



Sonoma County

Public Safety Realignment Interim Plan

Sonoma County's Community Corrections Partnership

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Table of Contents

I.	Executive Summary	3
II.	AB 109/117 Overview.....	5
III.	Anticipated Local Impacts of AB 109/117.....	8
IV.	Funding	9
V.	Evidence-Based Practices	10
VI.	Sonoma County’s Criminal Justice Master Plan	11
VII.	Local Planning Process.....	13
VIII.	Proposed Interim Realignment Plan.....	15
IX.	Budget.....	24
X.	Conclusion.....	28
	Attachments	29

I. Executive Summary

This Sonoma County Interim Public Safety Realignment Plan is the recommended local response to the Public Safety Realignment Act of 2011. That Act, Assembly Bill 109, took effect October 1, 2011, and mandates sweeping changes to California's Criminal Justice Systems.

This legislation transfers responsibility for certain offenders from the State, to each County; it provides for local flexibility in determining how to manage these new responsibilities; and it provides funding.

Funding for Sonoma County for Fiscal Year 2011/2012 totals \$3,619,000. This includes \$150,000 for planning, and \$228,650 for start up activities.

The State projects that at full implementation (3-4 years) Sonoma County will have approximately 400 additional offenders in the local system. This will include offenders supervised in the community, and those incarcerated in the County Jail. These projections are extremely rough estimates, based on how the local system has handled these offenders in the past.

Realignment statutes mandate a local planning process, building on earlier legislation which created a Community Corrections Partnership (CCP). This CCP includes key members of the Criminal Justice, Health, and Human Service Systems, and community partners. The statutes also place a high-value on evidence-based practices, those research tested principles and programs that can lead to recidivism reduction among offenders. The CCP, in recognizing the uniqueness of Sonoma County initiatives, used the Criminal Justice Master Plan as a foundation, and created organizing principles to guide its work. These principles are consistent with the County's Criminal Justice Master Plan, and promote evidence-based programming and upstream investments.

To facilitate planning, the CCP created the following four Sub-Committees: Supervision; Sentencing; Detention Alternatives/Programming; and Data Management and Evaluation. These Sub-Committees met for several weeks, and made recommendations to the full CCP, which were incorporated into the Plan.

Legislation anticipates use of funding in the areas of custody, supervision, and programming. The CCP's recommended plan provides resources to house the anticipated additional inmates in the County Jail; to supervise the additional offenders who will be living in the community and will be the responsibility of the Probation Department; and to provide an array of programming and detention alternative programs designed to minimize use of detention beds, and to help reduce recidivism among offenders. A Day Reporting Center will be the key, central point for community-based programming, treatment, and services. Also critical to the ultimate success of local realignment efforts is appropriate data management and evaluation. The CCP recommended enhanced resources to identify and study the new offenders, how the system adapts to the complex legislative changes, and to measure outcomes. This evaluation will allow the system to use resources wisely, by building on successful programs, and refining what is not working. In addition, the CCP anticipates a Pre-Trial Program will be part of the year 2 plan, pending evaluation of current inmates, and system functioning.

The following are key programs and services proposed in the Realignment plan:

- Custody – open one NCDF unit
- Correctional Officer to manage detention alternative programs
- Supervision – maintain a ratio of 40 offenders per Officer; plus 1 Sheriff's Deputy.
- In-custody programming
 - Mental health treatment
 - Starting Point enhancement
 - GED
 - Job skills
 - Cognitive-behavioral skills
 - Non-violent communication
 - Parenting
 - Anger management
- Out-of custody programming
 - Day Reporting Center
 - Shelter/housing
 - Community mental health treatment
 - Domestic violence treatment
 - Substance abuse treatment
 - Job skills and employment readiness services
 - GED
 - Cognitive-behavioral skills

The specific extent to which Realignment will impact Sonoma County is currently unknown. Accordingly, the CCP developed this Interim Plan to guide the system over the next 6-9 months, managing the most urgent issues. The CCP identified the need for a Criminal Justice Consultant, to help implement this Interim plan, to study the system as it exists and as it adapts to Realignment legislation, and to help with creating longer-term system change. The CCP will continue to meet, and will return to the board prior to the next fiscal year, with recommendations to adjust this Interim Plan, and/or with plans for next Fiscal Year.

Realignment legislation is complex and far reaching. It mandates locally devised plans to handle additional responsibilities with offenders, with the intent of improving outcomes. Given the knowledge of what works with offenders, and the willingness and preparedness of Counties like Sonoma to take this challenge, this is a reasonable expectation, and is the opportunity that Public Safety Realignment presents.

However, the risks are enormous, especially as to the adequacy and availability of funding. Funding for this Fiscal Year is not adequate for all programming needs, and is not guaranteed for future years. Inadequate funding will hinder Sonoma County's handling of its new responsibilities, and could drain resources from other vital areas.

While acknowledging the risks, the CCP believes Sonoma County is in a good position to improve its already progressive system, due to its prior work developing a Criminal Justice Master Plan; the value it places on evidence-based practices and upstream initiatives; and its culture of collaboration. These strengths have enhanced the development of this Interim Plan, which the CCP believes is balanced, protects public safety, and improves opportunities for recidivism reduction.

II. AB 109/117 Overview

The Public Safety Realignment Act, AB 109, was signed into law by Governor Brown on April 4, 2011. This historic legislation fundamentally alters California's Criminal Justice System by changing the definition of a felony and shifting responsibility for classes of offenders from the State to Counties.

Funding and clarifying legislation followed in AB 117 and AB 118, and provided that Realignment was to become effective October 1, 2011.

These acts amend the Penal Code, and mandate a local planning process to develop recommendations to the Board of Supervisors for implementation of Realignment

This legislation is far reaching and one of the most significant changes to the criminal justice system in decades - it will impact all criminal justice partners. It is currently estimated that at full implementation, Sonoma County will have approximately 400 additional offenders in its criminal justice system at any one time.

Background

Several forces led to California's Public Safety Realignment. Most significantly, California's prison system has been vastly overcrowded for years. In 2009, a panel of three federal judges declared that the prison system is violating the United States Constitution in its poor provision of medical and mental healthcare, primarily as a result of overcrowding. The three-judge panel ordered the California Department of Corrections and Rehabilitation (CDCR) to reduce its population by approximately 33,000 offenders. In June of 2011, the United States Supreme Court upheld this decision.

Additional factors that led to Realignment include California's chronic budget problems, and the extraordinarily large portion of its budget spent on corrections. Further, offenders leaving CDCR have a dismal recidivism rate of almost 70%. Finally, over the last two decades, research has increasingly demonstrated that there are actually ways to reduce this recidivism. The State believes local entities are better positioned to successfully implement the evidence based principles necessary to bring down this high recidivism rate.

On June 30, 2011, Governor Brown signed the 2011-2012 California State Budget, which included this major realignment of public safety programs. The realignment moves program and fiscal responsibility of certain populations of criminal offenders from the State to local governments. This move obligates counties to develop and recommend a Realignment Plan through the Community Corrections Partnership (CCP), a group created in connection with prior criminal justice legislation.

This legislation specifies new responsibilities for managing adult offenders in California, and applies to two distinct groups. The first, known as the Post Release Community Supervision population, or PRCS, will be released to the supervision of Probation (rather than under the supervision of State Parole). The prison inmates who will constitute the PRCS population will be those who were incarcerated for an offense classified as non-

violent and non-serious, and will exclude high risk sex offenders, third-strike offenders, and mentally disordered offenders.

Realignment also changes the Penal Code and sentencing laws so that offenders whose current or past offenses are non-violent, non-serious, or non-sex related, will serve their sentences locally (so-called “non-non-non” offenders). Specific, other offenses are also excluded. It is anticipated that local sentences will include combinations of County Jail detention, Mandatory Supervision by Probation, and a variety of detention alternatives.

Finally, most parole and PRCS revocations will no longer be served in State prison. All parole revocations, other than those for inmates with life terms, will be served in County jail, and be limited to 180 days. Additionally, the legislation mandates the local Superior Court as the body responsible for parole and PRCS revocation hearings, rather than the Board of Parole Hearings.

Realignment legislation does not result in the early release of any currently sentenced felons, nor does it transfer the custody of any prisoner from State prison directly to County jail. Instead, it changes the jurisdiction of specified populations from State to local control, by changing sentencing and supervision requirements, as outlined below.

Non-non-non felons

- The length of sentences is not changed; however, the definition of felony is revised to include specified lower-level (i.e., non-non-non) crimes that will be punishable in jail or another local sentencing option.
- Felonies eligible for local sentences are not limited to three years or less, but instead determined by qualifying crimes, as specified. Therefore, some sentences now served locally can exceed three years. However, the time may be served in a variety of settings: jail, probation, alternative custody, or a combination of these settings.
- Felonies ineligible for State prison include: Non-violent, non-serious, and non-sex offenders as defined in the Penal Code. There are 70+ felonies that would otherwise fall into the non/non/non category that are excluded and therefore continue to be eligible for State prison. (See Attachment E for list of additional felonies that are expressly excluded from the non/non/non category.)
- Options at sentencing of a non/non/non felony include: Jail instead of prison for the entire sentence; Felony Probation; alternative custody; split sentence (imposed sentence of combined period of jail custody with the remainder on Mandatory Supervision.). Mandatory Supervision is intended to be essentially the same as Felony Probation, with the exception that Mandatory Supervision is not voluntary.
- Options in custody: Sheriffs continue to have all the existing tools at their disposal to manage this population as they do with their current population. In addition, counties may use new alternative custody options for electronic monitoring and home detention (PC 1203.018), and may contract with other nearby counties, or with public community correctional facilities. Finally, there is authorization for counties to contract back with the State for housing inmates.
- Credits for all offenders serving time in jail will prospectively apply day-for-day starting October 1, 2011, similar to what prison inmates currently receive.

Post Release Community Supervision (PRCS)

- Starting October 1, 2011, any offender released from CDCR who was convicted of a non-serious, non-violent felony, and is not deemed a high-risk sex-offender, will be placed on local supervision.
- Offenders on parole before October 1, 2011 remain under State jurisdiction until they are discharged. In addition, any individual who is serving a term for a current serious or violent offense, a third-striker, high-risk sex offender, or a mentally disordered offender (MDO) will remain under State Parole's jurisdiction.
- Supervision and case plans are not specified in statute. There are general minimum conditions in statute that are given to the PRCS at release (e.g., obey all laws, do not possess weapons). The supervising entity may add conditions pursuant to the risk and needs of the offender.
- Statute requires CDCR to notify the County within at least 30 days of an impending release onto PRCS.

Parole Revocations/PRCS Violations

- All parole revocations for State parolees (except those with a life term) will be served in County jail, but capped at 180 days and receive day-for-day credit.
- After parolees have completed their revocation time, they will return to State jurisdiction to complete any remaining parole time.
- PRCS violations will also be served in County Jail and subject to the same 180 day cap as parole violations, and receive day-for-day credit.
- Parole revocation hearings (for State parolees only) will continue to be heard by the Board of Parole Hearings (BPH) until July 1, 2013, when that responsibility will be moved to the local courts.
- PRCS revocation hearings will be conducted by courts beginning October 1, 2011. Courts may appoint hearing officers for this workload. The supervising entity (Probation) must establish a review process for assessing and refining conditions consistent with the statutory authority to impose sanctions on PRCS offenders, up to and including flash incarceration (up to 10 days).
- Contracting back with CDCR is not an option for either State parolees or PRCS violators who are revoked.

Senate Bill 678

To effectuate Realignment goals, AB 109 and 117 took advantage of the Community Corrections Partnership (CCP), a committee which had previously been created under Senate Bill 678 in 2009. SB 678 authorized each County to establish a Community Corrections Performance Incentives Fund, and allocated State funds to be used to improve local probation supervision practices and capacities. The goal was a decrease in the number of felony probationers being sent to CDCR. To be eligible for SB 678 funds, the Chief Probation Officer in each County was required to develop and implement a program, and to chair the local CCP. This CCP, whose membership is defined by SB 678, was an advisory body to the Chief Probation Officer in establishing the County's improved probation practices under SB 678.

In March of 2010, Sonoma County Probation was awarded a grant for the State-wide Evidence-Based Probation Supervision (EBPS) Program. The money received has funded two evidence-based programs within the Department: Cognitive-behavioral intervention classes for offenders and electronic monitoring as an additional intermediate sanction available for use with offenders. Probation Departments throughout the State have been successful in reducing the number of felony probationers sent to CDCR. The Public Safety Realignment Act provides further encouragement to County Probation to use an evidence-based approach to local offender supervision.

AB 109 and 117 build on the CCP body established by SB 678. Realignment legislation designates the CCP as the body responsible for developing and recommending an implementation plan for 2011 Public Safety Realignment to the Board of Supervisors. This legislation also creates an Executive Committee of each County's CCP, which constitutes its voting membership. The plan is deemed accepted by the County Board of Supervisors unless the Board rejects the plan by a vote of 4/5ths. In the case of rejection of the plan, it is returned to the CCP for further consideration.

III. Anticipated Local Impacts of AB 109/117

Public Safety Realignment will result in additional and more serious offenders supervised by Probation, and sentenced to the County Jail; additional responsibility for the District Attorney, Public Defender, and Court; and more need for services, e.g., mental health, employment, substance abuse, etc.

Realignment assigns new, local responsibility for two groups of offenders. These offenders will not arrive all at once; rather, they will begin becoming Sonoma County's responsibility as they are released from prison (PRCS), and as they are sentenced locally (non/non/non). CDCR has analyzed historical trends, and estimated the increase in numbers of these offenders, for each County, over the next several years.

For Sonoma County, CDCR estimates approximately 16 PRCS per month becoming the responsibility of the Probation Department over the next few years. They will be the County's responsibility for varying amounts of time, e.g., some may stay on PRCS supervision for the maximum time, 3 years; others will terminate successfully earlier, possibly as early as 6 months; others will have their status violated at some point during their supervision. Given historical trends, CDCR estimates that at full implementation, 3-4 years into Realignment, the Average Daily Population (ADP) of PRCS offenders will approximate 164.

For the newly sentenced non-non-non population, historical trends suggest an average of 17 per month becoming Sonoma's responsibility. CDCR's estimate for total ADP for this group, at full implementation, is approximately 231. Some of these offenders will be serving their time in the County jail, while some portion will be on Mandatory Supervision with the Probation Department.

Taken together, estimates from the State suggest that at full implementation, Sonoma County will have responsibility for an additional ADP of approximately 395 offenders. This is the total average for offenders on any one day – a larger number of individuals would have come into the system, with some having left.

It is important to recognize that these are very rough estimates, based on historical trends, and cannot take into account how the system, and offenders, will adapt. For example, we cannot know how prosecutors, defense attorneys, and judges will change their practices in response to the new realities; how new jail credits will impact offender plea-bargaining and jail ADP; and how new detention alternatives and programming might impact offenders.

IV. Funding

The funding provided for AB 109/117 public safety realignment is intended to cover all aspects of the adult population shifts: Local jurisdiction of the low-level offenders; supervision of PRCS; sanctions of PRCS offenders; and violations of parolees, including detention. Funding was developed initially on a statewide basis; CSAC (California State Association of Counties) then devised a formula to calculate each County's percentage of the total. Sonoma County's percent of the total statewide pool of money is 0.9146, and the County's allocation for the first full year is \$4.2 million. This is prorated for the October 1 start date, and therefore the County will receive approximately \$3.24 million.

Funding is not based on a "daily jail rate" model; rather, funding is meant to fund the range of programming and detention options as specified in the County's AB 109 implementation plan.

In addition to the anticipated \$3.24 million, funding is also provided for other costs associated with the implementation of AB 109/117. The main budget bill, SB 87, provides a one-time grant (depending on County size) for purposes of supporting the CCP in developing its implementation plan. Sonoma County has received a grant of \$150,000.

SB 87 also provides counties with a one-time appropriation of \$25 million, distributed using the AB 109 allocation formula. This funding is intended to cover costs associated with hiring, retention, training, data improvements, contracting costs, and capacity planning pursuant to each County's approved AB 109 implementation plan. Sonoma County's allocation of \$228,650 has been received.

Funding of \$116,150 is provided to cover costs associated with revocation hearings. These funds are to be divided equally between the offices of the District Attorney and Public Defender.

2011/2012 Public Safety Realignment Funding:

CCP Realignment Plan Implementation	\$3,240,562
One-time start-up	228,650
CCP Planning	150,000
Total:	\$3,619,212

V. Evidence Based Practices

In the late 1970s, research indicating that “nothing works” with offenders presented the criminal justice field with a serious challenge. This led to a period focused on increased sanctions for criminal offenders, leading to prison overcrowding, a problem targeted by Realignment legislation. Gradually, however, more sophisticated research helped clarify that, in fact, some techniques can reduce recidivism. Research revealed that recidivism can be significantly reduced when intensive supervision and programming are provided to high-risk offenders; further, referring lower risk offenders to certain programs actually increases recidivism.

Criminal justice communities began applying evidence-based practices (EBP), by determining risk-levels through validated assessment tools, in order to appropriately treat offenders. Additionally, other types of evidence-based practices, such as targeted case planning, motivational interviewing, and specific treatment/interventions based on risk-level, gained momentum.

The implementation of EBP, the application of empirical research to professional practice, is a cornerstone of Realignment legislation. The legislation states “the purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidence based strategies that increase public safety while holding offenders accountable.”

Core Principles of Evidence-Based Practices

- Services should be targeted to those offenders who are assessed at medium or high-risk to reoffend. Offenders who are low-risk to reoffend are unlikely to benefit from a correctional intervention designed to change their behavior.
- Low-risk offenders tend to recidivate at higher rates when services/interventions are over-delivered.
- Offenders who are extremely high-risk might be able to benefit from an intervention; however, the length of time and intensity of the intervention will likely exceed the resource capacity of most agencies.
- Empirically-based assessment tools provide a more accurate statistical probability of reoffense than professional judgment alone.
- Risk of recidivism is greatly reduced when attention is paid to criminogenic needs (dynamic risk factors) such as antisocial attitudes, beliefs and values, antisocial peers, and certain personality and temperamental factors. There is a clear association between the number of criminogenic needs targeted and reduced recidivism; the higher the number of needs targeted, the lower the rate of recidivism.
- The most impactful programs aimed at changing criminal behavior and reducing recidivism are cognitive-behavioral and behavioral interventions.
- The use of incentives can be a powerful tool to enhance individual motivation in meeting case plan goals and for promoting positive behavioral change.
- Graduating sanctions (i.e., sanctions that increase in severity based on the nature or number of violations) decreases recidivism.
- Risk of recidivism is highest in the initial weeks and months following release from prison; recidivism rates stabilize in years two and three.

Sonoma County Probation EBP Implementation

In 2006, Sonoma County Probation began its migration to EBP by pursuing risk-assessment tools, following discussions within the Department and the Probation community. In December of 2007, the County's Criminal Justice Consultant released the Corrections Master Plan (Phase 1), which provided recommendations in a number of areas. A need for validated risk assessment tools was highlighted throughout the Master Plan recommendations, endorsing Probation's move in this direction. Both the Juvenile and Adult Probation Divisions have been trained in the use of risk and need assessment tools with a related case planning component that aids Probation Officers in creating risk and need-driven case plans for offenders. Further, all sworn Probation staff have been trained in motivational interviewing, communication techniques that reduce offender resistance to making positive behavioral changes.

VI. Sonoma County's Criminal Justice Master Plan

Realignment legislation anticipates that local governments will handle their new offender population in a different manner than CDCR. It states, "the plan may include recommendations to maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs, including, but not limited to, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs."

Sonoma County is well positioned to improve its criminal justice system, and to put a process in place that enhances the chance of positive outcomes for offenders, due in large part to the Board's investment in devising the Criminal Justice Master Plan.

In 2006, Sonoma County faced an increasing jail population, and the possible need to expand custody capacity. The County hired David Bennett Consulting to conduct a broad assessment of the local criminal justice system, and to lay the groundwork for long-term facility and system planning. The approach was based on a system perspective, and acknowledged that new beds alone cannot solve a County's overcrowding problem.

Like every other California County, Sonoma County spends a great deal on its criminal justice system, including jail, prosecution, defense, courts, and probation. For FY 2011/2012, this cost is approximately \$200 million. Further, the percentage of the General Fund spent on the criminal justice system has increased over the last decade, from 40% of the General Fund Budget to approximately 52% currently. A new jail facility could cost upwards of \$300 million. Operating costs amount to 10 times the building costs over the useful life of the facility.

Because of this, Sonoma County took a comprehensive look at its criminal justice system as part of its facility planning. As the Criminal Justice Consultant identified, while the Sheriff is responsible for managing the jail, the demands on the local facility are dictated by decisions largely outside his control. Given this, the Consultant and the

County concluded that the key to the long-term management of a jail is the implementation of a System Master Plan.

The consultants' approach placed great emphasis on data. They collected jail and other data, studied detention alternative programs, surveyed stakeholders, and produced jail forecast scenarios. Also, they spent a year observing local criminal justice operations, and reviewed policies and procedures. The Report concluded that Sonoma County had the building blocks for a strong and effective system. Consultants were impressed by the County's commitment to a progressive system, as displayed in its broad array of detention alternative programs, and believed Sonoma County was in a strong position to take its system to the next level.

Among the recommendations offered by the consultants were the following:

- Target the higher-risk offender
- Use objective risk-assessment instrument
- Vary treatment intensity by risk level
- Expedite entry into treatment
- Ensure treatment continuity
- Make cognitive curricula the centerpiece of jail programs

A range of services were suggested to address criminal risk, including:

- Substance abuse treatment
- Mental health evaluation and services
- Cognitive skills classes
- Employment testing and job search assistance
- GED and literacy classes
- Life skills: nutrition, parenting, money management, computer skills

Additionally, maintaining an integrated information system was identified as being crucial to future planning. The recommendations were that the County should not only maintain its integrated information system, but begin to collect the kind of detailed information about clients, services, and outcomes that will allow meaningful analysis.

Suggestions for basic data for tracking outcomes included the following:

- Number of admissions by risk level
- Average length of stay
- Number of jail days used as sanctions
- Percent successful program completions
- Re-arrest/conviction by exit type and risk level

Report to Board of Supervisors on Criminal Justice Master Plan (CJMP):

The Criminal Justice Steering Committee reconfirmed its support for the concepts derived from consultant David Bennett's report. These included the value for system efficiency, and a recommendation for a range of detention alternatives geared to change offender behavior and minimize future demand for costly jail space. The Steering Committee recommended use of evidence-based and benefit-driven strategies within a phased approach.

The recommendations from the January, 2010 report included:

- Implementation of the Early Case Resolution Court
- Plan improvements to housing modules in MADF to increase Sheriff's Office capacity for special housing needs
- Evaluate efficacy of detention alternative programs for inmates with substance abuse, and/or mental health issues
- Consideration of a Pre-Trial Services program
- Consider development of a Day Reporting Center
- Consider a Community Corrections Center Pilot program at NCDF
- Implementation of the STRONG in MADF by Probation, so inmates can be given targeted programming during their incarceration
- Continued use of risk and needs assessment tools for probationers, with officer time focused on highest need areas of the higher risk offenders
- Use of SB 678 funding to begin cognitive-behavioral programming for a select number of higher-risk offenders

VII. Local Planning Process

AB 109 and 117 designate the Community Corrections Partnership (CCP) as the body responsible for developing and recommending an implementation plan for Realignment to the Board of Supervisors. AB 109/117 also create an Executive Committee of each County's CCP, which constitutes the voting membership.

The Executive Committee consists of:

- Chief Probation Officer, as chair
- The Sheriff
- The District Attorney
- The Public Defender
- The Presiding Judge or his/her designee
- A Chief of Police
- And either the head of the social services, mental health or, alcohol and substance abuse programs, as designated by the County Board of Supervisors.
(On August 9, 2011, the Sonoma County Board of Supervisors designated the Director of Mental Health/AODS as the 7th voting member.)

Public Safety Realignment presents enormous changes to California criminal justice systems. There are significant opportunities, and great risks. The legislation gives local communities more responsibility for offenders, great flexibility on how to manage and supervise them, and resources. Whether these resources are adequate, and whether they will even continue to be available, is still to be determined. However, it is clear that for any County to succeed with Realignment, it must be approached in the manner the legislation envisions – by using resources wisely, basing decisions on risk, and using evidence-based practices as much as possible. For, if a County treats offenders in the same manner as the State, i.e., incarcerate for significant periods, leave criminogenic risks and needs unaddressed, and simply release, the added resources will certainly not be adequate.

The result would be much greater use of jail beds at enormous cost; spending hundreds of millions of dollars to expand jails sooner than otherwise would be the case; and continuation of poor recidivism rates, with unacceptable levels of victimization and costs.

Rather, the legislation, in wording and with incentives, urges local entities to make significant shifts. Sonoma County already has a progressive system, with detention alternatives, a CJMP, and an interest in upstream investments; however, the CCP also recognized more could be done. In response to, and in recognition of the purpose and incentives of the legislation, and in the interest of improving the local system, the Sonoma County CCP early on adopted the following organizing principles:

- **Use of detention beds should be minimized, in a manner that is consistent with public safety, and the integrity of the criminal justice system.**
- **The system, and decisions, should be risk-based.**
- **Research tested methods should be used, as much as practicable.**

Further, the CCP made the following decisions at a very early stage:

- **Programming should be provided for in-custody, as well as out-of-custody offenders.**
- **A Day Reporting Center should be a fundamental component of the Plan.**

These principles are completely consistent with the County's CJMP, and the CCP recognized the value of beginning with the CJMP as a foundation.

Sonoma County's CCP began its work in September of 2010, in response to SB 678. As the Realignment legislation built on SB 678, so did the ongoing meetings of the CCP build on the initial CCP meeting. Early work of the CCP included seminars on enabling legislation, i.e., SB 678, and AB 109/117; projected impact of these statutes; basics of evidence based practices, including Probation's risk tool, and evidence based sentencing. The need for a Criminal Justice Consultant was identified, to assist with planning, implementation, measurement, and development of later phases of Realignment. Bylaws, which include the CCP's organizing principles, were created.

In July, preliminary recommendations were made by the CCP. These included that the Director of MH and AODS be the 7th voting member; that Probation be the entity responsible for supervising PRCS; and that the Probation and Sheriff Departments be provided positions immediately, for supervision, and for administrative planning. These recommendations were approved by the Board on August 16, 2011.

The following four Sub-Committees were established, to assist the work of the CCP:

- Data Management and Evaluation
 - Supervision
 - Sentencing
 - Detention alternatives/programming
- (See Attachment A for list of participants in each Sub-Committee)

Following several weeks of work, the Sub-Committees reported out to the CCP in an extended meeting on Sept 22, 2011. In another extended meeting, on Sept 26, the CCP considered all recommendations of the Sub-Committees, and reached agreement on the Interim Realignment Plan.

Realignment legislation indicates funding is intended to support Counties in three broad areas: custody, supervision, and programming. The CCP used these areas as guidelines in creating the Plan. There was recognition that more offenders would be sentenced to local detention; that more offenders would be supervised by Probation in the community; and that programming was imperative, in order to have the desired outcome of recidivism reduction.

The immediate and most fundamental needs, to house and supervise more offenders, required initial consideration. However, the CCP established in one of its first meetings that a Day Reporting Center should be a fundamental part of this year's Realignment. This recommendation, consistent with the County's CJMP, was supported by the Detention Alternatives/Programming Sub-Committee, and again in the final plan approved by the CCP. This endorsement ensured a great emphasis on programming from early stages of Realignment plan development.

Assessment of the State's projections of newly arriving PRCS and non-non-non offenders, and the requirement to house parolees locally, made clear that pressure on jail beds would increase. Yet, detention beds are the most expensive option of managing offenders, and minimizing the need for custody beds is critically important, if the system hoped to fund alternatives. Given the County's CJMP foundation, the organizing principles adopted, and the County's belief in upstream interventions, the necessity of programming to minimize Realignment's impact on the jail was clear to all. It was also clear that delaying the opening of a new jail unit would allow more funding for programming.

System change and success is dependent upon the availability of programming and detention alternatives, and all stakeholders quickly making proposed changes. These changes are also dependent upon adequate funding and availability of resources, both within the criminal justice system and the community. Using the backdrop of the CJMP, and the funding that Realignment provides, programming and alternatives that reasonably apply to this new population were considered and developed. These programs will be provided both within the jail, to prepare inmates for release, and in the community. Programming solutions are detailed in the following section.

VIII. Proposed Interim Realignment Plan

The extent to which Realignment will impact Sonoma County is currently unknown. Accordingly, the CCP determined the current plan should be considered Interim. This Interim Plan will provide the roadmap for Sonoma County to handle the most urgent issues (e.g., new inmates, and offenders requiring community supervision); and begin developing and preparing the highest prioritized detention alternatives and programming. It is anticipated that this plan will guide the criminal justice system for the first six to nine months of Realignment; however, it is also recognized that adjustments may need to be made earlier.

The CCP will continue to meet throughout the fiscal year, will have the benefit of its Criminal Justice Consultant, and will return to the Board with additional recommendations. This will necessarily happen prior to next fiscal year, but it is also likely to occur in Spring of 2012, as the system has additional information. For example, the number of new offenders entering the system; the risks and needs of these offenders; how the system is responding and adapting (e.g., how non-non-non offenders are being sentenced under PC 1170(h)); possible facility needs; and recommendations on data collection and outcome measures. The additional information will inform the next phase of Realignment (the latter part of year 1, and year 2), as well as the long-term plan.

This proposed Interim Plan was developed with consideration given to the following:

- The Realignment legislation itself;
- The CCP's adopted Organizing Principles, outlined above;
- Sonoma County's CJMP as foundation;
- Recommendations from Sub-Committees;
- The projected number of new offenders who will be the County's responsibility;
- Assumptions about the new offenders' anticipated risk and needs;
- Anticipation of how the criminal justice system will adapt;
- Recognition that needs exceed resources, requiring prioritization for first year services recommended for funding.

Sonoma County's Interim Realignment Plan contains budget details for County departments and community agencies to manage and provide services for the new populations of offenders. Realignment legislation anticipates that funding will be used for custody, supervision, and programming, but leaves decisions on relative priorities to local bodies. Realignment funding is limited, and it has constrained development of the Realignment plan. While the CCP believes funding is adequate to house and supervise the new offenders in the first year, there is not enough funding to provide the full programming necessary to meet the anticipated needs of this population. Nevertheless, the CCP developed a realistic and balanced implementation plan that provides for public safety, significant programming, is consistent with Sonoma County's values, and fits within anticipated resources.

A. Custody

\$570,000

Based upon projections provided by the State, and confirmed locally, the expectation is that the jail ADP will rise. How much the population will rise is dependent upon several factors that include the availability of programming and alternatives, sentencing shifts by the Court, and the impact of parole decision making (as revoked parolees will serve their time in the County jail). The Sheriff's Office did not anticipate an immediate need to open an additional unit, based upon the availability of current bed space and the possible time it could take for these new populations to build. However, projections suggested that at some point after the first of the year, custody population increases would require an additional unit. The CCP believed that the responsible approach was to assure funding was available in the event that population rises faster than anticipated, and budget for that. The CCP is proposing funding of one additional unit at the NCDF, beginning January, 2012.

B. Supervision

\$1,106,000

On October 1, 2011, the Probation Department assumed community supervision responsibilities for the two new Realignment populations. In the Supervision Sub-Committee, Probation worked with law enforcement, and County partners to develop an enhanced supervision model that promotes public safety, while providing targeted evidence based services.

Based on the degree of criminality and sophistication of both the PRCS and Mandatory Supervision populations, a 1:40 officer – offender ratio was adopted to allow for appropriate intensive community monitoring. New protocols are being developed to expand and structure partnerships with law enforcement agencies for the purpose of executing searches and warrants, coordinating the search for absconders, and providing support in responding to dangerous situations. A Sheriff's Office Detective was added to provide additional law enforcement expertise, access to dispatch services for officer safety, coordination of special operations, and overall support to the new unit of intensive supervision officers. This CCP plan authorizes the addition of Probation Officers incrementally, using the 1:40 ratio. Based on this equation, and projections from the State, it is estimated that seven officers will be added in fiscal year 2011-2012.

The Day Reporting Center will be the central point of programming and structure for both the PRCS and Mandatory Supervision populations. Probation will utilize the assessment tool to develop individualized case plans that target each offender's top criminogenic needs. In addition, officers will utilize available equipment to enhance the level of supervision, including use of basic electronic monitoring for curfew restrictions, GPS to passively track where offenders have been, and 24/7 alcohol testing devices for offenders whose risk factors are impacted due to alcohol consumption.

Probation will utilize both sanctions and incentives in the enhanced supervision model. Examples of incentives include fewer reporting requirements, and early termination from formal supervision. Sanctions will include use of detention alternatives, short term work crews, and increased reporting requirements. (See Attachment B for detailed supervision strategies for the new realigned populations).

C. Programming

As indicated, the CCP provided for extensive programming by endorsing the Day Reporting Center in very early discussions. Additional programming/detention alternative programs are included in the proposed plan.

1. In-Custody Programs

Mental Health Services:

\$120,000

Behavioral Health staff currently provide mental health services to inmates in both the North County and Main Detention Facilities. Once the jail population necessitates the opening of an additional unit, a portion of these inmates will require mental health

services, including assessment and evaluation, monitoring and counseling of offenders, crisis intervention, and medication evaluation and support. Separate from the need for an additional unit, it is anticipated that there will be additional costs for increases in medication due to the new population.

Starting Point Enhancement

\$100,000

Starting Point was developed as an in-custody program as a means to initiate residential drug and alcohol treatment for offenders serving time and/or while waiting for a residential bed in the community. Evidence based practices, that include curricula from Hazeldon and Samenow, as well as other cognitive behavioral techniques, are key components of the Starting Point curriculum. The program is flexible in that it provides a continuum of services ranging from drug and alcohol education, to treatment readiness for offenders transitioning to a community-based residential program, to delivering the entire residential portion of drug treatment. Expansion through realignment funding will allow those offenders, assessed as needing treatment and who have longer local sentences under PC 1170(h), to complete the residential portion while serving their period of incarceration.

Additional Jail Programs

\$62,000

An integral component of Realignment is providing offenders an opportunity for rehabilitative programs while serving a period of confinement. With longer sentences expected for offenders sentenced to local confinement under PC 1170(h), the County has a unique opportunity to provide targeted programming to high-risk offenders serving sentences in the County Jail. Addressing both criminogenic risk factors and stabilizing life components serves the offender, the criminal Justice system, and the community by using incentives to motivate offenders to make use of their time while incarcerated, as well as providing them the needed skills to function when released into the community.

A variety of programs will be offered to inmates to address their identified risks and needs. These courses will incorporate evidence based curriculum to the best extent possible and include classes such as GED, anger management, stress management, other drug and alcohol classes, conflict resolution, parenting skills, and cognitive behavioral skill training (CBST). CBST is one intervention that has shown to have the best outcomes in reducing recidivism with the high-risk to reoffend population. To the extent resources allow, an offender's custodial case plan will be based on the application of a validated risk assessment tool that identifies the three primary areas of programming needs.

Motivated offenders who complete targeted programming may be considered to serve a portion of their custody sentence in a detention alternative program, consistent with public safety. Realignment funding for in-custody programming has not been directly assigned to specific programs, but rather will be allocated based on identified needs. Over the period of this interim plan, the jail will be better able to identify the level of services needed in each area.

2. Detention Alternatives

\$160,000

Sonoma County has a rich history of providing Detention Alternatives as a means to allowing offenders to serve their time. These alternatives include work release; home confinement (known locally as Supervised Electronic Confinement - SEC); work furlough; and County parole. As Realignment progresses, these alternatives will provide a crucial method of appropriately supervising and monitoring inmates in a non-custodial environment. Inmates who serve their time utilizing alternatives benefit by maintaining employment or completing out of custody programming, allowing for better outcomes upon completion of their sentence. They also reduce costs by limiting the number of inmates serving time in custody. The Realignment Plan adds a Correctional Officer assigned to Detention Alternatives. This individual will match inmates with appropriate alternatives, which will have the added benefit of reducing population pressures as well.

As part of the County budget reductions of 2010-2011, the Supervised Electronic Confinement program (SEC) was eliminated. The proposed Realignment Plan includes a redesign of the old Secured Electronic Monitoring program for low-risk offenders, through use of a contractor, and program eligibility and oversight by the Sheriff's Office. The program will provide a basic home-detention program using a variety of electronic monitoring equipment for the low-risk population.

In addition, statutory changes expand the use of home confinement to inmates without limiting participation to low-risk offenders. The new Correctional Officer will serve the role of determining which offenders can qualify for this type of detention alternative, and will provide community supervision of those released on home confinement. This will result in a significant expansion of the use of home confinement as both an incentive for in-custody programming and as a means to manage the jail population. It is likely that many offenders serving a split sentence under PC 1170(h) will be considered for this type of detention alternative with intensive supervision and use of electronic monitoring equipment.

3. Out of Custody Detention Alternatives/Programming

Day Reporting Center (DRC)

\$550,000

The Day Reporting Center will serve as the central point for community-based programming and services for Sonoma County's adult criminal justice system. The CJMP Report recommended that the County consider developing a Day Reporting Center, a non-residential correctional option that requires offenders to check-in regularly at a reporting location, and participate in a variety of treatment and other programming services. A Day Reporting Center is an evidence-based criminal justice model that provides effective alternatives to incarceration that maximize County dollars, while achieving better outcomes. It was recommended as a way to allow offenders to receive programming similar to what would be offered at a Community Corrections Center, but at a significantly reduced cost. A successful Day Reporting Center could reduce the future size of a Community Corrections Center. It would reduce the jail population, and all criminal justice and health and human service system costs through a reduction in recidivism.

In order to offer the broadest possible continuum of services at the DRC, partnerships will be enhanced and developed with County and community-based organizations. In addition to direct delivery of evidence based curriculum programs targeting identified risk factors, additional connections and referrals to existing services will be made to address needs in the areas of benefits eligibility, employment, education, mental health services, and out-patient drug treatment. With an initial average daily population of 100 offenders, the program will have the capacity to serve between 200-300 per year, depending on the duration necessary to complete programming needs and stabilize in the community.

The Day Reporting Center will have the capacity to serve a variety of populations. These include those released on Supervised Own Recognizance (SOR); inmates who meet the criteria to serve a portion of their jail sentence at the DRC as a detention alternative; and offenders under the status of Post Release Community Supervision, Mandatory Supervision, or Felony Probation who need structure and services. A common model has offenders participating for a four to six-month period, starting with an intensive phase and gradually lessening in intensity in subsequent phases as participants reintegrate to the community. Participants will use the Center for daily check-ins, drug testing, educational and vocational assistance, substance abuse counseling, parenting classes, and cognitive behavioral intervention programs. All programming will be tailored to individual offenders, based on their risk and needs assessments, which is consistent with the Master Plan recommendations, and the CCP's organizing principles.

With an immediate need for programming services for both the PRCS and Mandatory Supervision populations, and in an effort to maximize available realignment funding, an RFP process was initiated for the purpose of selecting a contractor to develop and oversee the DRC. While the selection of a contractor is in process, typical costs for this type of intensive program are approximately \$30-\$40 per day per offender.

Community Mental Health Services

\$60,000

The Behavioral Health Division (BHD) will provide mental health services and support in obtaining benefits for clients assigned to the Day Reporting Center and who have serious mental illness. Based on estimates provided, the BHD projects a case load of 20 to 30 individuals.

An LCSW/MFT would conduct mental health assessments, develop treatment plans for the mental health needs of clients, provide case coordination and case management, and consult as needed with other staff at the day reporting center. A Psychiatrist would conduct diagnostic interviews, develop medication regimens, and prescribe and monitor medications. An Eligibility Worker would provide assistance to clients in applying for Medi-Cal, and SSI or SSDI benefits.

Start-Up Cognitive Skills Class

\$10,000

Post Release Community Supervision offenders began releasing from CDCR October 1, 2011. There is an immediate need to structure their time and require completion of evidence based programming that begins to address their risk factors, including criminal

thinking and values, impulsive behavior, and negative peer associations. Without the time necessary to enter into a competitive process for delivery of such services, and with Probation Officers already trained to deliver a 20-session cognitive skills course, one-time funding is proposed to provide one course to the first group of PRCS offenders. This course is solely a bridge until the Day Reporting Center is up and running in the community. Research suggests that offenders assessed as high-risk to reoffend should receive 200 hours of evidence based programming in order to reduce recidivism. This course provides 20% of such dosage, while case management services by a Probation Officers adds additional hours.

Temporary Shelter/Housing

\$24,000

It is anticipated that a small portion of Post Release Community Supervision offenders will arrive with no community connections and will be homeless. Without housing, the likelihood that an offender will recidivate is significantly increased. A small amount of Realignment funding has been allocated to compensate local shelters for bed space. In addition, use of low-cost motels may be a temporary option when all shelters are full. With an estimated 125 offenders being released from CDCR, and assuming 10% may be homeless, \$24,000 has been allocated to fund approximately 12 offenders at an average rate of \$500/month for a four month period.

52-Week Domestic Violence Program

\$9,000

Sonoma County has had a very successful Domestic Violence Specialty Court since 1997. Each year, approximately 300 people are prosecuted in Sonoma County for domestic violence and are required to enroll and complete the State-mandated 52 week program. Probation has the responsibility to annually certify all domestic violence programs delivered throughout the County, of which there are currently six. All of these programs are self-funded based on a sliding scale and each offers one scholarship per year for an indigent offender. With unusually high unemployment rates, many domestic violence offenders are unable to enroll in the program, thereby delaying any programming that would assist them in modifying their abusive behavior. Delays in obtaining treatment result in more technical and new law violations, sometimes for serious violations of no-contact orders with victims. Violations result in revocations of probation, which increases the jail population. Without immediate enrollment, offenders often do not take seriously their need to make behavioral changes.

The CCP is recommending, to improve the effectiveness of the program, that a small amount of funding be used to fund the first few months of domestic violence treatment for offenders who have no financial resources. The domestic violence team, comprised of the Court, Probation, Public Defender's Office and District Attorney's Office, would collaboratively and selectively determine which offenders should be mandated to start treatment in order to reduce risk. Because research has shown more investment if a person is required to pay even a small portion of the treatment fee, the programs will require some co-pay from the offender. In addition, the amount paid through realignment funds to the programs will be added to each offender's fines and fees and collected in the event they secure employment.

Substance Abuse Treatment**\$150,000**

Sonoma County has a long history of providing drug treatment to those in the criminal justice system. In addition, under Proposition 36, both out-patient and residential drug and alcohol treatment were significantly expanded, providing needed voluntary drug treatment in lieu of jail. However, last year's suspension of funding for Prop 36 significantly reduced Sonoma County's ability to meet the treatment needs of its addicted population. A study of the Prop 36 population suggested that 30% of those entering treatment needed a residential program, while the majority required basic outpatient services.

Sonoma County continues to have a successful specialty Drug Court through the Criminal Court, which has a 75 offender capacity, and a Perinatal Drug Treatment program through Drug Dependency Court, which has a capacity of 36 (8 paid for by Dependency Drug Court).

With the addition of the Post Release Community Supervision offenders, and those released from County Jail on Mandatory Supervision, there is need for additional drug treatment services. Even with the expansion of in-custody treatment through the Starting Point Program, there will be additional need for out-patient and intensive services for offenders addicted to drugs and/or alcohol. While the impact of expanded eligibility for treatment services through the County Medical Services Plan (CMSP), which begins in January 2012, remains unknown, the CCP plan authorizes \$150,000 for FY 2011-2012 for a combination of outpatient and residential services. Such services may also be impacted and maximized in partnership with the Day Reporting Center, where offenders will get assessed for Medi-Cal eligibility and receive programming that will assist in their recovery.

Average per person costs range from \$1,200-\$2,400 for Outpatient Treatment; \$2,000-\$4,000 for Intensive Outpatient Treatment, and \$7,800 for 90-day Residential followed by Outpatient.

Methadone**\$7,500**

With a significant increase in the number of offenders addicted to Oxycontin, an opiate analgesic, there is a need for access to methadone as a means to detoxification, or as a maintenance measure. The CCP is proposing budgeting \$7,500 for methadone treatment, which would provide treatment for up to 25 individuals needing 21 day detoxification services, and/or 1-2 individuals needing ongoing maintenance services.

GED**\$11,500**

The Sonoma County Office of Education (SCOE) will provide tutoring, preparation, and testing for the General Equivalency Diploma (GED) at the Day Reporting Center. Funding is based on providing preparation classes to 60 offenders per year, with a low percentage finishing and testing before transitioning to the community. Additional referrals will be made to Adult Education classes at Santa Rosa Junior College and to Adult Schools in Petaluma, Ukiah, and Sonoma Valley.

Job Training**\$5,000**

Sonoma County Job Link will receive referrals of job ready individuals from the Day Reporting Center, based on a mutually agreed upon referral protocol. There will be a single point of contact. At Job Link, individuals will receive an orientation and appraisal by an employment counselor, and will have the opportunity to participate in a number of services based on their individual employment needs. Services may include (but are not limited to) the following: one-on-one job search assistance, workshops, computer lab, networking opportunities, on-line services, and training for eligible individuals.

\$5,000 of Realignment funding is recommended for Job Link to cover training funds for individuals who are not eligible for training under the regular Workforce Investment Act funds. Funding is based on providing training funds to approximately 5-10 individuals per year, over and above those funded by Job Link funds.

4. Data management**\$117,500**

The Data Management and Evaluation Sub-Committee was established to consider both immediate and long-term data needs related to Public Safety Realignment. In order to insure limited resources are directed towards those programs which provide the best results, measuring outcomes becomes a critical piece of the Realignment Plan. Additionally, it may be necessary to report outcomes to the State, either to demonstrate success, and/or clarify where funding is inadequate. The Sub-Committee consisted of representatives from the criminal justice partners as well as the Courts, Santa Rosa Police Department, Information Systems (ISD), Health and Human Services, and the County Administrator's Office. The group recommended funding in three areas: start-up programming, consulting, and business intelligence programming. (See Attachment D for details of Data Management recommendations).

5. Additional Recommendations**Victim Notification**

The CCP recognizes the importance of victims' rights. As such, this Realignment Plan is intended to assure that in addition to all other provisions outlined in Marsy's Law ("Victim's Bill of Rights"), victims will be notified of the release of offenders in a timely and effective manner. Marsy's Law, which amended the California constitution in 2008, confers certain rights to victims of crime, including "to be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody". Among the methods to be utilized is VINE (Victim Information and Notification Everyday), the California State victim registration and notification service, that informs victims of changes in an offender's custody status.

Front-End Pre-Trial Services

The Sonoma County CJMP recommended the development of a comprehensive Pre-Trial Services program that would serve as a systematic, front-end mechanism for managing the Sonoma County jail population.

The time period between an arrest and adjudication of a case can be critical for behavior changes. A period of pre-trial release allows the monitoring of a defendant's level of motivation to take corrective actions, make restitution payments, remain abstinent from drugs and/or alcohol, and comply with no-contact orders. Progress during this period can influence how the District Attorney's office and Court approach a case disposition. Further, a preventive model that results in a high rate of initial court appearances makes future compliance with scheduled appearances more likely.

Proposed Model

The CJMP proposed a Probation run pre-trial program, with use of 8 Release Officers housed at booking in the jail who would review and assess every booking into the jail in a 24/7 program. Due to funding limitations, an alternative, modified program has been proposed, with possible implementation with realignment funds in July, 2012. The modified program builds on Probation's SOR program, adding 4 Release Officers who will cover 15 hours per day, 7 days per week, using criteria that will be developed to narrow the number of defendants screened and evaluated for release. It is anticipated that more defendants will qualify for release, so that an additional supervision officer would be added to track performance, provide court reminders, and provide information to the Court.

While research demonstrates the positive impact of a front-end pre-trial program, over the next few months, Sonoma County intends to study its current pre-trial population and assess the percentage of defendants who would be eligible for release when a program can be implemented. Evaluating and understanding the pre-trial population will assist in forecasting the future need for detention alternatives and space in the County Jail. Probation will begin working with other departments with an expectation that, assuming the analysis of the jail population supports this, the enhanced pre-trial program would begin in July of 2012.

IX. Budget

The CCP has recommended that fiscal-year 2011/2012 Public Safety Realignment Funding be distributed as follows:

Area	Recommendations	Cost for FY 11/12	Annualized Expenses
Supervision			
	Probation	945,000	1,385,917
	Sheriff	161,000	209,350
		1,106,000	1,595,267
Custody			
	Sheriff	570,000	1,079,746
	Mental Health	120,000	234,632
		690,000	1,314,378
Det Alt/Programming			
In Custody			
	Starting Point	100,000	150,000
	Other:	62,000	93,000
	GED, Parenting,		
	Anger Mgmt,		
	Cog/Behavior, job		
	skills, Non-violent		
	Communication		
		162,000	243,000
Out of Custody			
	Day Reporting Center	550,000	1,100,000
	Community MH Tx	60,000	120,000
	Start-Up COG	10,000	-
	Shelter Housing	24,000	48,000

Area	Recommendations	Cost for FY 11/12	Annualized Expenses
	County Parole/ Work Furlough/ SEC	97,000	145,000
	Equipment for above	63,000	95,075
	52 week DV Program	9,000	12,000
	SA Treatment	150,000	300,000
	Employment GED	11,500	22,875
	Job Training	5,000	10,000
	Methadone	7,500	15,000
		987,000	1,867,950
Data Management & Evaluation			
	Startup costs	70,000	-
	Possible consultant	10,000	-
	1/4 time Business Intelligence Programmer	37,500	75,000
		117,500	75,000
Start Up Costs & Contingency			
	Consultant	50,000	-
	Sheriff - Admin Startup	149,000	-
	Probation - Admin Startup	100,000	-
	Contingency	257,712	-
	Total	3,619,212	5,095,595

Based on the CCP implementation plan, departments developed budgets for the resources needed to carry out the plan. The first year of the implementation plan phases in the resources to match the increasing caseload and workload. Additionally, the first year of the implementation plan includes investment in one-time planning, equipment purchases, specialized training, and contract and policy development. The budget is summarized below.

Sheriff

4 Correctional Officers (custody)	340,729	
1 Legal Processor (Custody)	48,450	
1 Detention Assistant (Custody)	52,640	
1 Correctional Officer (Alternative Custody/Pgrmg)	85,182	
1 Deputy Sheriff II (Supervision)	161,000	
1 Correctional Sergeant (one time start up)	150,160	
In Custody Programming		
Mental Health	120,000	*
Starting Point	100,000	
Other	62,000	
Electronic Monitoring Supplies (Alt Custody)	63,313	
Supplies (Supervision/Custody)	68,526	
One-Time Costs (Custody)	70,000	
	<i>Sub Total Sheriff</i>	1,322,000

Probation

7 Deputy Probation Officers (Supervision)	503,205	
1 Deputy Probation Officer Supervisor (Supervision)	138,800	
1 Senior Legal Processor (Supervision)	38,595	
1 Department Analyst (One Time start up)	100,000	
Out of Custody Programming		
Day Reporting Center	550,000	
Shelter Housing	24,000	
Cognitive Behavioral Therapy	10,000	
Domestic Violence Treatment	9,000	
Other (GED/Jobs Link)	16,500	
One Time Consulting (Start up)	60,000	
Electronic Monitoring (Supervision)	79,200	
One Time ISD Data Management (Start Up)	70,000	
ISD Data Management	37,500	
One Time Costs (Supervision)	185,200	
	<i>Sub Total Probation</i>	1,822,000

Mental Health

Out of Custody Programming

Mental Health Treatment Services	60,000	*	
Substance Abuse Treatment	150,000	*	
Methadone Therapy	7,500		
	<i>Sub Total MH</i>		217,500

The CCP recommends that funding be set aside based on potential unforeseen impacts. The contingency amounts to approximately 7.5% of total FY 11-12 estimated funding.

Contingency	257,712		257,712
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Year 2 funding

Current projections indicate that, assuming Public Safety Realignment is funded in FY 2012-2013, statewide dollars will be substantially greater than the current FY. It is anticipated that a CSAC process will again determine individual County allocations, which will help guide year 2 recommendations.

X. Conclusion

The State, in enacting Public Safety Realignment, has acknowledged that California's Corrections system has failed. The State has also recognized that it cannot fix this problem - the solution lies with Counties.

Many local policy makers do not disagree – Counties are better equipped to make decisions that impact their citizens. The belief that local systems can be devised locally to improve recidivism rates is reasonable, especially given the State of EBP research, and the willingness and preparedness of Counties like Sonoma to take on this challenge. This is the opportunity that Public Safety Realignment presents.

However, the risks are enormous. In particular, the risks are that funding is not adequate in the first year, and not existent in subsequent years. Given what is already known, funding will not be adequate to provide the necessary programming to address the risks and needs of this new population. Further, as Counties take on responsibility for these offenders, it can be expected that many of the mandates previously applied to prison care will attach to County-level care in the future. Inadequate funding would not only impair Counties' abilities to handle the new responsibilities in a safe manner; it would also drain resources from other vital areas.

Sonoma County is indeed fortunate to have a wonderful culture of collaboration, a Criminal Justice Master Plan to help guide its Realignment efforts, high value placed on upstream investments, and many committed employees working hard to implement this balanced plan. Whether local efforts will be assisted, or devastated by the State remains to be seen.

Attachment A Sub-Committees

CCP Sub-Committees included the following members:

Sentencing

Judge Dana Simonds, (Chair)
Judge Ken Gness
John Abrahams, PD
Jill Ravitch, DA
Mike Toby, Sheriff's Office
Rebecca Wachsberg, Probation
Sheralynn Freitas, Probation
Carla Maus, Probation

Supervision

Carla Maus, Probation (Chair)
Mike Toby, SO
Ben Harlin, Santa Rosa Police Dept
Sheralynn Freitas, Probation
Rebecca Wachsberg, Probation
Brian Davis, DA Investigator

Detention Alternatives/Re-Entry/Programming

Sheralynn Freitas, Probation (Co-Chair)
Mike Kennedy, Mental Health/AODS (Co-Chair)
Mike Toby, SO
Christine Cook, Assistant DA
John Abrahams, PD
Dana Simonds, Court
Carla Maus, Probation
Karen Fies (Kathy Young), Human Services
Ellen Bailey, Santa Rosa Gang Prevention
Rebecca Wachsberg, Probation
Denise Hunt, Mental Health
Derrick West, AODS
Dr. Gary Bravo, Mental Health
Steve Harrington, SCOE
Cammie Noah, SO
Judge Shelly Averill, Court
Terri Saunders, CAO Analyst
Drug Abuse Alternative Center (DAAC), Michael Spielman, Director
California Human Development Corporation (CHD), Andriya Glessner, Director
Sonoma County Adult & Youth Development (SCAYD), Jim Gattis, Director

Data Management and Evaluation

Kim Gilmore, ISD (Chair)
Marla Stuart, Human Services
Steve Bair, SRPD
Conan Mullen, SRPD
Charlie Klipp, Probation
Justin Riedel, SO
Leo Tacata, DA
John Abrahams, PD
David Sheaves, Mental Health
Susan Castillo, Mental Health
Rebecca Wachsberg, Probation
Jose Guillen, Court
Terri Saunders, CAO Analyst

Attachment B Supervision Strategies

Mandatory Supervision of Non-non-non Felons

Due to its similarity to felony probation, the Probation Department intends to utilize most of its existing policies, procedures, and protocols to supervise the new population of offenders under Mandatory Supervision. The Chief Probation Officer is authorized to adopt or revise policies to effectuate such goals, protect the rights of offenders, and preserve public safety.

PRCS Supervision

The Sonoma County Board of Supervisors previously designated the Sonoma County Probation Department as the County agency responsible to provide PRCS supervision to offenders under the jurisdiction of the County. Pursuant to the Post Release Community Supervision Act, at Penal Code Section 3451(c)(1), the Board of Supervisors should also designate a post-release strategy to be implemented by the Probation Department. The proposed post-release strategy is described below.

The new legislation provides guidance and new authority in regards to Probation's supervision of the PRCS population, allowing use of Flash Incarceration in the County jail and detention alternatives, when doing so does not compromise public safety. Probation has worked with the Sheriff's Office and County Counsel to develop procedures to provide due process for offenders arrested on technical violations of probation, including an administrative appeal process when an offender contests a violation that results in Flash Incarceration. If Probation has determined that intermediate sanctions are not appropriate for a particular offender, it may file a petition with the Court to revoke PRCS. The Chief Probation Officer shall establish policies and procedures to effectively supervise the PRCS population.

Probation has also developed protocols to guide law enforcement agencies in the arrest process for offenders who violate their terms and conditions of PRCS release. The State has made agreements to use existing systems to ensure offender data is available to law enforcement agents, and Probation has instituted processes to notify specific police agencies when an offender is being released in their location. Following offender release, Probation will be the entity maintaining offender data for use by law enforcement agencies. While no specific funding was allocated for police agencies, the CCP recognized that impact to local law enforcement agencies must be studied, with future funding provided based on degree of increase in required activities.

Attachment C

Work of Sentencing Sub-Committee

The Sentencing Sub-Committee, chaired by the Honorable Dana Simonds, primarily focused on the sentencing of the new population of non-violent, non-serious, and non-sex offenders (the “non-non-nons”) which took effect on October 1, 2011. This new sentencing scheme is authorized by Penal Code Section 1170(h), and it gives judges sentencing discretion to commit defendants who meet the 1170(h) eligibility requirements in three ways. The court has the same authority to grant probation for these offenders, and that probation will be the same as probation for any other type of offense. If probation is denied, the court can order the defendant to serve the full term in County jail. The other option for a prison disposition is a split sentence, meaning a portion of the term will be served in local custody at the Sonoma County jail, and the concluding portion served on Mandatory Supervision. Mandatory Supervision will be carried out in a similar manner as probation supervision, with a focus on transitioning the offender to a law abiding lifestyle out of custody, with assistance from a Probation Officer, and programming directed at issues specific to the offender.

In addition to clarifying sentencing options, this Sub-Committee also evaluated the issues pertaining to the offenders released to Post Release Community Supervision (PRCS). It was determined that one court will hear PRCS violations while the process is refined and developed, since this is an entirely new role for the court and probation. The Sentencing Sub-Committee also assessed and made recommendations regarding the impact of the new legislation on designation of cases, plea-taking and negotiating, and the terms and conditions of supervision. Finally, this Sub-Committee liaised with the Data Management Sub-Committee to coordinate the programming changes required by the new sentencing options.

Attachment D

Recommendations of Data Management and Evaluation Sub-Committee

Start-Up Programming

Given the short timeline between the funding and implementation of AB109/117, this Sub-Committee began by identifying the fundamental data necessary to track the new populations. Any data collection requires that the new populations (PRCS offenders and those non-non-non offenders sentenced pursuant to PC 1170(h)) are identified as such in the County's Integrated Criminal Justice System (IJS). Furthermore, programming is required to enter the new cases and to process warrants related to the PRCS offenders, entries the Probation Department had no need to make prior to realignment.

Another new requirement of realignment is the identification of crimes that make a defendant eligible or ineligible for sentencing under PC 1170(h). The group documented points from filing through sentencing where programming is required to help departments identify crimes that impact this new form of sentencing. This new sentencing option also requires modification of existing sentencing screens to allow for local incarceration of offenders who would have otherwise been sentenced to prison or probation. Furthermore, a number of electronic forms and reports need to be modified to accommodate the changes that result from the implementation of AB109/117.

The CCP is proposing \$70,000 from start-up realignment funds for additions and modification to the Integrated Justice System, as described above.

Data Collection and Reporting

After identifying the programming required to process the realigned populations, the Data Management Sub-Committee shifted focus to more long-term data needs. This discussion focused on one of the key recommendations of the CJMP: the implementation of evidence-based practices (EBP). Within that recommendation the report specifies that "It is recommended that Sonoma County develop quality control assessment protocols to implement and measure these practices." This statement emphasizes the importance of measurement to EBP implementation.

Before outcomes can be measured, it is necessary to collect the data related to program participation. The group identified existing programming in the Probation Department Juvenile Division that could serve this purpose with some modifications. These modifications are included in start-up programming described above.

Having IJS capture data related to program participation is a foundational piece to the evaluation process. However, there are many other data points that need to be identified and recorded to reach the goals of program fidelity and outcome measurement. While many programs have shown a positive impact on recidivism, it isn't enough to just implement these evidence-based programs. Full EBP implementation requires that each program be evaluated regularly to confirm that there is program fidelity.

Once program fidelity has been measured and offender participation captured, the next step is to look at a variety of outcomes related to recidivism. This type of measurement will allow for the identification of programs that are successful, as well as any that are not having the desired impact. Such identification will allow scrutiny of under-performing programs and the redirection of resources to areas having the most positive results. Other outcome measures were discussed, including comparing the recidivism rates and criminogenic needs of the traditional probation population to those on PRCS and Mandatory Supervision, and assessing the system impacts of the new populations. The Sub-Committee recommended the hiring of an evaluation consultant with experience in evidence-based criminal justice services.

Business Intelligence Programming

While Sonoma County's Integrated Justice System is one of the best in California, the maintenance and expansion of this system was also a key recommendation of the CJMP. The recommendation states, "Not only should the County work to maintain its integrated information system, but begin to collect the kind of detailed information about clients, services, and outcomes that will allow meaningful analysis." The input from the requested consultant and the system modifications should result in the identification and collection of the detailed information recommended in the CJMP. However the County is lacking resources to data mine the collected information. Data mining, the process of analyzing data and summarizing it into useful information, is necessary in order for the information to be utilized in decision-making.

An ISD Business Intelligence Programmer is the appropriate classification of employee to conduct this type of data mining work. The CCP is recommending funding for a ¼ FTE Business Intelligence Programmer at a cost of \$37,500 to produce the data required for the criminal justice system to successfully analyze outcomes.

Attachment E

List of 70 Crimes Requiring Commitment to State Prison

Penal Code	
67	Bribing an executive officer
68	Executive or ministerial officer accepting a bribe
85	Bribing a legislator
86	Legislator accepting a bribe
92/93	Judicial bribery
141(b)	Peace officer intentionally planting evidence
165	Local official accepting a bribe
186.11	Felony conviction with aggravated theft enhancement
186.22	Criminal street gangs
186.26	Street gang activity
186.33	Gang registration violation
191.5(c)(1)	Vehicular manslaughter while intoxicated
222	Administering stupefying drugs to assist in commission of a felony
424	Misappropriation of public funds
243.7	Battery against a juror
243.9	Gassing a peace officer or local detention facility employee
245	Assault with a deadly weapon of force likely to inflict GBI
245(d)	Assault on peace officer
266a	Abduction or procurement by fraudulent inducement for prostitution
266e	Purchasing a person for the purpose of prostitution or placing a person for immoral purposes
266f	Sale of a person for immoral purposes
266h	Pimping and pimping a minor
266i	pandering and pandering with a minor
266j	Procuring a child under 16 for lewd or lascivious acts
273a	Felony child abuse likely to cause GBI or death
273ab	Assault resulting in death of a child under age 8
273.4	Female genital mutilation
273.5	Felony domestic violence
290.018	Sex offender registration violations
298.2	Knowingly facilitating the collection of wrongfully attributed DNA Specimens
299.5	Wrongful use of DNA specimens
347	Poisoning or adulterating food, medicine, drink, etc.
368b	Felony physical abuse of elder or dependent adult
417(c)	Brandishing firearm in presence of peace officer
417.8	Felony brandishing firearm or deadly weapon to avoid arrest
422	Criminal threats
424	Misappropriation of public funds
452	Arson of inhabited structure or property
455	Burning forest land or property
504/514	Embezzlement of public funds
598c	Possession or importation of horse meat
598d	Offering horse meat for human consumption
600(d)	Harming or interfering with police dog or horse causing GBI

646.9	Felony stalking
653f(b)	Solicitation for murder
666(b)	Petty theft with specified prior convictions
4532	Escape
11418	Use of weapon of mass destruction
12020(a)	Manufacture, import, sale of certain weapons/explosives
12021/12021.1	Possession of a firearm by prohibited person
12021.5(b)	Carrying firearm with detachable magazine
12022(b)	Using a deadly weapon in commission of felony
12022.5	Using a firearm in commission of felony
12022.9	Infliction of injury causing termination of pregnancy
12025(b)(3)	Carrying concealed firearm by gang member
12303.1/12303.2	Possession of an explosive or destructive device

Elections Code

18501	Public official who aids and abets voter fraud
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Government Code

1090/1097	Conflict of interest by public officer or employee
1195	Taking subordinate pay
1855	Destruction of documents

Health and Safety Code

11353	Employment of minor to sell controlled substance
11354	Employment of minor to sell controlled substance
11361(a) & (b)	Employment of minor to sell marijuana
11370.1	Possession of a controlled substance while armed with firearm
11380(a)	Use of minor to transport/possess/possess for sale
120291	Knowingly exposure of person to HIV

Vehicle Code

2800.2	Reckless evading a police officer
2800.3	Evading a peace officer causing death or serious bodily injury
20001	Hit and run driving causing death or injury
23109(f)(3)	Causing serious bodily injury during speed contest
23110(b)	Throwing object at motor vehicle with intent to cause GBI
23153	Driving under the influence causing injury