



A Tradition of Stewardship
A Commitment to Service

Napa County

Community Corrections
Partnership FY 2021-2022

PUBLIC SAFETY REALIGNMENT PLAN

Table of Contents

- I. PURPOSE2
- II. CCP MEMEBERSHIP2
- III. INTRODUCTION3
- IV. GOALS, OBJECTIVES & OUTCOMES4
- V. SUMMARY4-6

I. PURPOSE

The purpose of the Community Corrections Partnership (CCP) is to advise the Probation Department on the development and implementation of an ongoing *Community Corrections Program*, as provided for in the *Community Corrections Performance Act of 2009* (California Penal Code Sections 1228 through 1233.7). In 2011, the CCP recommended a local plan to the Board of Supervisors for the implementation of the 2011 public safety realignment, as provided for in Section 1230.1 of the Penal Code. Beginning in 2020, each County Probation Department is required to submit a yearly report on implementation of that plan to the Board of State and Community Corrections (BSCC).

II. CCP MEMBERSHIP

- A. Executive Committee – Standing Members
 - 1) Julie Baptista, Chief Probation Officer
 - 2) Mark Boessenecker, Presiding Judge of the Superior Court
 - 3) Oscar Ortiz, Sheriff
 - 4) Allison Haley, District Attorney
 - 5) Ron Abernethy, Public Defender
 - 6) Jennifer Yasumoto, Director of Health & Human Services
 - 7) Jennifer Gonzales, Napa Police Department

- B. Other Partnership Members
 - 1) Brad Wagenknecht, Board of Supervisors
 - 2) Lindsay Stark, Alcohol and Drug Administrator
 - 3) Barbara Nemko, County Superintendent of Schools
 - 4) Sarah O'Malley, Deputy Director Mental Health

- C. Other Criminal Justice Partners
 - 1) Minh Tran, County Executive Officer
 - 2) Doug Parker, Deputy County Counsel
 - 3) Victoria Wood, Superior Court Judge
 - 4) Scott Young, Superior Court Judge
 - 5) Elia Ortiz, Superior Court Judge
 - 6) Monique Langhorne, Superior Court Judge
 - 7) Bob Fleshman, Court Executive Officer
 - 8) Cullen Dodd, Undersheriff
 - 9) Paul Gero, Assistant District Attorney
 - 10) Daniel Sanchez, Management Analyst
 - 11) Yuen Chiang, Victim Witness Program Manager
 - 12) Karen Graff, Program Manager, Geo Group, Inc.
 - 13) Dina Jose, Director of Corrections

III. INTRODUCTION

In an effort to address overcrowding in California's prisons and assist in alleviating the State's financial crisis, the Public Safety Realignment Act (Assembly Bill 109) was signed into law on April 4, 2011. AB109 transferred responsibility for supervising specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to California counties. AB109 did not contain the 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 Act, which went into effect on October 1, 2011.

AB109 transferred responsibility for supervising non-violent, non-serious, non-sex offenders (non/non/non's) or Post Release Community Supervision (PRCS) upon release from State Prison to County Probation in lieu of being supervised by State Parole. Further, any non/non/non's sentenced after October 1, 2011, are no longer eligible to serve their prison sentence in State Prison and instead must serve it at the County Jail (Penal Code 1170(h)). The third population realigned from state to local responsibility is parolees who are no longer revoked to State Prison; their revocation period is instead served at the County Jail and is capped at 180 days. AB109 allows counties maximum flexibility in developing intervention and sanctions at the local level

AB 109 Offender Population Terms and Definitions

- *Non-Violent/Non-Serious/Non-Sex Offenders (Non, Non, Non):* AB109/AB117 revises the Penal Code to allow certain offenders convicted of specified crimes to serve their "prison" terms in the county jail, effective October 1, 2011. The population serving sentences locally are those convicted of certain non-violent/non-serious/non-registerable sex offenses. These offenders may be sentenced to a period of mandatory supervision as part of their sentence and would be under the supervision of the Probation Department.
- *Post Release Community Supervision (PRCS):* Non/Non/Non offenders released from State Prison after October 1, 2011, are placed on Post Release Community Supervision under the jurisdiction of county authorities. These offenders are released from State Prisons to community supervision on their regularly anticipated parole date.
- *Mandatory Supervision:* Mandatory Supervision is the term given to the period of supervision imposed as part of a "split sentence" under 1170 (h)(5) PC. While probation departments have jurisdiction over the "split sentence" subgroup, these offenders are not on traditional probation but will be managed under terms and procedures similar to probationers.

IV. GOALS, OBJECTIVES & OUTCOMES

Principles

Public Safety Realignment places significant responsibility on the local jurisdiction and brings with it numerous challenges, however, by allowing for flexibility it also presents opportunities. The local Community Correction Partnership (CCP) is committed to mitigating challenges and seizing these opportunities to improve the local criminal justice system. The CCP uses the following criteria to guide our local efforts and provide focus of the designated resources:

- *Safety and Crime Prevention:* Assure any proposed program or policy promotes a shared safety approach in collaboration with community partners to minimize risk to the community.
- *Accountability:* Assure that the proposal is consistent with the deterrent and retributive functions of law enforcement, both for participants and for the public at large.
- *Recidivism:* Deliver evidence-based programs that are data driven and shown to produce a reduction in recidivism. Recidivism is measured by returns to incarceration for supervision violations and failures to appear as well as by the commission of new offenses. These multiple measures will allow Napa to measure success in terms of jail bed use as well as community safety, and to account for pretrial defendants as well as sentenced offenders.
- *Cost:* Determine what investment is required by the county to establish and maintain a sustainable program. Collect and examine data to ensure enough people would qualify for or be referred to maintain fidelity of the program and justify expenditure

Criminal justice research and our local public safety experience identify core program elements that should be addressed to support the principles listed above. The Executive Committee, through service agreements, community collaboration, and program development efforts will focus on resources and services that meet these criteria.

Services and Implementation

Community Supervision: Probation staff investigates, assesses and supervises offenders. Staff establishes conditions of community supervision in order to assist the offender to be successful in the community, thus minimizing the risk to reoffend.

Transition Plan for those returning from prison: All offenders returning from prison have a range of assessments as soon as possible. Referrals to community agencies are

made based on the results of the assessment. A goal for the coming year is to develop a multi-agency assessment team to review offenders prior to their return to the community to assure all known needs are addressed.

Pretrial Program: Using a combination of SB 678 and Realignment Funds, the Probation Department developed a Pretrial Services Unit. We expanded this program in 2019, when Napa County Probation and Napa Superior Court were selected by the Judicial Council of California to participate in the California Pretrial Pilot Project. Probation Officers interview defendants as they are booked, check references, and provide a report with recommendations to the Court so judges can quickly make informed decisions about release. Safeguards such as electronic monitoring or day reporting may be included in release conditions where appropriate. Pre-filing diversion programs and community referrals are reviewed and implemented as needed.

Sentenced Offenders: Risk assessments are conducted prior to sentencing when a presentence report is being completed. Results of the assessment highlighting the risk and needs of the offender are included in the report to assist in evidence-based sentencing. Referrals to programs are based on assessment data and could include additional assessments, education and treatment programs, community referrals and linkages, housing assistance and a pre-release program.

Less restrictive settings that may be used include electronic monitoring, home detention, work release, and day reporting—including the program-oriented day reporting program at the Community Corrections Service Center (CCSC), with appropriate variations for new clients. These variations address the needs of realigned offenders who may pose higher risk than current program clients, as well as less risky offenders who serve all or part of their sentences on day reporting or electronic monitoring in lieu of total confinement. Addressing the behavioral health needs of offenders can support such alternatives. The CCP added a victim advocate to the District Attorney's office to assure compliance with Marsy's Law prior to releasing inmates into an alternative to custody program.

Mental Health Services: The CCP has dedicated Mental Health funding to those in custody to provide services that assist with offender stabilization and community re-integration. Mental Health services are also provided through Mental Health Court where offenders are provided intensive case management services designed to improve public safety by reducing recidivism; and increase their participation in effective treatment. Additionally, the CCP funds counselors imbedded with local law enforcement to be responsive to mental health issues in the community and connect clients needing intervention with appropriate resources. In the upcoming year, the CCP will evaluate the need to expand mental health services for the justice involved population, specifically the need to add resources to mental health diversion programs.

Napa County Community Corrections Service Center (CCSC): The CCSC uses evidence-based practices to motivate clients to change behaviors, and to provide them the skills they need to be successful in the community. Clients are assessed and connected to community services and targeted programming in a coordinated fashion to promote successful reentry into the community. The CCSC also provides services such as drug and alcohol assessments and testing, cognitive behavioral therapy, both individual and group, employment and housing assistance and referrals to other community resources or service providers as needed.

Specialized Caseloads: The Probation Department has a number of specialized caseloads and specialty Courts to address the specific needs of offenders. These include Drug Court, Mental Health Court, and domestic violence and sex offender caseloads. The officers assigned to these caseloads have target training specific to these assignments.

Probation Violations: The Probation Department has designed a matrix of sanctions and rewards, ranging from counseling through “flash incarceration” to revocation of community status, which provides guidance on responses to violations based on the needs of the offender and the severity of the violation, as well as reward positive behavior. Objectives include preserving jail space for people committing new crimes and reducing the chances of repeated violations and revocation.

Reentry Facility: Further options for sentenced offenders included designing and building a staff-secure residential facility to support enhancing foundational life skills for low-level offenders. Residents would be able to employment or educational services in the community. This the Reentry Facility is completed, but use of the program has been delayed indefinitely due to the 2020 Global Pandemic. The implementation of emergency bail programs and changes in sentencing laws has resulted in a smaller custodial population in the county and fewer inmates are eligible for the program. When operational, the program may also serve in custody pretrial defendants and offenders on daily work, education, or treatment program release.

Data Reporting and Outcomes

One of the legislative intents of AB 109 is to maximize the role of evidence-based intervention strategies to reduce criminal recidivism. Correctly assessing the needs of the offender population and then providing appropriate services are key to addressing public safety and recidivism concerns in Napa County. To ensure strategies are implemented to fidelity and producing desired outcomes, the CCP will measure and assess data and programs and adjust services and implementation as necessary. Napa County’s Criminal Justice Case Management System is integral in data collection and reporting, however, as with all case management systems, there are limitations to collecting certain data points. Long-term planning efforts will address the data capturing, tracking and analysis needs for monitoring program progress, success and areas requiring improvement.

The responses and interventions listed below currently used or accessed by Napa County and are considered to be evidence-based responses or other promising practices:

- Validated Risk Assessments
- Risk based supervision
- Motivational Interviewing
- Behavioral Interventions
- Cognitive Behavioral Therapy (CBT)
- Pre-Trial Programs
- Reentry Services and Day Reporting Center
- Community-based programs targeting criminogenic needs
- Substance Abuse Treatment
- Mental Health assessments, referrals and treatment
- Sanction/Reward Matrix
- Random Drug Testing
- Flash incarceration
- Electronic GPS Monitoring
- Community Service
- Transportation assistance
- Reward cards
- Collaborative Courts
- Residential Treatment

Approved Realignment Funding for FY 2020/2021

Probation Supervision	1,607,642
Deferred Entry of Judgement	153,000
Alcohol and Drug Counselor	132,000
Mental Health Jail Program	386,000
Mental Health Treatment	184,000
Corrections Staffing (Incl. Reentry)	2,784,687
District Attorney - Victim Witness	327,000
City of Napa	130,000
Residential Treatment	48,000
Training	80,000
Non-Profit	16,624

V. SUMMARY

The Napa County Public Safety Realignment Plan provides a comprehensive approach to addressing public safety by implementing strategies to address criminal recidivism. To do so, the plan focuses on the promotion of public safety through crime prevention and reduction; holding offenders accountable through evidence based approaches, custody, and custody alternatives; supervision and rehabilitation of offenders; and the use of assessments, programs, and services to promote rehabilitation. Accomplishing this in the most cost effective manner through data driven decision-making continues to be the Partnership's primary strategic goal.