



# MARIPOSA COUNTY

## **Community Corrections Partnership Plan Update for 2021**

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# Community Correction Partnership (CCP)

\*Executive Committee Members

Member	Name	<i>Title Organization</i>
Chief Probation Officer, CCP Chair*	Pete Judy	<i>Chief Probation Officer Mariposa Probation</i>
Presiding Judge of the Superior Court* (non-voting member)	Michael Fagalde	<i>Presiding Judge Mariposa Superior Court</i>
Board of Supervisors Designee	Miles Menetrey, Wayne Forsythe	<i>Board of Supervisors County of Mariposa</i>
District Attorney*	Walter Wall	<i>District Attorney Mariposa District Attorney</i>
Public Defender*	Neal Douglass	<i>Public Defender County of Mariposa</i>
Sheriff*	Jeremy Briese	<i>Sheriff Mariposa Sheriff's Department</i>
Head of Department Social Services Services*	Shannon Gadd	<i>Director of Health and Human Services Mariposa Health and Human Services</i>
Head of Department of Mental Health	Shannon Gadd	<i>Director of Health and Human Services Mariposa Health and Human Services</i>
Head of Alcohol and Substance Abuse Programs	Shannon Gadd	<i>Director of Health and Human Services Mariposa Health and Human Services</i>
Head of the County Office of Education	Jeff Aranguena	<i>Superintendent Mariposa Unified School District</i>
Community-Based Organization Representative	Allison Tudor	<i>Executive Director Alliance for Community Transformations</i>
Victim Interest Representative	Jessica Memnaugh	<i>Victim-Witness Mariposa District Attorney</i>

## **AB 109 Background**

On April 4, 2011, Governor Brown signed Assembly Bill 109 (AB 109), which made fundamental changes to California's correctional system. AB 109 realigned custodial and community supervision responsibility for non-serious, non-violent, and non-sex offenders, as well as supervision of lower level adult parolees returning from state prison sentences to counties. AB 109 did not contain funding for county agencies to implement the realignment shift and was not operative until funding was provided for counties. On June 30, 2011, Governor Brown signed a series of legislative bills as part of the State budget that provided funding and made necessary technical changes to implement the public safety realignment program outlined in AB 109.

The legislation enacting the financing and technical changes necessary was contained in Senate Bills 87 and 89 (SB 87 and SB 89) and Assembly Bill 117 (AB 117). These three bills were extensive in nature and contained two designation requirements.

By August 1, 2011, Boards of Supervisors had to designate the county entity responsible for providing post-release supervision to local inmates sentenced under the realignment act, as well as those lower level inmates released on parole from the Department of Corrections. On July 26, 2011, the Mariposa County Board of Supervisors designated the Probation Department as the entity responsible for providing post-release supervision to inmates released pursuant to the Post-release Community Supervision Act of 2011. California Penal Code Section 1230(b) requires each county to establish a Community Corrections Partnership (CCP) and specifies the membership that comprises the CCP.

AB 117 requires that the CCP must recommend a local plan to the county Board of Supervisors for the implementation of the 2011 Public Safety Realignment and that the plan must be voted on by an Executive Committee of each county's CCP. By statute, the current Executive Committee consists of the Chief Probation Officer as Chair, the Sheriff, the District Attorney, the Public Defender, the Presiding Judge of the Superior Court, and a local Chief of Police (if applicable). The Board of Supervisors was required to appoint the final member of the CCP Executive Committee who had to be either the Director of the Department of Mental Health, the Department of Social Services, or Alcohol and Drug Programs. As Mariposa County only has one Human Services Department, encompassing Mental Health, Social Services and Alcohol and Drug Programs, the Director of Health and Human Services assumed the final seat.

## **Key Elements of AB 109**

### Major Changes:

**Redefines Felonies:** Revises the definition of a felony to include certain crimes that are punishable in jail for 16 months, 2 years, or 3 years. Some offenses, including serious, violent, and sex offenses, are excluded and sentences will continue to be served in state prison.

**Local Post-Release Community Supervision:** Offenders released from state prison on or after October 1, 2011, after serving a sentence for an eligible offense shall be subject to, for a period not to exceed 3 years, post-release community supervision provided by an agency (Probation Department in the case of Mariposa County) approved by the County's Board of Supervisors.

**Revocations Heard and Served Locally:** Post-release community supervision and parole revocations will be served in local jails (up to 180 days), with the exception of paroled "lifers" who have a revocation term of greater than 30 days. The Courts will hear formal revocations of post-release community supervision while the Board of Parole will conduct parole violation hearings in jail.

**Custody Credits:** Changes how credits for good time and work time are calculated from one day of good time and one day of work time for every six days served in jail to one day of good time and one day of work time for every four days served in jail. This means that inmates will be required to serve 50% of their sentence in custody, minus any credits for time served prior to their sentence as determined by the Court, instead of two-thirds of their sentence, which was the previous law. This change may help mitigate, to some degree, the impact of longer sentences being served in the county jails. Additionally, home detention (i.e., electronic monitoring) is credited as time spent in jail custody.

**Alternative Custody:** Penal Code Section 1203.018 authorizes electronic monitoring for inmates being held in the county jail in lieu of bail. Eligible inmates must first be held in custody for 60 days post-arraignment, or 30 days for those charged with misdemeanor offenses.

**Community Based Sanctions:** Authorizes counties to use a range of community-based punishment and intermediate sanctions other than jail incarceration alone or traditional routine probation supervision.

## **Current Fiscal Year Goals and Objectives**

### **Substance Use Disorder Treatment**

All probationers will continue to receive a substance use disorder screening. Those identified as needing services will be referred for a level of care assessment. Based upon that assessment, probationers will be placed into the appropriate service. Services will include outpatient counseling, Drug Court and residential treatment.

### **Behavioral Health Court**

All probationers will continue to receive a mental health screening. Those identified as needing services will be referred for a level of care assessment. Those identified as a potential candidate for Behavioral Health Court will be referred for an assessment. Those deemed appropriate for Behavioral Health Court will be referred to the court.

A mental health worker assigned to the probation department will continue to be utilized to help support Behavioral Health Court. The mental health worker will work side by side with the probation officer to assist in client's needs and help monitor progress in the program.

An outside review of the Behavioral Health Court program will be conducted to measure the extent at which evidence based programs are being utilized and identify areas of improvement.

### **Housing**

Housing continues to be a problem in Mariposa County. While the CCP has contracted with community based organizations for homeless shelters and other services, additional options will be explored to address short and long term housing solutions for homeless probationers and other at risk homeless populations.

### **Jail Programming**

A Deputy Probation Officer will be assigned to the jail to oversee evidence based programming to inmates in the jail. All eligible inmates will be assessed for appropriate services. The officer will partner with a Jail Officer to conduct classes, provide support, create case plans and help link to services upon release from custody.

## **Additional Activities**

### **Supervision Strategies**

Supervision of AB 109 offenders (PRCS and Mandatory Supervision) is a standalone caseload with less than 30 offenders, allowing for intensive supervision. Offenders are seen at least once per month at their homes and once per month in the probation office.

Behavioral Health Court is also a standalone caseload capped at 20 probationers, allowing for intensive supervision. The deputy probation officer is partnered with a mental health clinician and together they provide supportive services and monitor progress. Behavioral Health Court participants are seen at least once per month at their homes and once per month in the probation office.

### **Alternative Sentencing**

CCP funding continues to support the use of Electronic Monitoring/GPS (EM) and Secure Continuous Remote Alcohol Monitoring (SCRAM). EM and SCRAM are widely used by the court as an alternative to jail or to support rehabilitation and programming needs. Two deputy probation officers are assigned to monitor the programs and provide regular maintenance of the equipment.

The Probation Works Program (PWP) is another widely used alternative to jail for non-violent probation violations. Probationers and AB 109 offenders provide work in the community or at county facilities at no cost to the county.

### **Pretrial Services**

The probation department will be assigning a Deputy Probation Officer to the jail to oversee pretrial assessments, case planning, re-entry planning and services to the court. The officer will assist with linkages to community based services including substance use programs, mental health services, job placement programs and educational programs.

The probation department will be assigning a Deputy Probation Officer to pretrial supervision. The officer will meet with the inmate prior to release to review conditions, refer for services and create a case plan if necessary. If applicable, the officer will install the SCRAM or EM device pursuant to an order of the court. The officer will also be responsible for conducting home visits and monitoring compliance on SCRAM or EM. Regular pretrial supervision progress reports will be submitted to the court to assist with the case.

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