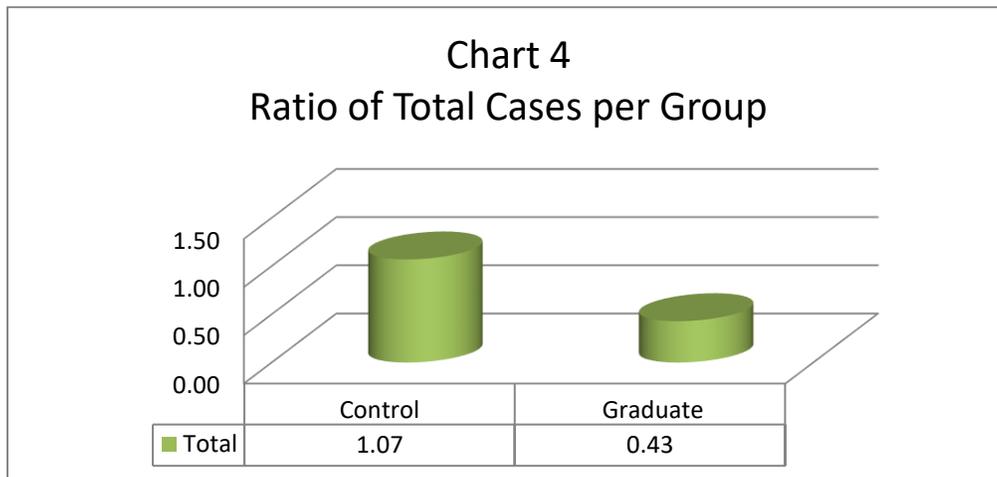
#### Day Reporting Center

One of the most innovative programs the Probation Department has as a result of Realignment is the Day Reporting Center (DRC). The DRC has a capacity to serve 200 high risk offenders at a time. A previous 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 .43 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 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, 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.

Due to the significant reductions to this year's budget the capacity of the DRC will need to be downsized from 200 to 50. Furthermore, the funding source will be outside the base allocation, but it is included here as it remains a pivotal part of the Department's overarching approach to community supervision.

### Adult Programs Center

The Adult Programs Center (APC) is a program within the AB 109 Division which focuses on delivering evidence-based programs (EBP) to adult offenders on Felony Probation, Mandatory Supervision, and Post Release Community Supervision. APC is unique in that the program is mostly delivered by non-sworn Probation Program Specialists. These Specialists are provided extensive training in numerous EBP modalities to address the specific criminogenic needs of the offender, such as employment, education, aggression, anti-social peers, anti-social behavior, and substance abuse. Currently, APC delivers the following EBP modalities: Thinking for a Change (T4C), Aggression Replacement Training (ART), Moral Reconciliation Therapy (MRT), and Effective Practices in Community Supervision (EPICS). The modalities involve both group and individual counseling sessions and have demonstrated to reduce recidivism through empirical evidence.

APC is essentially two programs, a day program and night program. The night program is reserved for those with employment, school or childcare barriers preventing them from participating in the day program. Since school and/or employment are often strong protective factors for remaining crime free, these participants do not always require the more intensive services offered through the day program. The day program provides more flexibility for class times and attendance frequency, allowing the offender to complete the program in a shorter time frame.

Dedicated Probation Officers provide daily truancy and retention interventions for the APC. Should an offender not attend the program for an unexcused reason, Probation Officers attempt to locate the participant and return them to the program. This is essential to improving performance outcomes as participants stay in the program longer and more likely to complete the program due to increased supervision and swift accountability. For those that choose non-compliance, their behavior is addressed in a timely and immediate manner. The Probation Officers are also trained in the EBPs used at APC, thus the officers can reinforce the EBPs being delivered by the Specialists. Additionally, on site probation officers assist with occasional behavior problems and participant conflicts, thus providing the specialists added security and allowing the participants convenient access to an officer.

The APC is constantly adjusting and evolving to meet the needs of the offender and the community. As a result, the APC is focused on increasing the delivery of services by adding the following components: job development, education coordination, trauma informed care, parenting classes/assistance, domestic violence counseling, and substance abuse treatment with drug/alcohol testing.

### 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. Regardless of 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 and conditions, treatment, electronic monitoring, flash incarceration, the DRC and APC, community-based organizations, and formal violations 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 Probation and Mandatory Supervision 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 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 Kern Targeted Outcomes Project (formerly the Pew-MacArthur Results First Initiative), the data collection effort lead by the Public Policy Institute of California, and several Request for Proposals/Applications. Within the RAD unit, two Departmental Analysts and an Office Services Specialist are funded with Realignment dollars. 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.

#### Support Staff

Five (5) Office Service Technicians (OST's) are specifically assigned to the Adult and AB 109 Divisions. 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 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, KernBHRS, CBOs, and other law enforcement agencies. 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 KernBHRS. 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 other 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 division.

Probation Department's FY 2020/21 AB 109 Base Allocation:

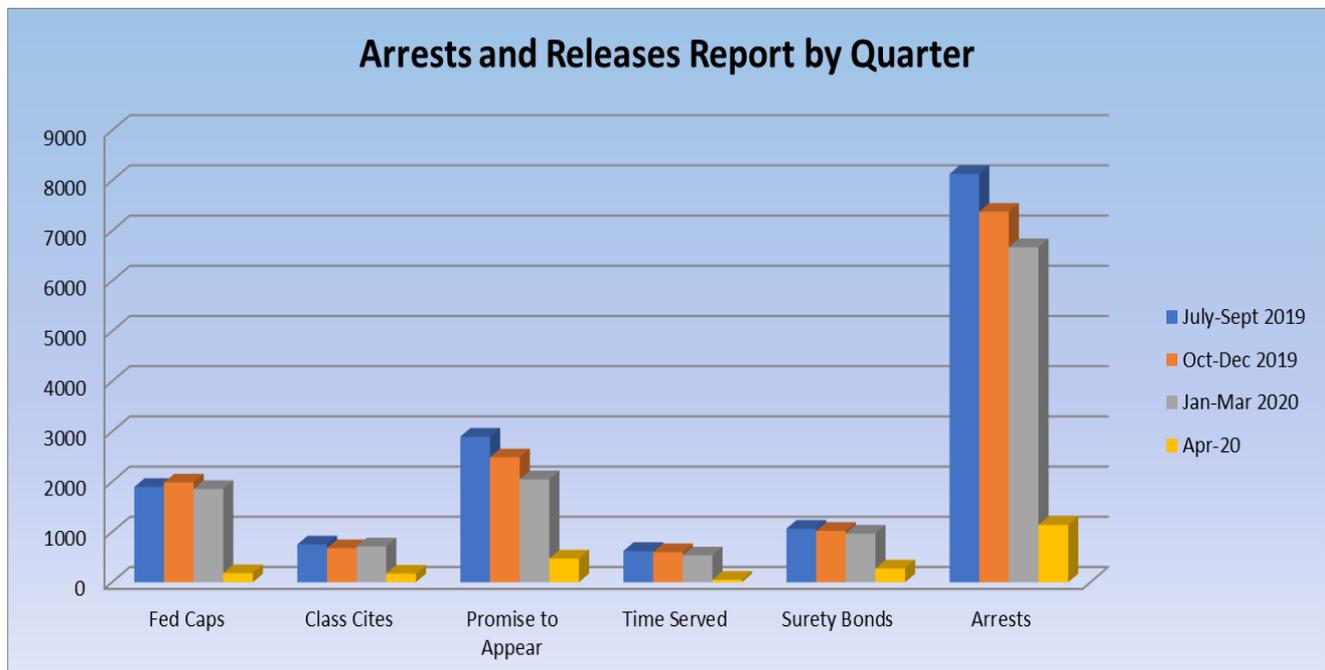
<b><u>Position/Item</u></b>	<b><u>#</u></b>	<b><u>Cost per Unit</u></b>	<b><u>Cost for 1 Year</u></b>
Probation Division Director	1	\$234,987	\$234,987
Probation Supervisor	5	\$188,126	\$940,630
Deputy Probation Officer III	13	\$161,517	\$2,099,721
Deputy Probation Officer	56	\$134,033	\$7,505,848
Probation Program Specialist	10	\$101,869	\$1,018,690
Office Services Specialist	1	\$86,314	\$86,314
Office Services Technician	5	\$75,458	\$377,290
Departmental Analyst	2	\$103,021	\$206,042
Database Analyst	1	\$144,707	\$144,707
Programmer	1	\$130,096	\$130,096
Operating Expenses		\$862,605	\$862,605
<b>Total</b>	<b>95</b>		<b>\$13,606,930</b>

## Sheriff's Office

During the first two quarters of Fiscal Year 2019/20, the Sheriff's Office was able to make good use of the new Justice Facility, with its nine programming areas able to provide a wide variety of educational and rehabilitative programming to the inmate population. Despite continuing challenges related to staffing levels and an inmate population with higher security levels, the Sheriff's Office was able to sustain much of its AB 109 related efforts, offering educational and evidenced-base programming at all of its Lerdo Facilities. In the second two quarters of the fiscal year, the focus shifted to mitigating the threat posed by the COVID-19 virus to inmates, staff, and the community. As Sheriff's Office AB 109 related efforts to reduce recidivism move forward in the context of social distancing and other efforts to safeguard against COVID-19, CCP support via AB 109 funding remains as vital as ever.

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 during the first three years of Realignment, forcing the Sheriff's Office to release as many as 9,500 inmates early per year to keep the population under federally stipulated limits. In the wake of Proposition 47, which took effect in 2014 and converted many felony crimes into misdemeanors, the number of arrests and the need for early releases declined significantly. Early releases have again increased in recent years as portions of the Sheriff's Office jail capacity remain unoccupied due to staffing challenges. Releases based on the California Judicial Council's zero-bail order and releases to reduce the inmate population in light of the COVID-19 threat have accelerated this trend. As of May 1, 2020, there were 8,275 early releases (generally called "Fed Caps" and "Class Cites") in Fiscal Year 2019/20.

The chart below illustrates the number of arrests made each quarter of Fiscal Year 2019/20, along with the types of releases during the same time periods. Please note, the fourth quarter data for each category, represented by the yellow bars, indicate lower numbers because data for May and June of 2020 was not available at the time of this report.



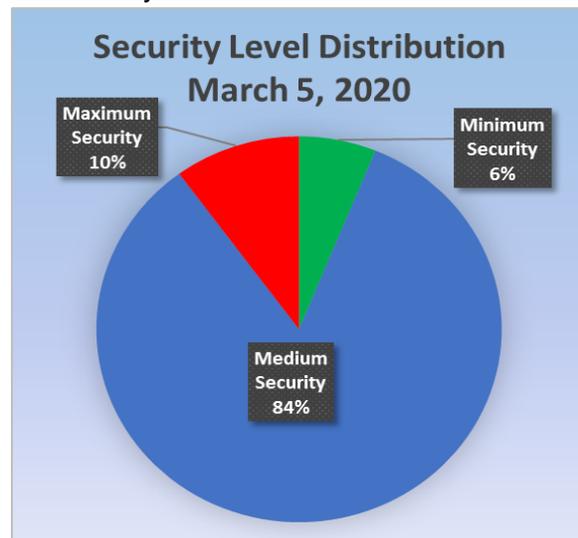
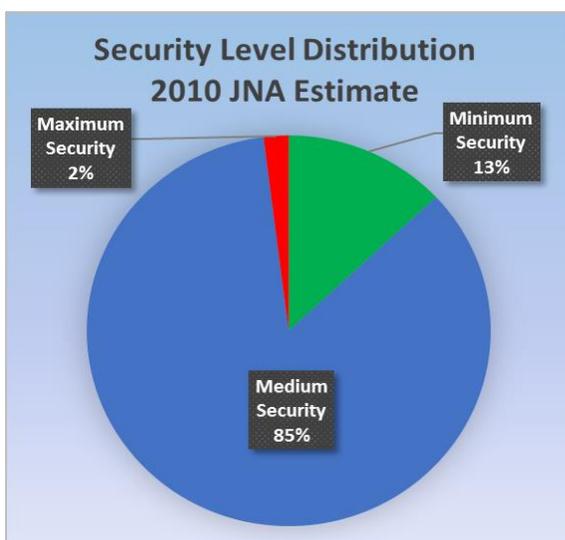
Realignment also sentenced inmates to county jail for terms similar in length to what they would have served in state prison. Whereas the maximum pre-Realignment jail sentence was generally one year, post-Realignment inmates are often sentenced to two years or longer. The longest sentence currently being served in the Sheriff's jail is seven years.

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

Apart from the number of inmates and length of their sentences, the current inmate population is qualitatively different than that of the pre-Realignment era. The more challenging nature of the post-Realignment inmate population can be illustrated by comparing a snapshot of the current inmate population with statistics presented in the *2011 Jail Needs Assessment*. Of the 1,559 inmates in custody on May 5, 2020:

- 3% were classified as high-risk/staff assaultive, as opposed to 0.5% in 2010;
- Approximately 17.7% were in custody for murder or attempted murder;
- 15% were administratively segregated (housed by themselves), as compared to approximately 3% to 5% of inmates in 2010;
- 54% were gang affiliated, as opposed to 33% in 2010. Of the gang-affiliated inmates currently in custody, 46% were charged with violent crimes;
- 87% were felons, compared to 84% in 2010;
- 75% were receiving mental health services, as compared to the 2010 estimate of 15%.

The charts below illustrate the shift in inmate security levels between 2010 and 2020. Maximum-security inmates comprise approximately 10% of the current inmate population, as opposed to only 2% in 2010. In the same period, the proportion of minimum-security inmates fell from 13% to 6%.



AB 109 created a core of inmates serving longer sentences in the jails. Long-term inmates tend to present more challenging inmate management issues, as they tend to require more services, including medical and mental health care. Additionally, they become 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.

The abovementioned increase in gang activity among inmates poses considerable security challenges. Serious gang rivalries and gang-politics are key drivers of violence among inmates, which has increased markedly in the wake of Realignment. Coordinated criminal gang activities, such as the smuggling of narcotics, cell phones, and other contraband have also increased.

The increase in inmates needing special housing, such as administrative segregation, has also taken its toll on jail operations. Inmates who require special housing create 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.

These changes in the inmate population have posed significant security and operational challenges in the Sheriff's jails. AB 109 funding continues to play an important role in helping the Sheriff's Office meet these challenges.

### **Meeting the Challenge**

The Kern Justice Facility has helped to mitigate some of the above-mentioned problems by providing more flexible housing better suited to the post-Realignment inmate population. That said, the Sheriff's Office has continued to improve safety and security in other areas. AB 109 funding has supported these efforts, funding improvements such as the installation of improved security cuff-ports in cell doors at the Pre-Trial Facility and the installation of cameras and security barriers in jail transportation busses.

While these improvements can have a positive impact on the safety and security of the jail system, there is no substitute for dedicated and well-trained staff. Staffing continues to be a struggle for the Sheriff's Office. While academies and other hiring efforts work to mitigate this issue, keeping up with the rate of attrition continues to be a challenge. As of early May, there were 84 deputy sheriff and 95 detentions deputy positions (of all ranks) and 15 sheriff's aide positions vacant. AB 109 funding continues to play an important role in staffing the jails and operating various programs related to Realignment.

### **Programs and Services**

The Sheriff's Office continues to provide quality inmate programs grounded in evidence-based practices. Program staff facilitate empirically proven curriculum to inmates that focuses on cognitive behavioral therapy. Evidence-based practices strive 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 evidence-based assessment techniques that improve the selection of programs and services specific to an individual participant's criminogenic needs. These techniques also help to create a re-entry case plan and link inmates to available resources upon release.

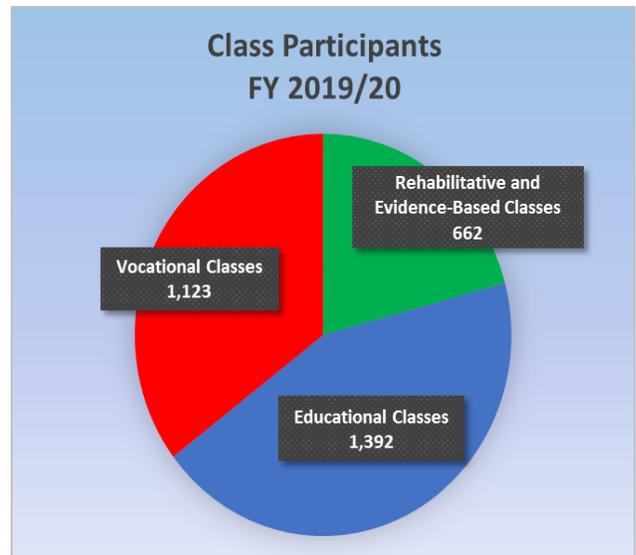
In Fiscal Year 2019/20, 662 inmates attended evidence-based and rehabilitative classes. Some of the evidence-based classes being offered within the jail facilities include the following:

- 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 100 day in-custody component followed by a four-to six-month-long aftercare (out-of-custody) component.
- 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-behavioral therapy course that addresses trauma and substance use through 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.
- 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.

Educational and Vocational Services: The Bakersfield Adult School (BAS), a part of the Kern High School District, has worked in partnership with the Kern County Sheriff's Office for over three decades. It is one of the largest partner agencies currently working with the Sheriff's Office. Nearly 25 teachers instruct upwards of 90 educational and vocational classes per week in a variety of subjects. Approximately 1,123 inmates attended vocational courses during their incarceration in FY 2019/20.

There is a strong relationship between educational programs and the reduction of recidivism. In FY 2019/20, 1,392 inmates attended one or more educational classes.

Additionally, the educational program at the Lerdo Facilities maintains its status as a certified GED testing site. In FY 2019/20, all three inmates who tested for their GED achieved a passing score. Acquiring a GED is often the first step on the road to removing barriers to a successful re-entry into the community and employment opportunities. Those who are not able to complete the GED program in custody are able to continue their work with BAS after release.



Other courses offered by BAS include Substance Abuse Prevention, Anger Management, Parenting, and Batterer Intervention. Many of the classes offered are approved by the courts, as well as the Department of Human Services, Child Protective Services, Probation, and State Parole.

The mobile computer classroom successfully piloted at the Justice Facility was replicated at the Pre-Trial Facility during Fiscal Year 2019/20. The concept of the mobile classrooms, using refurbished laptops funded by AB 109, has proven more flexible than fixed computer classrooms. Instead of having to maintain a dedicated computer classroom at each facility, the laptops can be delivered to any classroom space, allowing more inmates the opportunity to learn valuable computer skills.

The Lerdo staff dining facility is operated by female inmates who are taught basic food service skills and industry standard equipment training. Participants of this program can earn a ServSafe certificate, which improves their employment marketability when applying for jobs after release. A similar program is run for male inmates in the Lerdo Main Kitchen.

As part of its overall educational program, the Sheriff's Office has continued to partner 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 long-standing 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.

### **Partner Services**

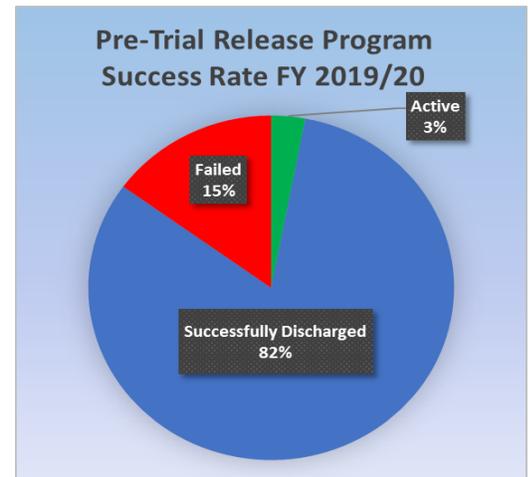
The Sheriff's Office collaborates with numerous governmental agencies and community-based organizations to improve the provision of services that help remove barriers to successful community re-entry for the inmate population. For example, the Sheriff's Office continues its established partnership with the Department of Child Support Services (DCSS) to assist inmates in resolving child support issues. In FY 2019/20, over 118 inmates utilized this service.

The Sheriff's Office also maintains a strong working relationship with America's Job Center (AJC). AJC staff located at the Lerdo Facilities provides employment services to in-custody participants with additional referrals to AJC services after release. AJC is currently working with the Sheriff's Office to develop a "small bites" curriculum model to better serve inmates with short jail stays, who can find it difficult to complete longer classes before their time in custody is over. The "small bites" model will allow for flexible participation in one or more short-term classes as an alternative to committing to a longer program.

### **Pretrial Release Program**

The Sheriff's Office continues to release low-risk inmates 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 their risk to community safety.

In FY 2019/20, fifty inmates were released on the Pretrial Release Program and 85% successfully completed the 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.

In FY 2019/20, EMP and Sheriff's Parole combined had 491 total participants. As of late May, 348 participants had successfully completed the EMP and Sheriff's Parole program. However, 97 participants violated the terms of the program and were subsequently returned to custody. Most of the participants who violate are re-released back into virtual custody after a case review and go on to successfully complete the program.

The Virtual Jail staff has continued its emphasis on drug testing to ensure compliance among program participants. EMP and Sheriff's Parole have conducted 547 drug tests with a 72% negative test rate. Participants who tested positive were referred to the Probation Department's Day Reporting Center (DRC), the BHRS Gateway Team, and to NA/AA meetings to help in rehabilitation.

More than 61 remote alcohol detection devices have been deployed among released inmates who had 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. In FY 2019/20, these devices conducted a total of 25,477 breath tests on participants with the following results: 23,710 passed tests, 21 failed tests, and 1,746 missed tests. This amounts to an overall compliance rate of 93 percent. Participants who missed a scheduled test were contacted and required to test immediately. Those who tested positive were 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. In the past year, the Sheriff's Office used monitors on 10 inmates for over 840 hours in the hospital. This equates to 105 eight-hour shifts that would otherwise have been filled by a deputy to guard the inmates, resulting in approximately \$32,894 in staff cost savings.

### **Moving Forward**

The Sheriff's Office has proposed allocation of its Fiscal Year 2020/21 base funding in the amount of \$15,026,550 in accordance with the established 39.27% of the overall base allocation. This total represents a decrease of \$2,460,091 from the Sheriff's Office FY 2019/20 base allocation. This decrease will be absorbed by the following reductions:

- Defunding two vacant detentions senior deputy positions and one vacant detentions deputy position;
- Eliminating overtime funding used to support AB 109 positions;
- Reducing services and supplies.

The chart below shows the recommended Sheriff's Office AB 109 Budget for FY 2020/21, including updated staffing costs.

**Sheriff's Office Proposed FY 2020/21 AB 109 Allocation**

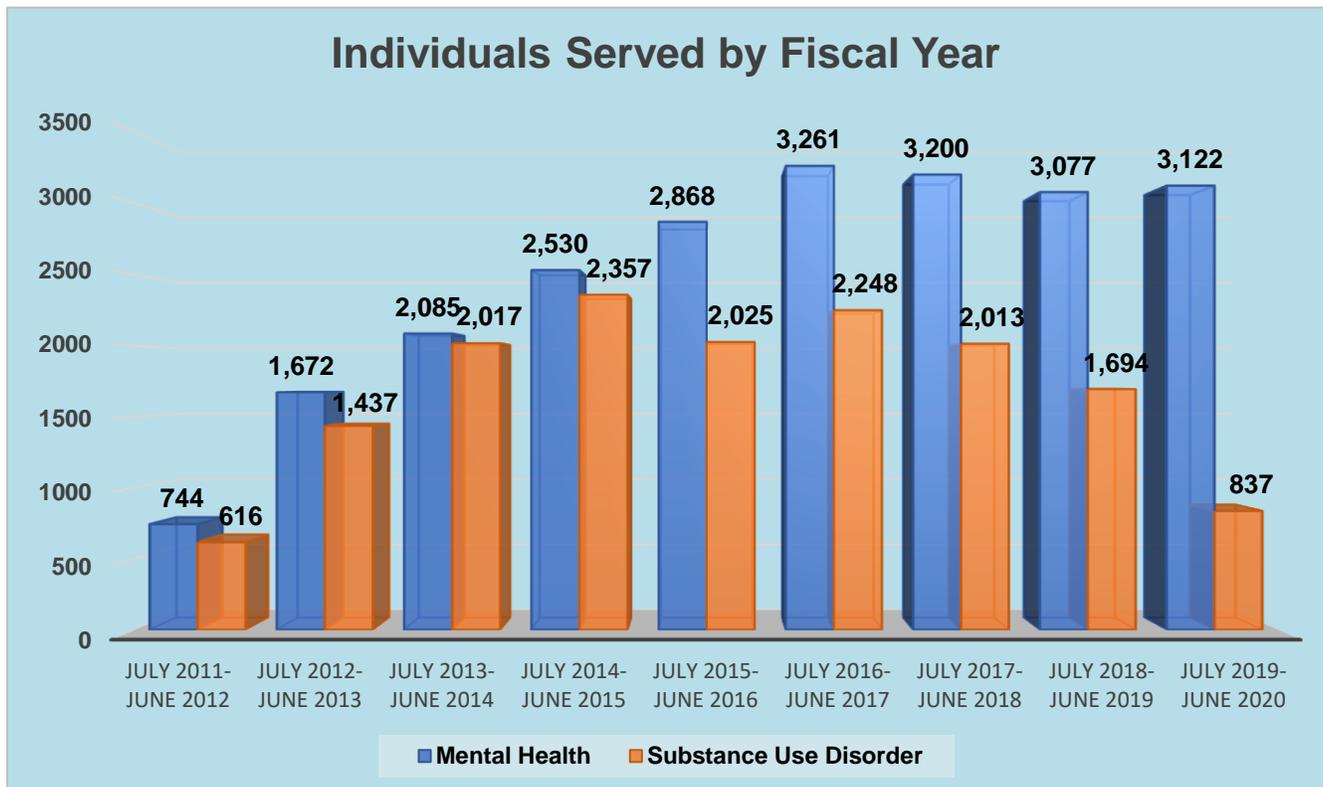
<b>POSITION / ITEM</b>	<b>QT Y</b>	<b>COST PER UNIT</b>	<b>ANNUAL COST</b>
Detentions Deputy	42	\$129,342	\$5,432,364
Deputy Sheriff II CA	19	\$175,850	\$3,341,150
Program Specialist	8	\$106,465	\$851,720
Deputy Sheriff II C	5	\$165,039	\$825,195
Sheriff's Support Technician	7	\$73,709	\$515,963
Senior Deputy Sheriff	2	\$200,798	\$401,596
Sheriff's Aide	4	\$82,056	\$328,224
Detentions Senior Deputy	2	\$143,864	\$287,728
Sheriff's Lieutenant	1	\$271,733	\$271,733
Program Technician	3	\$87,566	\$262,698
Detentions Lieutenant	1	\$236,131	\$236,131
Sheriff Sergeant	1	\$226,448	\$226,448
Admin Coordinator	2	\$112,163	\$224,326
Detentions Sergeant	1	\$158,792	\$158,792
Light Vehicle Driver	2	\$69,148	\$138,296
Systems Analyst II	1	\$135,585	\$135,585
Information Systems Specialist II	1	\$118,722	\$118,722
Maintenance Worker IV	1	\$90,933	\$90,933
Sheriff's Support Specialist	1	\$81,606	\$81,606
<b>Total Salaries &amp; Benefits</b>	<b>104</b>		<b>\$13,929,210</b>
Overtime			\$0
<b>Total Personnel Costs</b>			<b>\$13,929,210</b>
<b>Total Services and Supplies</b>			<b>\$1,097,340</b>
<b>Total Proposed FY 2020/21 AB109 Allocation</b>			<b>\$15,026,550</b>



*The Kern County Sheriff's Office is committed to work in partnership with our community to enhance the safety, security, and quality of life for the residents and visitors of Kern County through professional public safety services.*

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

Since the implementation of AB109 in October 2011, KernBHRS has continued to experience an increase in the service needs for individuals with criminal justice involvement. The impact has been noted across the continuum of care; including within the substance use disorder (SUD) and mental health (MH) in-custody, outpatient, crisis, and inpatient settings. Through AB109 Public Safety Realignment funding, the goal of KernBHRS is to address mental health and substance use disorders of AB109 designated individuals as well as their families. Making treatment in these two areas a priority will aid in reducing recidivism in hospitalization, incarceration and days of homelessness for the population served. Treatment strategies target life skills development, anger management, psychological trauma, and errors in reasoning or criminal thinking. Services utilize evidence-based and/or best practice strategies which focus on mental illness and substance use. From July 1, 2019 to June 30, 2020 KernBHRS served a total of 3,346 individuals with an AB109 category assignment. Of those, 610 individuals were treated in both MH and SUD service systems. Since March 2020, most services have been conducted through telehealth due to the COVID-19 pandemic. Services continued during this time, and client care has been utmost importance adhering to State and County COVID-19 directives. The graph below reflects the number of AB109 assigned individuals who were provided mental health and/or substance use disorder services by the department since 2011.



FY 19/20 (May & June 2020 data are pro-rated) - July 1, 2019 to June 30, 2020

## **Programs and Services**

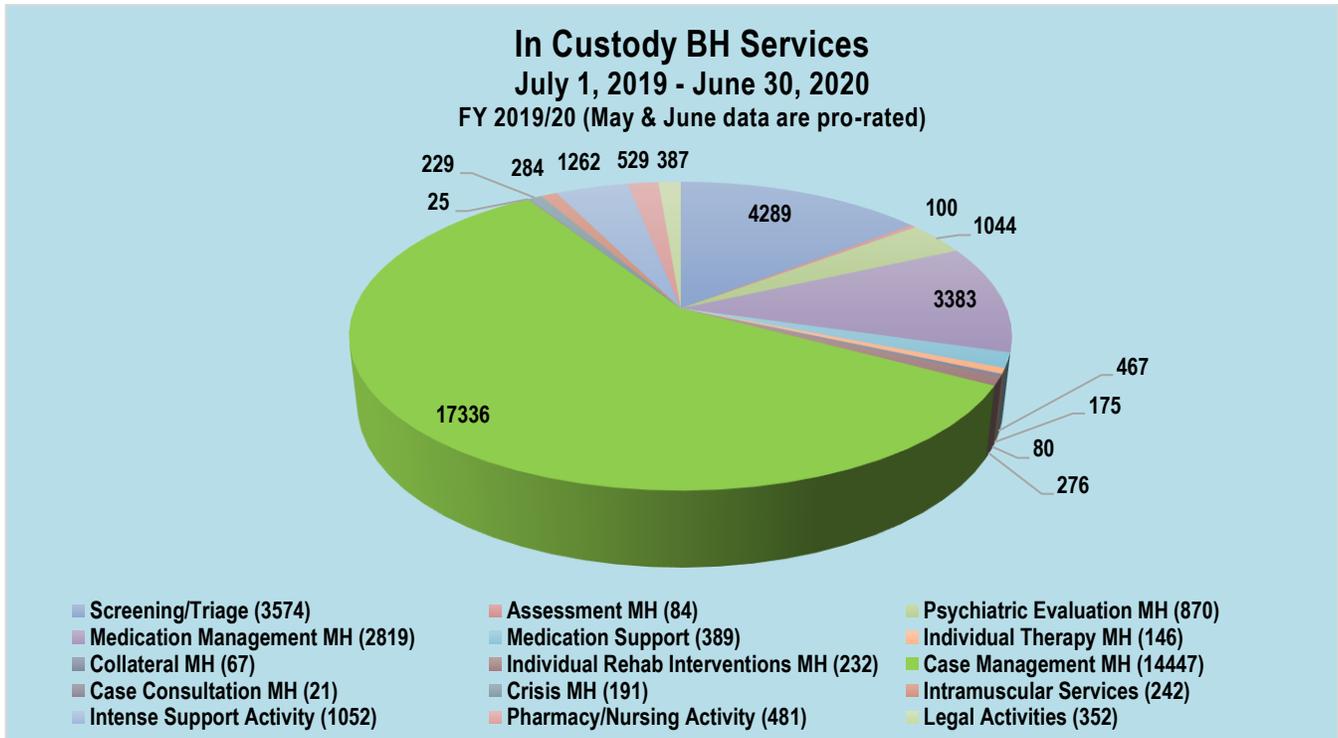
### **Behavioral Health In-Custody Services:**

Within the Kern County Sheriff's Office (KCSO) Detention Facilities, which include Central Receiving Family (CRF), Justice, Pre-Trial, and Max-Med, the KernBHRS Correctional Behavioral Health Team (CBH) provides onsite behavioral health services to the incarcerated population. The team also links these individuals to KernBHRS outpatient teams, contract providers, outside agencies (Probation and Parole) and Community-Based Organizations to provide continuity of care upon release to the community. CBH is an access point within the KernBHRS System of Care. Prior to release from custody, discharge plans for continued treatment, such as immediate service appointments and bridge medications are set up for post release. The CBH Team collaborates with the Adult Transition Team (ATT) for linkage to community-based specialty mental health treatment for severe and persistent mental illness and services focusing on the reduction and elimination of re-entry into jail/prison. The CBH Team has established a strong relationship with KCSO and the Kern Hospital Authority, Kern Medical (KM), which also allows for the holistic treatment of the incarcerated population by addressing mental health, substance use and physical care needs while incarcerated and continuing upon release into the community.

Over the past fiscal year, CBH has facilitated bridge medications for individuals discharging from all four facilities (CRF, Justice, Pre-Trial and Max-Med), when transitioning to resources, such as: Access and Assessment Team, Co-Response Team, and outpatient providers within the System of Care, and/or a support person. Discharges to Psychiatric Evaluation Center (PEC) and or the Crisis Walk-In Clinic (CWIC) are now being facilitated for individuals who have been ordered released from custody but are not yet stable and require additional support upon their release. The goal is to provide continuity of care and a "warm" handoff to easily access behavioral health services without a lapse between release and outpatient services.

In January of 2019, CBH with collaborating partners began conducting Lanterman-Petris-Short (LPS) Conservatorship Evaluations at the Lerdo Justice Facility. This allows for the clients to be provided services and observation to assist in deciding Conservatorship eligibility while remaining in custody rather than being transported to an inpatient hospital. CBH has processed thirteen court referrals for Conservatorship Evaluations, seven more evaluations than the previous fiscal year. Two referrals did not meet the criteria for LPS Conservatorship. Conducting these evaluations at the Sheriff's Justice Facility significantly expedites the process, reduces the need for guard coverage provided by KCSO, and allows for more inpatient beds at Kern Medical to be available for individuals who require more intensive inpatient treatment.

CBH facilitates court-ordered medication evaluations ordered by the Kern County Courts. These evaluations determine an individual's need for court mandated involuntary medication and allow for the administration of involuntary medications to individuals who are severely decompensating or are a safety risk to themselves or others. Medication orders are tracked daily to check for adherence, and CBH staff take care to utilize all possible means to encourage compliance prior to enforcing the court order. This fiscal year, 232 medication evaluations were completed and submitted to the courts; 93 evaluations resulted in court-ordered involuntary medication treatment.



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

KernBHRS in-custody substance use program is supported by the Sheriff’s department and with collaboration from CBH, increases in-custody and out of custody linkage for all clients within the jail system. Staff providing substance use disorder services are certified drug and alcohol counselors. During the 2019-2020 fiscal year, four group cohorts completed 239 groups with 34 participants graduating from the program. The program utilizes evidenced-based treatment modalities such as Cognitive Behavioral Therapy (CBT), Aggression Replacement Therapy (ART), The Matrix Model, Seeking Safety, and Moral Reconciliation Therapy (MRT). By participating in these groups, clients learn skills and resources to better equip themselves for real life situations they will encounter upon release. Clients practice skills and evaluate their effectiveness towards achieving their goals in preparation for challenges they may face during reintegration into society and gain skills needed to successfully achieve their goals.

**Adult Transition Team:**

The Adult Transition Team (ATT) serves individuals with serious and persistent mental illnesses who also have a lengthy legal history which may include multiple incarcerations and those returning from State Hospitals who have received competency restoration services. ATT staff include Recovery Specialists, Therapists, Substance Use Disorder Specialists, and Clinical Psychologists that utilize evidence-based treatment approaches. This team works closely with the KernBHRS CBH team, and the primary point of entry is facilitated by an ATT liaison stationed within the Sheriff’s Detention Facilities. This staff conducts screenings and assessments while individuals are incarcerated to assist with linkage to outpatient services. Individuals who meet the criteria for services with ATT are linked with a Recovery Specialist to establish rapport and assist the individual in their transition from jail to the community prior to release. Referral sources include self, detention staff, family members, CBH, family advocate, probation officers, the Public Defender and District Attorney’s Office. ATT service goals are to improve the mental health and substance use status of individuals served and reduce recidivism days of hospitalization, incarceration, and homelessness.

When treating clients, ATT staff utilize the following Evidence-based programs and modalities: CBT, Solution Focused Therapy, Motivational Interviewing, and Dialectical Behavioral Therapy (DBT). ATT also recently began providing Eye Movement Desensitization and Reprocessing (EMDR) therapy to assist clients with a history of trauma. Seeking Safety and Relapse Prevention groups are utilized for individuals requiring treatment for co-occurring disorders. This fiscal year the use of a therapy dog during Seeking Safety groups was introduced to provide an alternative method to ease trauma. Positive feedback has been received from clients regarding this new therapy aid.

Staff engage clients by providing case management and skill-building interventions in the field to foster relationships and encourage continued treatment. Recovery Specialists also assist clients in accessing community resources, financial benefits, and low-income housing, depending on the client's need. Individual therapy and group sessions are provided on-site and off-site locations. The groups are designed to educate, build social skills, raise awareness, and promote independence and good self-care. ATT staff strive to improve critical thinking to endorse recovery and stability. After-hour services are supported by on-call staff, one English-speaking and one Spanish-speaking to ensure clients' needs are met beyond regular office hours.

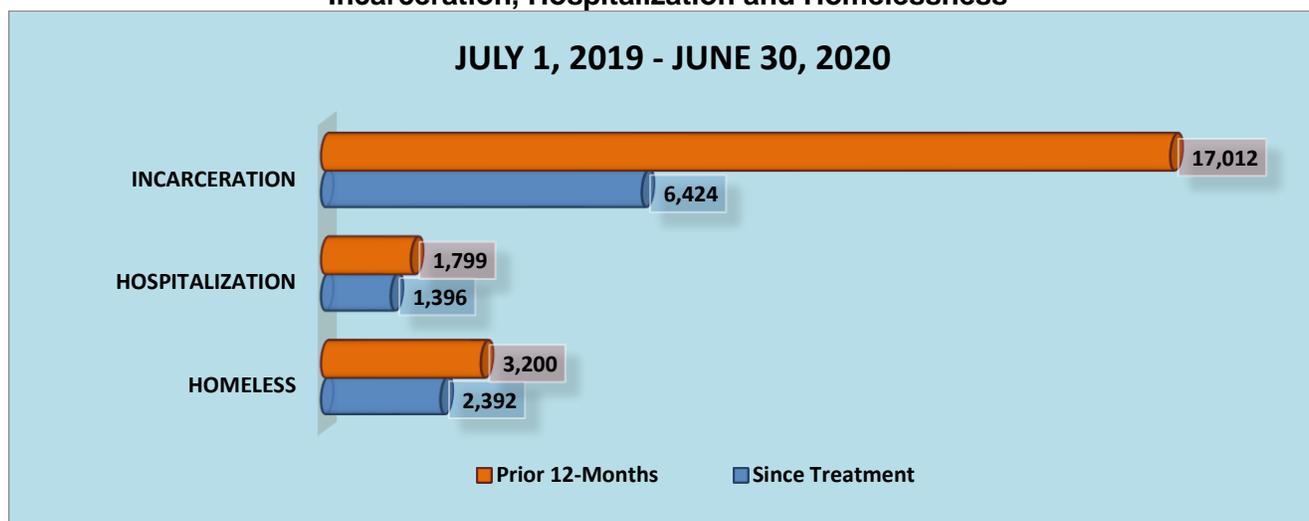
To address physical health care needs, ATT staff have partnered with Kern Medical's Whole Person Care. The Whole Person Care program is an existing local collaborative program that addresses physical care and supportive services for individuals leaving the in-custody setting. Individuals with acute substance use disorder needs beyond the treatment provided onsite by Whole Person Care staff will be served by KernBHRS System of Care.

The Adult Transition Team has also been serving individuals in the Sustained Treatment and Recovery (STAR) Court since it began in 2015. Star Court, a multi-agency collaboration with County agencies including Probation, District Attorney's Office, Public Defender, and the Superior Court is a program available to the AB109 population. The STAR Court Program is a non-traditional diversion program which links individuals charged with felonies to mental health and substance use treatment services within the community. The program serves clients with severe mental illness who are referred by the Court after one or multiple serious crimes have been committed. The program also ensures linkage to appropriate resources including housing, transportation, and benefits. The 18-to-36-month program is designed to reduce recidivism of individuals who suffer from serious mental illness and/or substance use and are involved in the criminal justice system, reduce incarceration due to program failures, and enhance public safety by providing necessary mental health care and is closely monitored by mental health Recovery Specialists and the client's Probation Officer. STAR Court status hearings are held weekly, and should clients fail to appear or continue fidelity to treatment plans, their eligibility in STAR Court may be suspended or revoked.

ATT measures its AB109 recidivism outcomes by comparing the number of days clients spend in custody, in an inpatient psychiatric setting, or are homeless during the 12 months prior to service initiation with the number of days in these categories while in treatment following release. The target goal is to reduce the number of days in these categories by 30%. From July 1, 2019 to June 30, 2020, ATT served 130 unduplicated clients with severe mental illness, many of whom had a secondary diagnosis of a substance use disorder and were homeless. In aggregate, the number of days incarcerated decreased by 62%, and the number of days in a psychiatric inpatient setting were reduced by 22%. The number of homeless days decreased by 25%. KernBHRS Housing Services Team is working in concert with the Homeless Collaborative to coordinate all its housing efforts to address these needs.

**Adult Transition Team  
Incarceration, Hospitalization and Homelessness**

**JULY 1, 2019 - JUNE 30, 2020**



FY 2019/20 (May & June 2020 data are pro-rated)

**Supportive Pathway Opportunities:**

Supportive Pathway Opportunities (SPO) was created as a diversion program for individuals at risk or found incompetent to stand trial (IST) for felony offenses. Although, this new program is not funded by AB109, this is an available referral option for eligible AB 109 individuals. SPO is funded through Department of State Hospitals (DSH) and provides quarterly reports to DSH regarding treatment progress for each individual. KernBHRS will serve a total of 56 individuals over a two-year period, 28 with SPO and 28 with a contract provider, Mental Health Systems (MHS). For those released on diversion, the SPO team will provide mental health/substance use treatment using a Forensic Assertive Community Treatment (FACT) model. FACT is a service delivery model intended for individuals with serious mental illness who are involved with the criminal justice system. These individuals may have co-occurring substance use and physical health disorders. The goals of SPO aim to help each individual with mental health/substance use disorders to achieve recovery, stabilize chronic symptoms, and reduce recidivism.

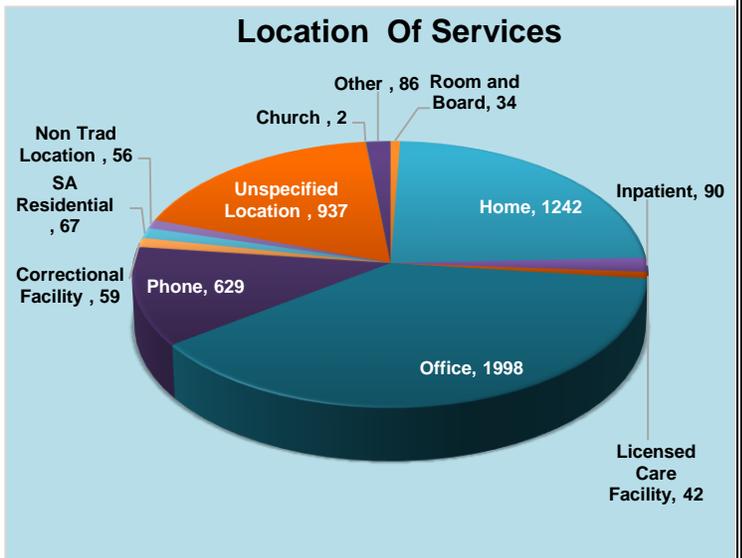
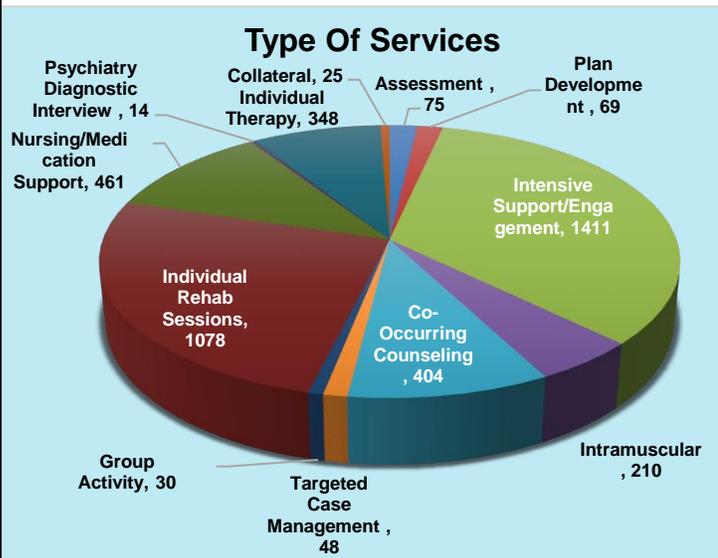
Currently, SPO is engaging with and providing intensive services to five individuals through face-to-face and remote contact, offering case management, assessments, treatment planning, advocacy, linkage and coordination services, and monitoring activities. The focus is on improving self-sufficiency for individuals served. Furthermore, SPO offers comprehensive and defined services that vary in level of intensity and address needs, including situational stressors, family and interpersonal relationships, life span issues, mental health and/or substance use issues.

**Mental Health Systems:**

Mental Health Systems ACTION (MHS ACTION) is contracted with KernBHRS to provide intensive outpatient services to AB109 clients who do not normally respond to traditional outpatient treatment. The service delivery model is an evidenced-based practice proven to assist individuals with serious and persistent mental illness, severe functional impairments and who have a history of criminal justice system involvement. The goal is to reduce frequent psychiatric hospitalizations, homelessness, reoccurring incarceration and to enhance their lives with meaningful activities and improve their quality of life.

The MHS ACTION program staff assist clients in developing personal goals and meeting those needs by self-empowerment, skill building, staff role modeling, and side by side support. Services are provided in locations that meet the needs of the individual served, in addition to services at the Kern ACTION office. This Intensive Outpatient Team works closely together to combine their knowledge and skills to provide the client with the services they need for as long as they need them, 24-hours-a-day, 365-days-per-year and on an on-call basis.

Between July 1, 2019 and June 30, 2020 (May & June 2020 data are pro-rated), the MHS ACTION program served 67 AB109 assigned individuals, with a total of 5,227 service contacts. In line with other KernBHRS outpatient programs, the MHS ACTION program aims to reduce incarceration, homelessness, and hospitalizations. During this reporting period, both homelessness and incarcerations decreased while inpatient admissions increased. During this fiscal year, MHS ACTION provided 461 medication management visits with a psychiatrist, 348 individual therapy sessions, and hundreds of individual sessions with recovery specialists to provide various case management and individual rehabilitation services. MHS ACTION provided more than 120 group activities. Over the next year, the program aims to expand coordination of care with the Correctional Behavioral Health (CBH) Team to strengthen continuity of behavioral health services upon release from custody.



FY 19/20 (May & June 2020 data are pro-rated) – July 1, 2019 to June 30, 2020

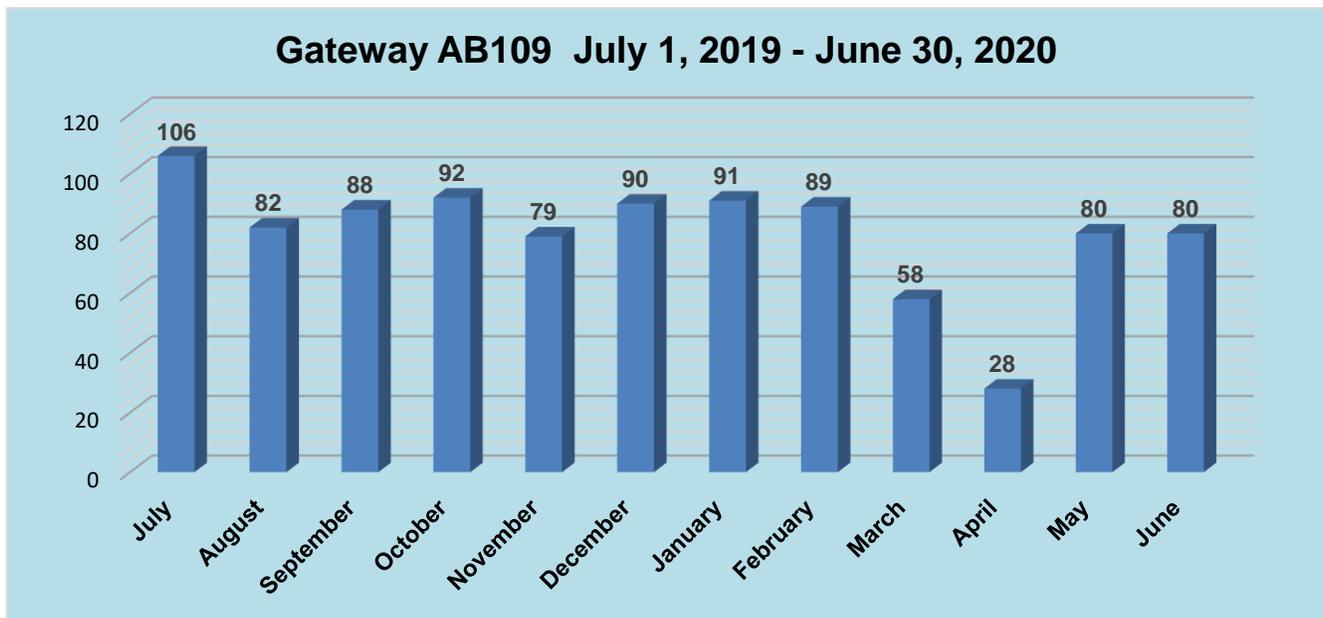
**Substance Use Disorder Outpatient Services:**

**Gateway:**

Substance use disorder outpatient services for AB109 assigned individuals are primarily provided through KernBHRS contracted service providers. Individuals are linked to service providers through the Gateway Team. The Gateway Team is the central screening and referral service for SUD treatment for both metropolitan Bakersfield and outlying areas of Kern County. Gateway offers screening and referral services 24-hours-a-day, 7-days-a-week through the SUD Access Line. The SUD Access Line allows individuals to complete their screening and obtain a referral for treatment services over the telephone. In addition to the SUD Access Line, Gateway has several locations where individuals may be screened in person throughout the community. Screenings are also conducted in the in-custody and

psychiatric inpatient settings and at local hospitals. There was a total of 963 criminal justice involved individuals referred to outpatient SUD services through the Gateway Team between July 2019 and June 2020 (May & June 2020 data are pro-rated). In addition to screening and referral services, Gateway provides case management to inmates participating in the in-custody treatment program.

During this time frame, case management referrals were negatively impacted due to difficulties in identifying eligible candidates for the in-custody treatment program within the jail population, criteria required for clients to be eligible for release, and as a result of nationwide COVID-19 precautions that resulted in services being halted to limit risk of exposure to both staff and clients. Gateway received 30 case management referrals and successfully enrolled 25 clients in case management services. Of these clients, 10 were linked to employment, 9 were linked to employment training services, and 21 were successfully relinked to their Medi-Cal benefits. In addition to referrals, Gateway case managers provide community re-entry kits to clients and assist with linkage to additional community services and resources.



FY 19/20 (May & June 2020 data are pro-rated)

With the introduction of a new Drug Medi-Cal Organized Delivery System (DMC-ODS) Waiver, substance use disorder treatment availability expanded in FY 2019/20. This included additional residential treatment options, case management, and recovery services for individuals with a primary substance use diagnosis. Following the launch of the DMC-ODS waiver, the average number of clients in treatment increased 7.4% from July 2019 (2,806) to June 2020 (3,012). In addition to the increase of clients accessing the SUD treatment system of care, the average number of clients receiving case management services has increased by 257% from July 2019 (709) to June of 2020 (2,530). Of the 2,530 clients receiving case management services, 433 were criminal justice involved individuals. As part of the continued efforts taken to expand treatment availability in FY 2019/20, KernBHRS plans to add additional residential treatment providers and expand capacity in outpatient clinics. During the 2019/2020 fiscal year, KernBHRS added Clinically Managed High Intensity Residential services to treat those with high co-occurring mental health and SUD concerns.

In response to the Opioid Crisis, the Substance Use Disorder System of Care was engaged in two new projects to expand access to Medication Assisted Treatment (MAT). One, a Correctional MAT Pilot involving collaboration with the Correctional Behavioral Health Team and Kern Medical to identify

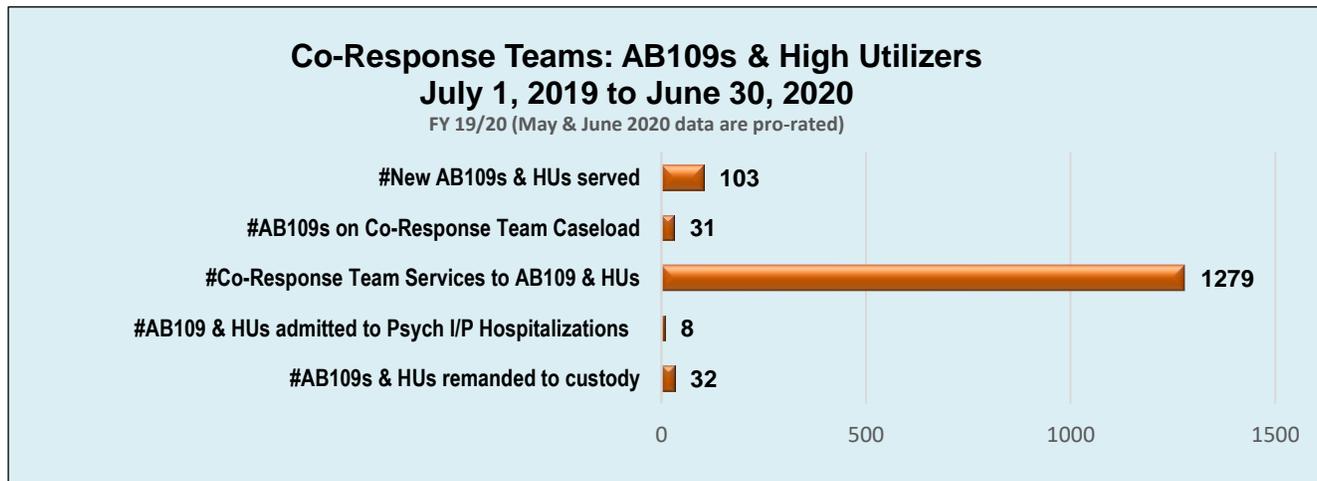
individuals who would benefit from naltrexone injections to help address an opioid use disorder. This collaboration also led to a second small pilot program to identify individuals in custody and provide them with an injection upon release, and follow-up linkage to Kern Medical’s Whole Person Care (WPC) to continue this medication regimen and linkage to additional supportive services. Access to MAT was also expanded through a Transitions in Care grant from the Department of Health Care Services. Health Management Associates, a consultant, has offered technical assistance to local agencies which led to two Federally Qualified Health Centers (FQHCs) to make available buprenorphine in the primary care setting. This provides another option for people with substance use disorder to access care in multiple settings, in addition to receiving traditional SUD counseling. These efforts have served to create a more comprehensive SUD System of Care that addresses the needs of the criminal justice involved clients and the overall population within the County.

**Crisis Intervention Services:**

**Mobile Evaluation Services:**

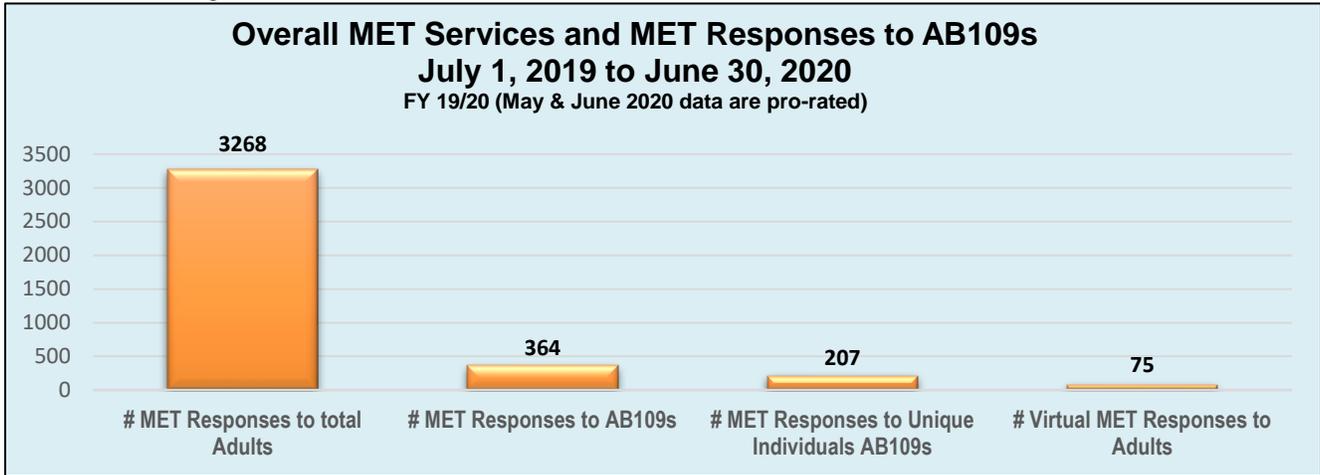
The KernBHRS Mobile Evaluation Team (MET) has historically acted as an adjunct to law enforcement with community response, and it has been standard for MET to be dispatched through law enforcement. Since the launch of the AB109 Co-Response Team in June 2015, MET, in conjunction with the Sheriff’s Office 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 staff member of MET. The MET staff of the Co-Response Teams are funded through AB109 Realignment and are senior-level, experienced members of the team. Individuals served are High Utilizers (HU) of law enforcement 911 services who, without early intervention, may become hospitalized or incarcerated. This joint response approach places the law enforcement officer and MET staff in the same vehicle, increasing the level of collaborative crisis care services.

The Co-Response Teams provided initial contact to 103 new AB109 and HU individuals during the period of July 2019 to June 30, 2020 (May & June 2020 data are pro-rated). Overall, the Co-Response Teams provided 1,279 services to AB109 and HU individuals. 32 AB109 and HU individuals were remanded to custody during this period, and seven High Utilizers were admitted to inpatient psychiatric hospitalizations. The caseload of the Co-Response Teams as of June 30, 2020, included 31 AB109 and 8 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 2019 and June 30, 2020 (May & June 2020 data are pro-rated), MET and/or Virtual MET responded to 3,268 adults with local law enforcement, 364 of these responses were provided to 207 unique individuals known and assigned as AB109.



**The Crisis Intervention Team:**

The Crisis Intervention Team’s (CIT) goals are to improve officer and individual safety when the scene is a mental health crisis and redirect individuals with mental illness from the Judicial System to the Behavioral Health System. The CIT 40-hour class, CIT Advance Officer 8-hour class, CIT Steering Committee, CIT Electronic Monitoring Program (EMP) Subcommittee, and CIT High Utilizer Subcommittee specifically focus on closing the gaps between law enforcement and behavioral health agencies who often encounter the same individuals in the community that need behavioral health services. Through the collaboration of the CIT’s work, services are enhanced for the AB109 population.

The CIT 40-hour class and CIT Advance Officer 8-hour class provide training to law enforcement on how to identify behavioral health behaviors to assist officers in linking individuals to behavioral health and substance use disorder services. The class provides resources that may reduce recidivism by offering referrals to address their behavioral health needs. During the period of July 1, 2019 to June 30, 2020, three CIT classes were completed.

The CIT Electronic Monitoring Program Subcommittee is a collaboration between Kern County Sheriff’s Office, Bakersfield Police Department and KernBHRS to assist Co-Response Teams find solutions for participants who have behavioral health issues during their participation in the EMP program. The Co-response team’s goal is to prevent the AB109 participants who have substance use and behavioral health disorders from recidivism to incarceration. The CIT EMP Subcommittee met monthly during the period of July 1, 2019 to June 30, 2020.

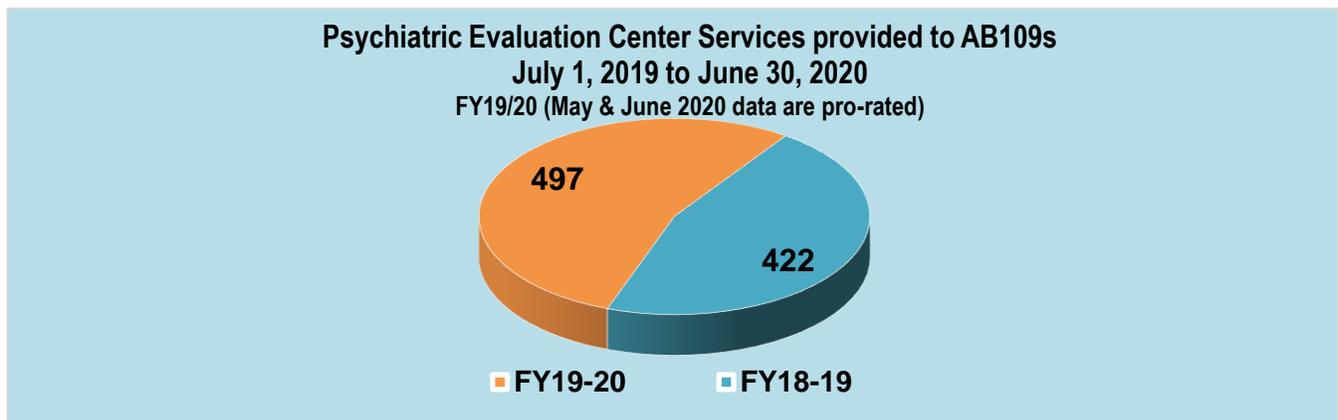
The CIT High Utilizer Subcommittee is a multi-agency collaboration between the City Co-Response team, Bakersfield Police Department, KernBHRS and Mental Health Systems ACTION to develop solutions to effectively empower individuals identified as High Utilizers to use behavioral health resources instead of 911 services. The CIT High Utilizer Subcommittee aims to avert the High Utilizers from possible hospitalizations and/or incarceration.

### **Access and Assessment Center:**

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 2019 through June 2020 (May & June data are pro-rated), the center served 125 AB109 assigned individuals of which 9 declined services. For these individuals, the Access and Assessment Center provided 79 mental health screenings with 1 “Other” face-to-face service, 61 mental health assessments, with 37 no shows to their scheduled assessment appointment, and 1 canceled by clinic. Of the AB109 individuals who received mental health assessments, 60 were linked to services within the KernBHRS system of care, including contracted and rural providers.

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

The Bakersfield Psychiatric Evaluation Center – Crisis Stabilization Unit (PEC-CSU) and the Ridgecrest CSU (Ridgecrest Mental Health Urgent Care Center) are the designated facilities to receive involuntary psychiatric holds from law enforcement and KernBHRS designated staff. The Ridgecrest CSU serves the communities of East Kern. Individuals may be voluntarily admitted to the Bakersfield PEC-CSU or the Ridgecrest CSU during a crisis. The PEC-CSUs determine if there is a need for hospitalization or if the individual can be treated and released back to the community. Discharge from the CSUs is coordinated with the individual’s current service provider for the community release or a notification is provided that the individual was admitted to a psychiatric inpatient facility. During the period of July 1, 2019 to June 30, 2020 the Ridgecrest CSU provided services to 30 AB109 identified individuals. Between July 1, 2019 and June 30, 2020, the Bakersfield PEC-CSU provided services to 467 individuals in crisis who were designated with an AB109 client category. Many of these individuals had more than a single crisis encounter during the fiscal year. These services contribute to the impaction of this 24-hour facility.



### **Housing Support Services:**

Available housing is a significant barrier for individuals re-entering the community after incarceration. A welcoming, recovery-oriented home environment is important for successful reintegration back into the community. The Housing Services Team (HST) coordinates KernBHRS’ SOC housing subsidy assistance services and makes recommendations to teams by identifying emergency and temporary shelter placements. This assistance allows individuals to focus on participating in outpatient treatment to include the goal of planning for permanent housing. KernBHRS secured \$70,200 AB109 FY2019/20 Growth funds for short-term emergency housing targeting individuals released from jail and/or hospitalization who would be homeless upon discharge.

Kern Linkage	AB109 Totals		Housing Services Team	AB109 Totals	
	FY 2018-2019	FY 2019-2020		FY 2018-2019	FY 2019-2020
July 1, 2019 – April 30, 2020			July 1, 2019 – April 30, 2020		
Client Vouchers Processed	101	104	Claims Processed	8	20
Days Vouchered	2,484	2,859	Individual Clients Processed	7	11
Unique Client Count	34	28			
Amount Spent	\$58,462.07	\$70,616.20	Amount Spent	\$4,502.92	\$12,481.70

In addition to appropriate housing placement, the Housing Services Team provides Packed for Recovery Program bags. This program was implemented as a one-time resource for individuals exiting homelessness, incarceration, and acute care facilities. It is especially beneficial to individuals leaving the correctional setting. The lack of basic clothing and hygiene items at the time of release can be a large hurdle for both the client and staff working with them during this transition period. The Packed for Recovery Program helps to reduce the stigma and discrimination against those with a behavioral health diagnosis by eliminating one of the barriers to their entry into sober living homes or other appropriate housing options.

From July 1, 2019 through June 30, 2020, HAT staff provided 7 bags, ATT staff provided 48 bags and SPO provided 3 bags to AB109 clients with hygiene products such as soap, shampoo, lotion, toothbrush, toothpaste, brush, towels, clothing items, snacks, sweat pants/shirt, pajamas, blanket, notebook, pens, granola bars, and water. Collectively, they provided 48 clients a second bag which included undergarments, shirts, jeans, shoes, and a sweatshirt.

## Moving Forward

KernBHRS continues to expand and shape services for AB109 assigned individuals with a focus on the recommendations outlined in the CCP Strategic Plan, the Kern County Stepping Up Initiative, and with consideration for capacity and service needs identified by the Department.

KernBHRS continues to strive towards promoting the standard of care and meeting clients' needs by concentrating on client care during this COVID-19 pandemic. The services that continued to be provided despite the barriers due to the COVID-19 pandemic include, but are not limited to, crisis services, individual therapy, medication management, psychiatric services, and case management. KernBHRS has continued to coordinate with community partners and treatment providers to assist with clients' housing, linkage to resources to provide for basic needs, and providing transportation for clients to essential appointments and shelter. In an effort to reduce client risk and decrease the likelihood for recidivism and homelessness, Kern BHRS collaborated with local agencies and departments to establish treatment plans, provide a warm hand off, and coordinate access to housing for incarcerated and at-risk clients.

### Fiscal Year 20/21 Spending Plan:

In FY 2020/21, KernBHRS has been designated to receive \$6,090,885.00 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, KernBHRS proposes to allocate costs as outlined in the chart below. KernBHRS will continue to identify ways to improve upon the programs established for the AB109 population. Additionally, KernBHRS will continue to develop, implement, and monitor data collection methodologies to maximize resources and funding available.

**KERN BEHAVIORAL HEALTH AND RECOVERY SERVICES  
AB109 BUDGET JUSTIFICATION/SPENDING PLAN FY 2020/21**

Salaries and Benefits			
Service	Position	FTE	Annual Cost
Correctional Behavioral Health-Jail Personnel	Behavioral Health Nurse I/II	1	194,836.22
	BH Recovery Specialist I/II/III	9	1,213,345.71
	BH Therapist I/II	7	1,238,141.03
	BH Unit Supervisor I/II	1	216,787.22
	Office Services Technician	4	314,243.80
	Licensed Vocational Nurse I/II	7	777,411.88
	Substance Use Disorder Specialist	3	330,294.12
Administration			673,966.17
Contracted Services			
Adult SOC Contractors			653,656.00
Housing Contractors			215,000.00
Pharmacy Contractors			136,897.00
Total Projected Expenditures for FY 2020/2021			\$5,964,579.15
CCP Base Allocations to KernBHRS for FY 2020/2021			\$5,188,693.00
Total Projected Expenditures Exceeding Allocation for FY 2020/2021 (*KernBHRS to absorb this projected expenditure cost)			-\$775,886.15

KernBHRS continues to plan to absorb any expenditure exceeding allocations to provide the most comprehensive treatment services for this population.

## **Employers' Training Resource**

Employers' Training Resource (ETR) has completely transitioned case management systems from iTrain to CalJOBS, as required by the State of California. All Workforce Innovation and Opportunity Act (WIOA) and non-WIOA, including AB 109 participants, programs are now managed through CalJOBS.

Transitioning to CalJOBS has its advantages, but the CalJOBS software has some limits – notably in tracking and managing the AB 109 caseload. In order to better serve participants, ETR is developing and building a custom database solution that will better serve the needs of participants and AB 109 case managers. The database will function as a complement to the CalJOBS system and allow for documenting more detail than the CalJOBS system is currently configured to handle. The database will also allow for more detailed follow-up activities with participants to be documented.

The GED testing center at the Beale Memorial Library has continued to thrive. As of March 13<sup>th</sup>, the last date the library was open to the public before the local emergency was declared, proctors had administered 405 GED test modules and were on track to match last year's number of test modules.

The Job Readiness AJCC and Positive Steps to Employment classes have continued to be cornerstones of the job readiness and soft skills components of ETR's program for justice-involved individuals. Job Readiness AJCC is a class taught at the Lerdo Jail Facility by an ETR Job Developer to currently incarcerated individuals. In program year 2019-2020 there have been 77 total referrals to Job Readiness AJCC, with 38 total graduates. It covers a wide range of topics and barriers justice-involved individuals will face once they're released, including information on soft skills, how to answer tough interview questions, legal questions about their offender status during the hiring process, and participants are challenged to craft a 30-second summary to "sell" themselves to an employer. Valuable information about the Work Opportunity Tax Credit and Federal Bonding Programs is also provided to the participants, giving them more tools to educate potential employers on the incentives to hire a justice-involved individual and giving them the confidence to self-advocate. The inmates are given the opportunity to have a professional résumé drafted by a Job Developer and complete a master job application and reference list.

Post-release, the formerly-incarcerated individuals have the option of taking the Positive Steps to Employment class, which complements the Job Readiness AJCC class and gives the individuals access to computers for them to complete job searches, with or without assistance, and update their résumé. In program year 2019-2020, there have been 71 total referrals to the Positive Steps class, with 29 total graduates. Participants are provided with a portfolio that includes a thumb drive with all the participant's employment information, as well as their completed résumé – providing the participants with available and accessible technology and the skills to use that technology.

The importance of financial literacy education for justice-involved individuals has been repeatedly demonstrated to be a need for the formerly incarcerated through multiple studies. One such study showed that incarcerated people were less likely to have ever had a checking account or credit card, and more than twice as likely to take out payday loans (*Racial Differences in Financial Literacy Among Prisoners in Arkansas's Correctional Institutions*, University of Arkansas Little Rock, 2014). Collaborating with partners in the Programs Unit at the Sheriff's Office and with advisement from Dr. Kenneth Galchus, former professor at the University of Arkansas Little Rock and director of the

university's Kenneth Pat Wilson Center for Economic Education, ETR began researching financial literacy curricula.

Community-Based Organization partner Garden Pathways referred ETR to Money Starts Here, which offers a customizable financial literacy curriculum that can be delivered by ETR staff to the incarcerated population at Lerdo. Using video and printed materials, the "Financial Snacks" modules offer information on how to open a bank account, balance a checkbook, basic budgeting, how to avoid credit scams, thinking about your financial future, and why a credit score really is important. Each module can be given in any order, which allows maximum flexibility for ETR and Sheriff's Office staff at Lerdo, but still provides inmates with important financial education and information they need to be successful once they are released from custody.

In anticipation of delivering the financial literacy modules both pre-release and post-release, ETR will be adding additional staff members to the AB 109 team. ETR is in the process of adding one additional Job Developer and one additional Program Services Technician.

The budget below reflects the activities and strategies ETR plans to follow over the course of Program year 2020-2021. The increase in staff salaries and time is due to the additional team members and the expected increase in participants from the closer partnership ETR is developing with Sheriff, Probation, and CBOs.

**Program Staff**

<b>POSITION</b>	<b>NUMBER</b>	<b>FTE</b>	<b>YEARLY COST</b>
Office Services Technician	2	.06	\$4,550
Program Support Supervisor	1	.06	\$7,585
Program Coordinator	1	.02	\$2,277
Program Specialist	1	.58	\$63,840
Program Technician	1	.4	\$14,443
Job Developer	2	1.4	\$121,282
Senior Office Services Specialist	1	.03	\$2,716

**Administrative Staff**

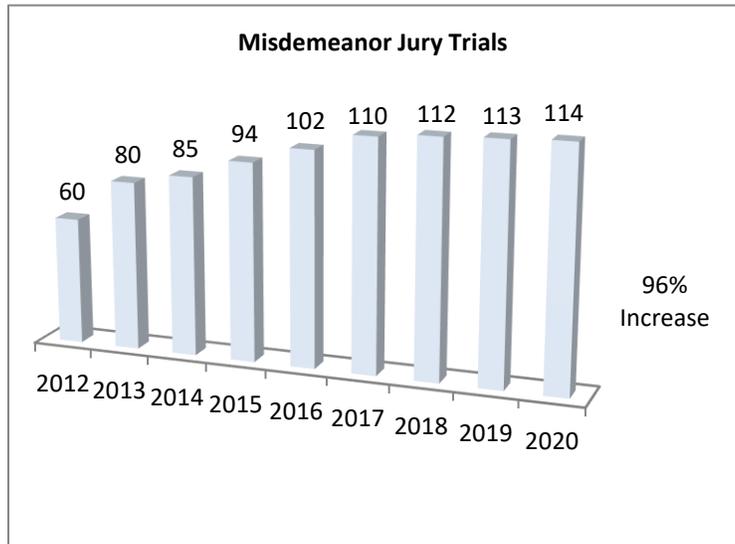
<b>POSITION</b>	<b>NUMBER</b>	<b>FTE</b>	<b>YEARLY COST</b>
Accountant 3	1	.05	\$6,364
Accountant 1	1	.01	\$1,285
Administrative Coordinator	1	.02	\$2,707
Business Manager	1	.04	\$5,878
Departmental Analyst	2	.80	\$77,236
Supervising Departmental Analyst	1	.4	\$50,863
Assistant CAO	1	.01	\$3,350
CAO Manager	1	.02	\$3,361
System Analyst	2	.15	\$19,121
Fiscal Support	4	.07	\$6,336

Program Staff Salaries	\$216,693
Administrative Staff Salaries	\$176,501
OJTs/Training	\$50,000
Supportive Services	\$13,859
Overhead	\$71,000
<b>TOTAL</b>	<b>\$528,053</b>

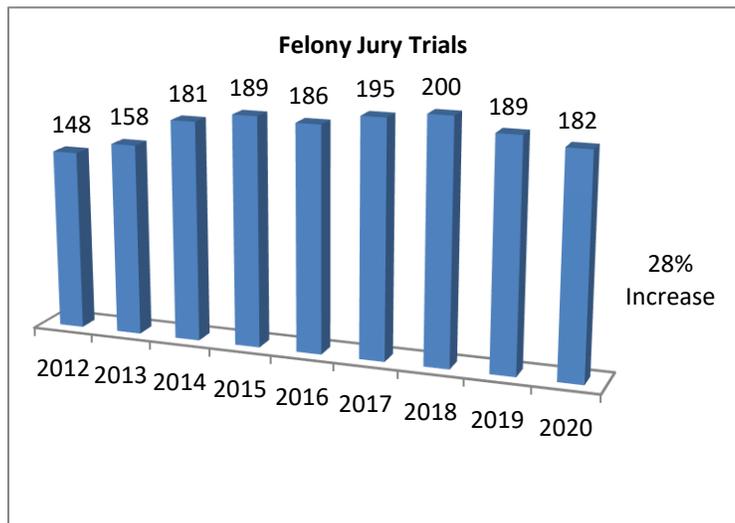
## **District Attorney's Office**

The District Attorney's Office continues to experience significant increases in both misdemeanor and felony jury trials. 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 2012 through an estimate for 2019. The misdemeanor unit increase of almost 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 2012 through an estimate for 2019. This 28% 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 \$1,637,730. 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>Position/Item</b>	<b>#</b>	<b>Salary</b>	<b>Benefits</b>	<b>Total</b>
Deputy District Attorney	5	\$120,000	\$87,000	1,035,000
Criminalist	1	\$93,000	\$77,000	\$170,000
Complaint Attorney	1	\$154,000	\$91,000	\$245,000
Total Personnel	7			\$1,450,000
Recurring costs, phones, computers, licensing, Internet access, cell phones, vehicles, office furniture, training, Bar dues, MCLE, office supplies, etc.				\$187,730
<b>Total</b>				<b>\$1,637,730</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 a significant portion of these persons. 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 2020/21 allocation equals \$818,865, or 50% of the amount appropriated to the prosecution. 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 to a large extent 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 predominantly 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 significant 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 often provides a completed investigation for the prosecutor. Separately, deputy public defenders are expected to and spend substantial time and energy interviewing and advising every client, including those housed at pretrial and correctional holding facilities.

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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.

Implementation Plan

It is not possible to precisely align or attribute a particular defendant or crime to Realignment. Consequently, the department utilizes 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	\$71,279	\$676,456
Public Defender Investigator II-C	1	\$72,895	\$56,866	\$129,761
Office expenses, licensing, computers, phones, copiers, paper, etc.				\$12,648
Total	5			\$818,865

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. As in prior years, the department’s intended use of the funds relies on the understanding that legal advocacy and representation of indigent individuals in criminal proceedings may be appropriately characterized as involving rehabilitative efforts and 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: 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.

## **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 2019/20 was an active year for SIT with a total of nine operations (9 days, 70 hours) in four (4) cities as of May 31, 2020. Cities of operation included Bakersfield, Delano, Ridgecrest, and Shafter 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. Marshals, 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 provided 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 the State. As a result, the decline of criminal activity has been noticeable following the utilization of these operations. As of May 31, 2020, SIT operations had 380 planned targets; 106 arrests; multiple weapons seized including guns, brass knuckles, and ammunition; varying amounts of marijuana, methamphetamine, cocaine, heroin, prescription drugs, and drug paraphernalia seized. The total request from the Community Corrections Partnership is \$260,200.

## **Community-Based Organizations (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, for an additional \$3,387,608.

In FY 2015/16, 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 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. There were six (6) CBO's that were awarded 35-month contracts.

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 could 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. This funding provided services in the following areas: SLE housing, case management, mentoring, Medi-Cal/ACA enrollment, GED preparation, and DUI education.

On June 28, 2018, the CCP released a competitive RFP totaling \$5,531,091 which resulted in multiple contracts for calendar years 2019-2021. On October 4, 2018, the CCP awarded contracts to the following organizations providing services to male and female offenders reentering the community through SLEs, educational, employment, and/or vocation services, DUI education, and case management services:

- ❖ Bakersfield Recovery Services
- ❖ Freedom House Transitional Housing
- ❖ Garden Pathways, Inc.
- ❖ Minnie Marvels Sober Living for Women and Children
- ❖ New Life Recovery and Training Center
- ❖ Positive Visions for Men, Inc.

- ❖ Special Treatment Education & Prevention Services, Inc.
- ❖ WestCare California, Inc.

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

- Monthly collaborative meetings
- Bi-Annual individual CBO meetings
- Annual individual CBO 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 question, concerns, and request as they arise
- Monthly and/or quarterly site visits to CBOs in order to monitor contracts

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 KernBHRS in creating and improving a continuum of care, allowing offenders to receive much needed services, and provided 44,913 bed days in calendar year 2019. This has saved millions of dollars in incarceration costs, and provided housing, case management, employment and educational services. Aside from housing services, non-residential CBOs provided mentoring services, DUI education and case management to a total of 180 participants in calendar year 2019.

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. The total request from the Community Corrections Partnership is \$1,044,626 for a future CBO Program. Although we are currently in the middle of a CBO grant cycle, it is imperative to begin planning and funding the next three-year RFP, to continue to provide these valuable services in the future.

## **Veterans Service Department - Veterans Justice Outreach**

For the past three years, the Kern County Veterans Service Department (VSD) has had a dedicated Veterans Service Representative (VSR) designated to provide benefit advocacy and case management to veterans (and their families) at any stage in the criminal justice system. The intent was to provide access to Department of Veterans Affairs (VA) benefits as well as referrals to other community groups in an effort to eliminate barriers to successful reintegration into the community and reduce the recidivism rate of veteran offenders.

Having a dedicated point of contact for these veterans and their families has not only allowed for a smooth transition to benefits for the veteran once released from custody, but also allowed for consistent case management with a dedicated VSR. Moreover, having a single point of contact for justice involved veterans has allowed for a more robust relationship between our VSR and the other service providers in the veteran community.

The VSR worked with VA medical staff to enroll veterans in VA healthcare and arranged transportation to the VA domiciliary on the VA Medical Center's West Los Angeles campus. Our VSR worked closely with California Veterans Assistance Foundation to secure housing for those veterans in need. Referrals were made to Kern Patriot Partnership, a program designed to assist veterans find employment. And we worked with spouses of veterans to request apportionments of the veteran's monthly benefits to ensure those funds are distributed to the veteran's family while the veteran is incarcerated.

Since the implementation of the program, our dedicated VSR has assisted 169 local veterans and family members with 55 discrete veterans assisted in FY 2019-2020. This fiscal year, our VSR assisted twenty-nine veterans with their VA compensation or pension benefits, four veterans were enrolled in VA healthcare for the first time, three veterans will be taking advantage of their education benefits and two dependent children will be using the California Tuition Assistance Program to attend college, and two dependent spouses were helped with the apportionment process. Furthermore, our VSR has received numerous correspondences and has replied to them with valuable information for veterans regarding potential benefits as they prepare for release.

The VSD is excited by our continued success and looks forward to continuing to assist veterans and their families as they navigate the criminal justice system and move forward on life's journey. Based on our continued success, the total request from the Community Corrections Partnership for fiscal year 2020-2021 is \$103,315, which will be spent on personnel to work with justice-involved veterans and their families.

The budget below reflects the activities and strategies the VSD will follow over the course of the FY 2020/21.

<b>Position/Item</b>	<b>Total</b>
Veterans Service Representative	\$103,315
<b>Total</b>	<b>\$103,315</b>

## Contingency Funds

The plan calls for the unallocated money, in the amount of \$49,744, 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 2020/21 allocation from the State of California.

The base allocation amounts for FY 2020/21 totals \$38,264,706.

<u>Department/Entity</u>	<u>Base Allocation %</u>	<u>FY 2020/21 Base Allocation</u>
Sheriff's Office	39.27%	\$15,026,550
Probation Department	35.56%	\$13,606,930
Behavioral Health & Recovery Services	13.56%	\$5,188,693
District Attorney's Office	4.28%	\$1,637,730
CBO Program	2.73%	\$1,044,626
Public Defender's Office	2.14%	\$818,865
Employers' Training Resource	1.38%	\$528,053
Street Interdiction Team	0.68%	\$260,200
Veterans Service	0.27%	\$103,315
Contingency	0.13%	\$49,744
<b>Total Base Allocation</b>	<b>100%</b>	<b>\$38,264,706</b>