

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Probation

BOARD AGENDA # B-11

Urgent

Routine

AGENDA DATE July 24, 2012

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment for Fiscal Year 2012-2013

STAFF RECOMMENDATIONS:

1. Approve the Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment.
2. Authorize the Chief Probation Officer to sign all necessary documents related to the 2011 Public Safety Realignment, including all contracts.
3. Authorize the Chief Probation Officer and Sheriff to sign all contracts related to the Community Corrections Plan for Fiscal Year 2012-2013.

(Continued Page 2)

FISCAL IMPACT:

On April 4, 2011, Governor Brown signed Assembly Bill 109 (AB 109), which made fundamental changes to California's correctional system. AB 109 realigned custodial and community supervision responsibility for non-serious, non-violent, and non-sex offenders, as well as supervision of lower level adult parolees returning from state prison sentences to counties. AB 109 did not contain funding for county agencies to implement the realignment shift and was not operative until funding was provided for counties. On June 30, 2011, Governor Brown signed a series of legislative bills as part of the State budget that provided funding and made necessary technical changes to implement the public safety (Continued Page 2)

BOARD ACTION AS FOLLOWS:

No. 2012-395

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, Monteith, De Martini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of the Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment for Fiscal Year 2012-2013

STAFF RECOMMENDATIONS: (Continued)

- 4. Amend the Salary and Position Allocation Resolution to reflect the recommended changes outlined in the Staffing Impacts section, effective the first pay period following the Board of Supervisor's approval.

FISCAL IMPACTS: (Continued)

realignment program outlined in AB 109.

The legislation enacting the financing and technical changes necessary was contained in Senate Bills 87 and 89 (SB 87 and SB 89) and Assembly Bills 117 and 118 (AB 117 and 118). AB 117 required that the Community Corrections Partnership (CCP) must recommend a local plan to the county Board of Supervisors for the implementation of the 2011 Public Safety Realignment and that the plan must be voted on by an Executive Committee of each county's CCP. AB 118 established a temporary, one-year fiscal structure for the array of programs and services transferred to county responsibility under 2011 Realignment.

On June 27, 2012, Governor Brown signed a number of budget trailer bills related to corrections and public safety to complete the Fiscal Year 2012-2013 State Budget. Senate Bill 1020 (SB 1020), included as part of the trailer bills, establishes the funding structure for the programs and services transferred to the county under 2011 Realignment and sets each county's allocation for AB 109 for the next two fiscal years.

On July 10, 2012, the Executive Committee of the CCP approved the local plan that included a budget of \$15,482,923.

FY 2012-2013 Available 109 Funds	
AB 109 Programs	\$12,243,268
Community Corrections Partnership Planning (one-time)	\$150,000
FY 2011-2012 Anticipated Fund-Balance	\$3,089,655
Total 2011-2012 Allocation	\$15,482,923

Many of the Phase 1 programs experienced delays with implementation primarily due to difficulties in hiring qualified staff. This resulted in a higher than anticipated fund balance for Fiscal Year 2011-2012.

The following provides the detailed spending plan for the Fiscal Year 2012-2013 funds.

Approval of the Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment for Fiscal Year 2012-2013

Budget

Sheriff's Department:

Staffing and Operational Costs	\$ 6,000,000
Programming and Services Costs	<u>\$ 826,500</u>
Total Sheriff's Department Budget Phase 2	\$ 6,826,500

Probation Department:

Staffing and Operational Costs	\$ 2,881,118
Programming and Services Costs	<u>\$ 681,714</u>
Total Probation Department Budget Phase 2	\$ 3,562,832

Integrated Forensics Team and Mental Health Expansion:

BHRS Staffing and Operational Costs	\$ 1,445,344
CSA Staffing	<u>\$ 132,904</u>
Total IFT & Mental Health Expansion	\$ 1,578,248

Regional Apprehension Task Force \$ 100,000

Temporary Day Reporting Facility Modular Building \$ 1,000,000

Second Chances California \$ 85,750

CCP Planning \$ 150,000

Total Phase 2 Budget: \$13,303,330

Available Phase 2 Funding: \$15,482,923

Assigned Fund Balance: \$ 2,179,593

The previous year's budget of \$6,166,085 was approved as an interim spending plan at Fiscal Year 2012-2013 Proposed Budget as the State had not yet officially determined the amount of AB 109 funding the county would receive for the current fiscal year. The State has since announced the amount for Stanislaus County will be \$12,243,268 for the Fiscal Year 2012-2013. Adjustments to the budget will be made at Final Budget.

DISCUSSION:

AB 117 delayed the operative date of the public safety realignment elements contained in AB 109 to October 1, 2011. AB 117 required the Community Corrections Partnership (CCP) to recommend a local plan to the County Board of Supervisors for the implementation of the 2011 Public Safety Realignment and that the plan must be voted on by an Executive Committee of each County's CCP. By statute, the current executive committee consists of the Chief Probation Officer as Chair, the

Approval of the Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment for Fiscal Year 2012-2013

Sheriff, the District Attorney, the Public Defender, the Presiding Judge of the Superior Court and a local Chief of Police. On July 26, 2011, the Board of Supervisors appointed the Director of the Department of Mental Health/Alcohol and Drug Programs as the final member of the CCP Executive Committee. At that time, the Board also designated the Probation Department as the local entity responsible for providing post-release supervision to inmates released pursuant to the Post-release Community Supervision Act of 2011.

Due to the uncertainty of the actual impacts resulting from realignment, the CCP agreed that a phased approach would be the most effective method for developing the public safety realignment plan. Phase 1, occurring during the first nine months of implementation, was approved by the Board of Supervisors on September, 20, 2011. The implementation plan included the re-opening of beds at the Public Safety Center and supervision services to the Post-release Community Supervision inmates, as well as expansion of staffing and services for the Sheriff's Jail Alternatives Program, the Probation Department's Day Reporting Center (DRC), the Integrated Forensics Team (IFT) and a Regional Apprehension Task Force.

During the first nine months of implementation, it was anticipated that the adult facilities would receive approximately 215 sentenced offenders and approximately 75 parole violators. During this time period, the adult facilities actually received 350 sentenced offenders and 433 parole violators. Additionally, 187 sentenced offenders and 204 parolees were assigned to the Jail Alternatives program. Probation was to receive 500 Post-Release Community Supervision (PRCS) offenders for local supervision. The department actually received 683 PRCS offenders, as well as an additional 318 offenders that were sentenced to mandatory supervision under 1170(h) of the California Penal Code.

The full-body of the CCP met throughout Phase 1 to review population projections, progress of the Phase 1 funded programs, gaps in programming and services, as well as any identified impacts of realignment. The committee also reviewed program proposals in consideration of developing the Phase 2 plan.

After review of program proposals and consideration of feedback from the full-body of the CCP, the Executive Committee approved the attached Phase 2 plan on July 10, 2012.

Phase 2, occurring between July 1, 2012, through June 30, 2013, will primarily focus on adding and enhancing programs and services. Forty-one (41) additional positions will be required to support the expansion of the programs detailed below. The Sheriff's Department is requesting twenty-four (24) full-time positions; Probation is requesting six (6) full-time positions; BHRS is requesting nine (9) full-time positions and the Community Services Agency is requesting two (2) full-time positions. Below is a summary of the Phase 2 programs and services as detailed in the attached Stanislaus Community Corrections Partnership 2011 Public Safety Realignment Plan.

Continuation of Phase 1 Programs

Phase 1 programs serve as the foundation for the plan going forward. Each program has been beneficial in addressing the realigned population. All Phase 1 programs will be continued in Phase 2

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with some minor staffing changes that are described in the Staffing Impacts section of this agenda item. A summary of all Phase 1 funded programs is included in the attached CCP plan.

Sheriff's Department:

Phase 2 funding will be utilized to re-open 72 beds at the Honor Farm in order to expand jail capacity. Funding will provide for the necessary Sheriff's Department staffing and jail medical services associated with the re-opened beds.

During Phase 1 analysis of realignment impacts to inmate housing, the Sheriff's Department identified the need to increase staffing in the following areas: mental health one-on-one escorts, transportation, classification/intake, supervision of personnel, and administrative support. Phase 2 funding will be utilized to provide these additional necessary positions. Funding will also be provided to pay for employee equipment, training and supplies associated with the expanded staffing and services.

Phase 2 funding will be utilized to expand contracted services in the adult facilities including mental health, literacy, vocational training, chaplain services, and clean and sober beds to be used as an alternative option to incarceration.

Probation Department:

Phase 2 funding will provide for additional probation staffing for a second intensive services unit to supervise the increased number of offenders being sentenced to mandatory supervision and PRCS offenders being released from state prison. An additional assessment officer will be funded to assist the Sheriff's Department in managing jail population by determining the risk level of release for defendants at pre-trial hearings. Funding will also be provided to cover costs associated with on-call services including on-call pay and a Mobile Data Terminal (MDT). Phase 2 funding will be utilized to cover the costs of an additional clerical supervisor to ensure an adequate level of supervision for support positions added in Phase 1. Funding will also be provided to cover the costs associated with the additional staffing; such as, training, equipment and supplies.

Phase 2 funding will be utilized to hire a Crime Analyst to track and analyze data relevant to criminal justice realignment. This position will assist the County in determining the profiles of the realigned population, trending County-wide crime rates and revocations, as well as assisting in determining the effectiveness of programs supported by realignment funding.

Phase 2 funding will also support the Probation Department for expansion of contracted services at the Day Reporting Center; including, drug and alcohol interventions, vocational training, literacy services, counseling/educational services, GPS/electronic monitoring services, and increased drug analysis. This funding will provide for a Behavioral Health Specialists II that will be assigned to the Day Reporting Center to provide drug and alcohol interventions including assessment, case management and treatment.

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Mental Health Expansion:

Phase 2 funding will provide for additional mental health staffing to augment the existing services provided by the jail medical provider. This will include three Mental Health Clinicians to provide assessment services, individual and group counseling, and referral/linkage to providers upon release. One of these Clinicians will be dedicated to providing mental health services at the Public Safety Center.

Phase 2 funding will be utilized to provide psychiatry, medication, nursing and supportive services to serve up to 100 PRCS offenders that were receiving intensive to moderate psychiatric care while in state prison. BHRS will utilize existing Psychiatrist time to provide medication support services. These services will be enhanced through the use of 2.0 FTE Psychiatric Nurses who will provide assessment, treatment and medication support.

Additional funding will be provided in Phase 2 to further expand the Integrated Forensics Team that was funded in Phase 1. This will allow for case management, crisis response, family support, housing and employment assistance, mental health rehabilitation, medication support, peer support and 24/7 coverage for an additional 24 PRCS offenders that previously received extensive psychiatric services while in state prison. Two Behavioral Health Specialist II positions will be added to provide the additional mental health services.

A clerical position will also be funded in Phase 2 to provide support to staff and the expanded programs.

Program/Day Reporting Facility Temporary Modular Building:

The current Day Reporting Center is now located at the former Salida Sheriff's sub-station. This leased site is no longer adequate for the program due to the increased population being served through realignment, as well as the need for increased program and treatment space. The County's AB 900 Phase II Jail Construction project (\$80 million in State leased revenue financing; \$9.5 million local funding) includes a new Program/Day Reporting Facility; however, it will be approximately two years before the permanent facility is constructed and available for use.

Phase 2 Community Corrections Program funding will provide for the purchase of temporary modular buildings that can be placed on an interim basis at the Public Safety Center, outside of the area dedicated to the State for the AB 900 Phase II Leased Revenue Bond Project. This will serve as a temporary facility while the new, permanent structure is being built.

Second Chances California:

Phase 2 funding will provide a pilot program called Second Chances California. This program provides a unique vocational and educational program for PRCS and mandatory supervision offenders referred through the Program/Day Reporting Facility. This program, utilizing equine assisted growth and development services, is also designed to address mental health issues.

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POLICY ISSUES:

Board approval of the Community Corrections Partnership Plan for the implementation of the 2011 Public Safety Realignment supports the Board's priorities of A Safe Community and Effective Partnerships. The Board may approve the plan or return it to the CCP Executive Committee for reconsideration with a 4/5ths vote.

STAFFING IMPACTS:

In order to support the programs mentioned above an additional forty (40) positions allocated to four County Departments is recommended. The Sheriff's Department is requesting a total of twenty-four (24) full-time positions, all of which are newly allocated positions. The Probation Department is requesting six (6) newly allocated full-time positions.

Behavioral Health and Recovery Services is requesting a total of nine (9) full-time positions, which includes restoring one (1) full-time position; restoring/reclassifying upward and transferring six (6) full-time positions; and adding two (2) newly allocated full-time positions.

The Community Services Agency is requesting one (1) newly allocated full-time Family Services Specialists I/II position be added to provide overall public assistance eligibility to realigned offenders. CSA is also requesting a Social Worker position be reclassified downward to a Family Services Specialist I/II position (block-budgeted). Social Worker position #8184 was previously restored as part of the Board's approval of the Phase 1 CCP plan. In First Quarter last year CSA went to the Board of Supervisors to re-designate positions. At that time, position #8184 was assigned to a different program and #12877 was added to replace it. CSA is requesting position #12877 be reclassified downward to the Family Services Specialist I/II position.

Staffing Impacts			
Department Name	Beginning Allocation	Changes in Allocation	Ending Allocation
Behavioral Health & Recovery Services	343	9	352
Community Services Agency	944	1	945
Probation Department	247	6	253
Sheriff's Department	547	24	571
TOTAL	2,081	40	2,121

The detail of staffing requests is included in the table below. If approved, it is requested the Salary and Position Allocation Report be amended the first pay period after the Board of Supervisor's approval.

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Department	Positions	Position #	Classification	Request
Sheriff Detention	4	New	Sergeant – Custodial	Add New Positions
Sheriff Detention	16	New	Deputy Sheriff – Custodial	Add New Positions
Sheriff Administration	1	New	Deputy Sheriff – Custodial	Add New Position
Sheriff Detention	1	New	Account Clerk II	Add New Position
Sheriff Detention	1	New	Supervising Legal Clerk II (block budgeted)	Add New Position
Sheriff Administration	1	New	Confidential Assistant II	Add New Position
Probation Field Services	1	New	Supervising Probation Officer	Add New Position
Probation Field Services	1	New	Deputy Probation Officer III	Add New Position
Probation Field Services	3	New	Deputy Probation Officer I/II	Add New Positions
Probation Field Services	1	New	Crime Analyst	Add New Position
Behavioral Health & Recovery Services	2	New	Psychiatric Nurse	Add New Positions
Behavioral Health & Recovery Services	1	2897	Administrative Clerk III	Restore Position
Behavioral Health & Recovery Services	1	9547	From Clinical Services Technician II to Behavioral Health Specialist II	Restore, and Reclassify Position Upward, and Transfer from Stanislaus Recovery Center to Alcohol and Drug Program Fund
Behavioral Health & Recovery Services	2	6351, and 4022	From Clinical Services Technician II to Behavioral Health Specialist II	Restore, and Reclassify Positions Upward, and Transfer from Stanislaus Recovery Center to Behavioral Health & Recovery Services Fund
Behavioral Health & Recovery Services	3	382, 375, and 562	From Clinical Services Technician II to Mental Health Clinician II	Restore, Reclassify Positions Upward, and Transfer from Stanislaus Recovery Center to Behavioral Health & Recovery Services Fund
Community Services Agency	1	New	Family Services Specialist II (block-budgeted)	Add New Position

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Community Services Agency	-	12877	From Social Worker IV to Family Services Specialist II (block-budgeted)	Reclassify Position Downward
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In addition to the positions detailed above, the Probation Department will also be funding two (2) existing full-time Deputy Probation Officer positions and an existing full-time Supervising Legal position using realignment funds. The two officer positions were previously assigned to task force operations. This funding ended June 30, 2012. The Supervising Legal Clerk position was previously restored as part of Fiscal Year 2011-2012 Mid-Year Budget, but has been held vacant until the current Fiscal Year.

Additionally, two (2) Probation Corrections Officer (PCO) positions that were restored during Phase 1 were moved to the unfunded position list at Proposed Budget in anticipation of the positions not being funded in Phase 2. These PCO positions had been previously restored in anticipation of increased utilization of electronic monitoring during Phase 1. This program is presently operated by the Probation Department's Alternative to Custody program. In Phase 1, the Probation Department determined that the use of Global Positioning Satellite (GPS) services was more effective in monitoring offender behavior. GPS is monitored by probation officers, therefore, reducing the need for the additional PCO positions.

CONTACT PERSON:

Jill Silva, Chief Probation Officer. Telephone (209) 525-4598

**Stanislaus County
Community Corrections Partnership
2012 Public Safety Realignment Plan**



Background

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

The legislation enacting the financing and technical changes necessary was contained in Senate Bills 87 and 89 (SB 87 and SB 89) and Assembly Bills 117 and 118 (AB 117 and AB 118). These bills were extensive in nature and contained two designation requirements. By August 1, 2011, Board of Supervisors had to designate the county entity responsible for providing post-release supervision to local inmates sentenced under the realignment act, as well as those lower level inmates released on parole from the Department of Corrections. California Penal Code Section 1230(b) requires each county to establish a Community Corrections Partnership (CCP) and specifies the membership that comprises the CCP. AB 117 required that the CCP must recommend a local plan to the county Board of Supervisors for the implementation of the 2011 Public Safety Realignment and that the plan must be voted on by an Executive Committee of each county's CCP. By statute, the current Executive Committee consists of the Chief Probation Officer as Chair, the Sheriff, the District Attorney, the Public Defender, the Presiding Judge of the Superior Court, and a local Chief of Police. The Board of Supervisors was required to appoint the final member of the CCP Executive Committee who had to be either the Director of the Department of Mental Health, the Department of Social Services, or Alcohol and Drug Programs. On July 26, 2011, the Board of Supervisors designated the Probation Department as the entity responsible for providing post-release supervision to inmates released pursuant to the Post-release Community Supervision Act of 2011 and designated the Director of Mental Health/Alcohol and Drug Programs to serve on the community Corrections Partnership Executive Committee. On September 20, 2011, the Board of Supervisors approved the Community Corrections Partnership Phase 1 Plan for implementation of the 2011 Public Safety Realignment.

On June 27, 2012, Governor Brown^{*} signed a number of budget trailer bills (SB 1020, 1021, 1022 and 1023) related to corrections and public safety to complete the FY 2012-2013 State budget. These bills provided changes to sentencing and procedures related to realignment, as well as established a funding structure and county allocations for AB 109.

Public Safety Realignment

AB 117 delayed the operative date of the public safety realignment elements contained in AB 109 to October 1, 2011. The provisions of the public safety realignment are prospective and, therefore, as offenders are sentenced on or after October 1 or released to supervision on or after October 1, they will be the responsibility of the county, if they meet the criteria for the realigned population. No one in prison on October 1 will transfer to county jail, and no one currently released on parole will transfer to local jurisdiction.

AB 109/AB 117 changed the jurisdiction of the specified populations from state to local control to complete their sentences, as outlined below.

I. Sentenced Locally (Non/non/non felons)

- Revises the definition of felony to include specified lower-level (i.e., non/non/non) crimes that would be punishable in jail or another local sentencing option.
- Does not change length of sentences.
- Does not limit the felonies eligible for sentences of three years or less, but instead determines eligibility by qualifying crimes, as specified. Therefore, some sentences now served locally can exceed three years. However the time served may be done in a variety of settings: jail, probation, alternative custody or a combination of these settings.
- Felonies ineligible for state prison (non/non/non): Non-violent, non-serious, and non-sex offenders as defined in the Penal Code. There are 60+ felonies that would otherwise fall into the non/non/non category that are excluded and therefore continue to be eligible for state prison.
- Felonies eligible for state prison: Any person being convicted of a serious or violent felony as described in Penal Code (PC) Sections 1192.7 (c) or 667.5 (c), the person would be required to register as a sex offender pursuant to PC 290, or they had a previous serious or violent felony conviction or a sex offense in their history that requires sex offender registration.
- Options at sentencing of a non/non/non felony: 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 probation).
 - Imposed sentences (everything but felony probation) prison prior attaches to the sentence.
 - Split sentences cannot exceed the original sentence when combining custody and supervision time
- 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), contract with other nearby counties, or contract with public community correctional facilities. Counties are authorized to contract back with the state for housing inmates.

- Non/non/nons with imposed sentences as opposed to grants of probation do not have post incarceration supervision time. Specifically, there is no parole tail for these offenders.
- 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.

II. Post Release Community Supervision (PRCS)

- Starting October 1, 2011, any offenders who were convicted of a non-serious, non-violent felony and are not deemed a high risk sex offender will be placed on local supervision upon release from prison.
- Anyone already on parole before October 1, 2011, remains 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 upon release from prison.
- Supervision and case plans are not specified in statute. There are general conditions in statute as a minimum that are given to the PRCS at release. The supervising entity may add conditions pursuant to the risk and needs of the offender.
- Statute requires the California Department of Corrections and Rehabilitation (CDCR) to notify the county within at least 30 days of an impending release onto PRCS.

III. 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 and receive day-for-day credit.
- Parole revocation hearings (for state parolees only) will continue to be done by Board of Parole Hearings (BPH) until July 1, 2013 when that responsibility will be moved to the local courts.
- PRCS final violation hearing will be conducted by courts beginning October 1, 2011. Courts may appoint hearing officers for this workload. The supervising entity must establish a review process for assessing and refining conditions consistent with the statutory authority to impose sanctions 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.

Phase 1 Population Projections and Actual Impacts

CDCR provided the county with initial average daily projections for inmate and PRCS populations. The numbers were based upon full implementation and were adjusted for excluded crimes. In December 2011, CDCR provided counties with revised projections for the PRCS populations as parole violators serving time in CDCR prior to October 1, 2011, had not been included in the initial projections provided to counties. Those parole violators in custody at CDCR prior to October 1, 2011, would also be released to local supervision as part of the PRCS population. After October 1, 2011, parole violators must serve their violations in local custody; therefore, upon release from county jail will return to State parole supervision.

Impacts to Jail Population:

It was estimated that the adult facilities would receive approximately 215 sentenced offenders and approximately 75 parole violators during the first nine months of implementation. During Phase 1, adult facilities received 350 sentenced offenders and 433 parole violators. Additionally, 187 sentenced offenders and 204 parolees were assigned to the Jail Alternatives program during the same time period. Population projections show steady increases over the next three years.

Impacts to Probation:

It was projected that more than 500 PRCS offenders would be returned to local supervision within the first nine months of implementation. During the first nine months of implementation, 683 PRCS offenders were actually returned to local supervision. Additionally during this same time period, 318 offenders were sentenced to mandatory supervision under Penal Code Section 1170(h). Population projections show steady increases over the next three years.

Community Corrections Partnership

The CCP was created to guide counties towards a plan that addresses the most effective ways to integrate the population and:

1. Maximize public safety
2. Use the taxpayers dollar in the most efficient way possible

The CCP consists of the full committee and an executive committee. The full Stanislaus County CCP body includes:

- Jill Silva, Chief Probation Officer (Chair)
- Mike Tozzi, Executive Officer, Stanislaus County Superior Court
- Bill O'Brien, County Supervisor
- Birgit Fladager, District Attorney
- Tim Bazar, Public Defender

- Adam Christianson, Sheriff
- Mike Harden, Chief of Police, City of Modesto
- Christine Applegate, Community Services Agency Director
- Madelyn Schlaepfer, Behavioral Health and Recovery Services Director
- Jeff Rowe, Alliance WorkNet Director
- Tom Chagnon, Stanislaus County Office of Education Superintendent
- Cindy Duenas, Center for Human Services Director
- Gay McDaniel, Stanislaus County District Attorney Victim Services

The Stanislaus County CCP Executive Committee consists of:

- Jill Silva, Chief Probation Officer (Chair)
- Mike Harden, Chief of Police, City of Modesto
- Adam Christianson, Sheriff
- Birgit Fladager, District Attorney
- Tim Bazar, Public Defender
- Mike Tozzi, Executive Officer, Stanislaus County Superior Court
- Madelyn Schlaepfer, Behavioral Health and Recovery Services Director

The CCP previously approved the recommended Phase I plan on August 23, 2011. It was approved by the Board of Supervisors on September 20, 2011. Since that time, the CCP has continued to meet to review population projections and needs, current programs and any identified impacts of realignment with a focus on developing the Phase 2 plan. The CCP has also reviewed program proposals from county agencies and community based organizations. The CCP has met 5 times since the Phase 1 plan was approved. The executive committee of the CCP has met 3 times.

Public Safety Realignment Plan

Due to the uncertainty of the actual impacts resulting from realignment, the CCP agreed that a phased approach would be the most effective method for developing the public safety realignment plan. Phase I occurred during the first nine months of implementation and served as the foundation for addressing the realigned population going forward. Phase 1 provided a first glance at the preliminary impacts of realignment to inmate housing and community supervision, and the treatment and programming needs of the population to be served. Many of the Phase 1 programs experienced delays with implementation primarily due to difficulties in hiring qualified staff. Behavioral Health & Recovery Services (BHRS), Community Services Agency (CSA), Sheriff and Probation all experienced delays in hiring. Both the Sheriff and Probation departments experienced higher than usual failure rates of backgrounds for peace officer applicants.

Phase II occurring in the second year concentrates on adding and expanding programs, developing task force operations, and addressing the overall impacts to communities. As the future of realignment funding is currently uncertain, the CCP has decided to take a conservative approach in utilizing its allocation in order to sustain Phase 1 and 2

programs beyond the first two years of implementation in the event future funding is reduced or eliminated.

Phase I Programs (October 1, 2011 through June 30, 2012):

Bed Space

During Phase I, funding was utilized by the Sheriff's Department to re-open two living units within the Public Safety Center that had previously been closed due to budget reductions, increasing the inmate bed count by 150. These beds have been utilized to house and provide services to the increased number of sentenced inmates and parole violators resulting from realignment. 783 sentenced inmates and parole violators have been housed in the adult facilities during the first nine months of realignment.

Jail Alternatives

The Jail Alternatives Unit consists primarily of two programs: the Alternative Work Program (AWP) and the Home Detention (HD) Program. With the expected increase in inmates being released to alternative to custody programs, Phase I funding was utilized by the Sheriff's Department to provide the necessary staffing and contract services to increase the capacity of the Jail Alternatives programs. Nearly 400 additional offenders were served through the Jail Alternatives programs during Phase 1 of realignment.

Post Release Community Supervision

Phase I funding was used to provide additional Probation staffing and services associated with supervising the nearly 700 PRCS offenders released from CDCR into the community.

Day Reporting Center (Expansion)

The Day Reporting Center (DRC) opened in February 2011, and was serving more than 100 probationers prior to realignment. With the increases to jail population and the inability to sentence non-violent, non-serious, and non-sex offenders to state prison, increased capacity at the DRC was needed. Phase 1 funding provided additional Probation staffing to handle the increased number of DRC participants, as well as expanded contracted services for offenders at the DRC site. 536 offenders were served through the DRC. 49% of those served were AB 109 offenders.

Integrated Forensics Team (Expansion)

National data estimated 15% of the jail population as being seriously and persistently mentally ill. Typically in Stanislaus County, these individuals are referred to programs provided by BHRS, such as the Integrated Forensics Team (IFT) or other programs supported by the Mental Health Services Act (MHSA). IFT is a multi-disciplinary program providing comprehensive mental health and co-occurring services for adults on

probation who are underserved and either homeless or at risk of homelessness, have frequent contact with law enforcement, and/or are frequent users of hospital and emergency room services. Services include: case management, crisis response, family support, housing and employment assistance, mental health rehabilitation, medication support, peer support and 24/7 coverage. Both IFT and MHSA programs were at capacity and not able to absorb the increased demands for service for the realigned population without expanding the existing programs. Most mentally ill offenders have either not had benefits established that would cover mental health treatment or they have had benefits suspended due to their incarceration, resulting in the increased demand for public assistance. Phase I funding was utilized to add staffing to expand the program capacity of the IFT program. This included staffing from BHRS and Probation that are part of the IFT team. 10 PRCS offenders who received Enhanced Offender Program services while in CDCR were served in the IFT program upon their release to the county. An additional 11 offenders have been assessed and will begin services upon their release.

Additionally, Phase I funding was made available to add a CSA Social Worker to the IFT program to focus on Supplemental Security Income (SSI) advocacy in order to establish benefits to support mental health treatment, thereby, reducing the need for public assistance. CSA was not able to fill this position during Phase 1. CSA staffing will be modified with the Phase 2 plan.

Regional Apprehension Task Force

It was anticipated that there would be offenders released from jail early that would not show for mandated appointments, as well as parolees released from prison that would fail to report to Probation as ordered. The CCP identified the need to establish a task force to apprehend such absconders. The apprehension task force consists of members from the Sheriff's Department, Probation Department and local police agencies. Phase I funding was provided so that agencies would have the ability to be reimbursed for costs associated with their apprehension efforts. During Phase 1, there were 4 specialty operations that occurred resulting in 33 arrests.

Phase 2 Programs (July 1, 2012 through June 30, 2013)

Continuation of Phase 1 Base Programs

Phase 1 programs serve as the foundation for the implementation plan going forward. The CCP has regularly reviewed the progress of these programs during on-going CCP meetings. Each of these programs has been beneficial in addressing the realigned population. It is recommended that all of the Phase 1 staffing and programs as described above continue in Phase 2, with several exceptions. The CSA Social Worker position remained vacant during Phase 1. After further review of the job duties and tasks, it was determined that there would be more value to the realigned population if the Social Worker was changed to two (2) Family Services Specialists I/II. The FSS II positions can provide overall public assistance eligibility to the realigned population.

FSS IIs determine initial and continuing eligibility of applicants and recipients of public assistance programs while maintaining large caseloads. These positions work in various programs including CalFresh (Food Stamps), Medi-Cal, Temporary Assistance to Needy Families, and Adult Services Assistance Program. Having two FSS IIs versus one Social Worker will increase the capacity of the number to be served. CCP funds will support 50% of the costs associated with the two positions, which is equivalent to the 100% of the costs for the Social Worker. CSA will utilize state and federal revenue for the balance of the costs. Two Probation Corrections Officer (PCO) positions also remained vacant during Phase 1. These positions were initially added in anticipation of increased utilization of electronic monitoring. This program is presently operated by the Probation Department's Alternative to Custody program. Staff has utilized Global Positioning Satellite (GPS) monitoring of offenders versus electronic monitoring units. Supervision deputies oversee the monitoring of GPS. Staff will expand the use of GPS in Phase 2; therefore, the PCO positions will be deleted. Additionally, activities funded under the Regional Apprehension Task Force will be broadened beyond apprehension efforts and will include specialty operations targeting supervision compliance.

Sheriff's Department

Phase 1 of the realignment provided the opportunity to evaluate the needs and actual numbers of realigned offenders coming into the adult facilities. The following programs and services will be funded as a result of those needs and capacity issues:

Bed Space – 150 beds were re-opened during Phase 1 in anticipation of the increased jail population resulting from realignment. The actual population increases were more than double those provided by CDCR prior to the implementation of realignment. During Phase 1, nearly 800 sentenced inmates and parole violators were housed in the adult detention facilities. A snapshot taken in May 2012, reflects 22% of the inmate population was serving a county sentence and 6% of the population was parole violators serving a county violation. These numbers are higher than a snapshot taken in June 2011, where 19% of the inmate population was serving a county sentence and parole violators served their time in CDCR. During Phase 2, funding will be utilized by the Sheriff's Department to re-open 72 beds at the county Honor Farm. The additional beds will require funding for an Operations Sergeant and nine full-time deputies, as well as increases to jail medical services at the Honor Farm.

Sheriff's Personnel and Operational Costs - Two full-time mental health deputies will be funded to address the increased needs of mentally ill offenders being housed in the adult facilities. These offenders are often the most aggressive and unpredictable offenders resulting in the need for one on one escorts while the offenders are being seen by mental health professionals.

Two full-time deputies will be added to provide transportation services. With the changes in population, the department is experiencing the increased need for off-site medical appointments, transfers of inmates between facilities and transports for court hearings.

During the initial implementation of realignment, a need to expand intake/assessment services to seven days a week was identified in order to effectively manage the inmate population. Three full-time classification deputies will be added to assist in this function. These additional classification officers are needed to conduct evaluations of offenders to determine which offenders are the most appropriate for release.

One additional Sergeant will be funded in the Jail Alternatives Program due to expanding the program to seven days a week and the need to provide supervision of staff during the extended hours of operation.

A significant number of staff has been added to the department as a result of realignment. It is critical that there is an appropriate level of supervision and support for these additional positions. During Phase 2, funding will be provided for the following positions: a Relief Sergeant, a Support Services Sergeant, a Supervising Legal Clerk, an Account Clerk II, a Confidential Assistant assigned to Administration, and a Deputy Sheriff –Custodial to conduct background/investigations.

Phase 2 funding will be provided to the Sheriff's Department to contract for programming and services to address the needs of the realignment population including, literacy services, vocational training, chaplain services, and clean and sober beds to be used as an alternative option to incarceration.

Phase 2 funding will also be utilized to pay for employee equipment, training, inmate services and supplies.

Probation Department

Phase 1 of the realignment provided the opportunity to evaluate the needs and actual numbers of realigned offenders being released from CDCR to local supervision, as well as those offenders no longer eligible for state prison and being supervised on mandatory local supervision. The following programs and services will be funded as a result of those needs and capacity issues:

Intensive Supervision - Phase 2 funding will provide additional probation staffing for a second intensive supervision unit within the department. CDCR initially projected that nearly 500 offenders would be released under PRCS. There was nearly a 37% increase in the actual number of PRCS offenders released to local supervision from the initial projections. 683 PRCS offenders were released into the community under local supervision during Phase 1. CDCR projects an additional 399 inmates will be released to Stanislaus County in the upcoming fiscal year. Additional officers are necessary to supervise the increased number of offenders in the community. One officer will be assigned to the Central Valley Gang Intelligence Task Force to supervise the highest risk gang members. During Phase 1, 386 offenders were sentenced under Penal Code 1170(h). Of those offenders, 82.3% (318) were sentenced to mandatory supervision. Additional officers are necessary to provide intensive supervision and services to the

increased number of offenders remaining in the community on mandatory supervision. In order to assist the Sheriff's Department in managing jail population, an additional officer will be funded and assigned to the unit to conduct pre-trial risk assessments that will be used in determining the risk level of release for defendants at pre-trial hearings. A total of five Deputy Probation Officer positions will be funded, as well as a Supervising Probation Officer and a lead Deputy Probation Officer.

Probation Personnel and Operational Costs - A Supervising Legal Clerk will be funded in Phase 2 to ensure an appropriate level of supervision is provided for support positions previously added through realignment. Phase 2 funding will support costs associated with on-call services including on-call pay and a Mobile Data Terminal (MDT). This funding will enable probation officers to respond to law enforcement during weekend and evening hours. Funding will also support the additional costs associated with increased staffing; such as, training, equipment and supplies.

Phase 2 funding will be provided to the Probation Department to contract for programming and services to address the needs of the realignment population under the supervision of the department and participating in the Day Reporting Center; including expanded drug and alcohol interventions, vocational training, literacy services, counseling/educational services, expanded GPS/electronic monitoring services, and increased drug testing analysis. Included in this funding is a Behavioral Health Specialist II position that will be assigned to the Day Reporting Center to provide drug and alcohol interventions; including, assessment, case management and treatment.

Crime Analyst - Phase 2 funding will be utilized to hire a Crime Analyst to track and analyze data relevant to criminal justice realignment. This position will assist the county in determining the profiles of the realigned population, trending county-wide crime rates and revocations, as well as assisting in determining the effectiveness of programs supported by realignment funding.

Mental Health Expansion

California Department of Corrections and Rehabilitation reports that 5% of the Post Release Community Supervision population received extensive psychiatric services or Enhanced Outpatient Program, (EOP) while in state prison and 20% received intensive to moderate psychiatric care or Correctional Clinical Case Management System (CCCMS). Once released many of these individuals are finding it extremely difficult to find appropriate mental health services. They are no longer eligible for services, including medications, through parole and Behavioral Health and Recovery Services' (BHRS) capacity to serve the uninsured is extremely limited. Without treatment symptoms return making it very difficult for these individuals to successfully reside in the community. Analysis of the population encountered during Phase 1, reveals that some individuals released on CCCMS are in great need of support requiring even more services than what they received while in prison. Phase 1 programming addressed some of this need (25 individuals) but not all of the need.

Mental health services in the jail are also not equipped to manage this “new” population that will be spending more time locally rather than committed to CDCR. Services to augment the contracted medical provider will assist them while they are in custody.

In Custody Services – Phase 2 funding will be utilized to augment the existing services provided by the jail medical provider. This will include adding three Mental Health Clinicians to provide assessment services, individual and group counseling, and referral and linkage to a provider once released. One of the Clinicians will be dedicated to providing mental health services at the Public Safety Center.

Medication Clinic– Phase 2 funds will be made available to serve 100 CCCMS individuals through a program designed to provide psychiatry, nursing and supportive services. Medications will also be provided until a benefit to purchase this service can be established. Supportive services will be available to assist these individuals with the abundance of their social needs. BHRS will utilize existing Psychiatrist time to provide medication support services. These services will be enhanced through the use of 2.0 FTE Psychiatric Nurses who will provide assessment, treatment, and medication support.

IFT Expansion –Phase 2 funding will be provided to increase the capacity of IFT to allow for an additional 24 EOP individuals. This program will provide Assertive Community Treatment (ACT), an evidenced based practice. Services will include: case management, crisis response, family support, housing and employment assistance, mental health rehabilitation, medication support, peer support and 24/7 coverage. A clerical position will also be funded in Phase 2 to provide support to staff and the expanded program. Two Behavioral Health Specialist II positions will be funded to provide the additional mental health services.

Program/Day Reporting Facility Temporary Modular Building

The current Day Reporting Center is now located at the former Salida Sheriff’s sub-station. This leased site is no longer adequate for the program due to the increased population being served through realignment, as well as the need for increased program and treatment space. The County’s AB 900 Phase II Jail Construction project (\$80 million in State leased revenue financing; \$9.5 million local funding) includes a new Program/Day Reporting Facility; however, it will be approximately two years before the permanent facility is constructed and available for use. Phase 2 Community Corrections Program funding will provide for the purchase of temporary modular buildings that can be placed on an interim basis at the Public Safety Center, outside of the area dedicated to the State for the AB 900 Phase II Leased Revenue Bond Project. This will serve as a temporary facility while the new, permanent structure is being built.

Second Chances California

Utilizing Phase 2 funding, the Dependent Ranch, in partnership with the Thoroughbred Retirement Foundation (TRF), will provide a pilot program called Second Chances California. TRF presently operates a national program and is currently providing vocational services in 8 correctional facilities and 19 private farms around the country. This program will be located at the Sheriff's arena adjacent to the Public Safety Center and will provide a unique vocational and educational program for PRCS and mandatory supervision offenders referred through the Program/Day Reporting Facility. The program provides the opportunity for offenders to develop new life skills by getting to the heart of their personal issues, allowing them a new way to make decisions and reach goals. The program uses equine assisted growth and development services and learning work ethics by a new vocation using retired racehorses. The equine assisted learning is individually based on the mental health diagnosis and treatment plan for each offender. The Program provides a mechanism for healing past trauma, addictions, behavioral disorders, depression and hands-on learning while using the horses. The vocational portion of the program is based on the Groom Elite curriculum. Participants discover new responsibility, patience, teamwork, trust and dedication skills by learning a set curriculum while having to care for horses. Outcomes for this pilot program will be measured for Phase 2 to ensure that the program is an effective use of realignment funding in reducing recidivism.

Budget

Sheriff's Department:

Staffing and Operational Costs	\$ 6,000,000
Programming and Services Costs	<u>\$ 826,500</u>
Total Sheriff's Department Budget Phase 2	\$ 6,826,500

Probation Department:

Staffing and Operational Costs	\$ 2,881,118
Programming and Services Costs	<u>\$ 681,714</u>
Total Probation Department Budget Phase 2	\$ 3,562,832

Integrated Forensics Team and Mental Health Expansion:

BHRS Staffing and Operational Costs	\$ 1,445,344
Phase 2 CSA	<u>\$ 132,904</u>
Total IFT & Mental Health Expansion	\$ 1,578,248

Regional Apprehension Task Force \$ 100,000

Temporary Day Reporting Facility Modular Building \$ 1,000,000

Second Chances California \$ 85,750

CCP Planning	<u>\$ 150,000</u>
Total Phase 2 Budget:	\$13,303,330
FY 2012-13 Allocation	\$12,243,268
FY 2012-13 Planning Funding	\$ 150,000
FY 2011-12 Anticipated Carry-Over	<u>\$ 3,089,655</u>
Total Available Phase 2 Funding	\$15,482,923
Anticipated Reserve:	\$ 2,179,593

Staffing

The following chart reflects the additional classifications and number of positions that will be funded in Phase 2:

The above positions do not include those positions included in the Phase 1 plan.

Classification	Number of Positions
Sergeant	4
Deputy Sheriff Custodial	17
Supervising Legal Clerk (Sheriff)	1
Account Clerk (Sheriff)	1
Confidential Assistant II (Sheriff)	1
Supervising Probation Officer	1
Deputy Probation Officer III	1
Deputy Probation Officer I/II	5
Supervising Legal Clerk (Probation)	1
Crime Analyst (Probation)	1
Mental Health Clinician	3
Behavioral Health Specialist	3
Psychiatric Nurse (BHRS)	2
Administrative Clerk III (BHRS)	1
Family Services Specialists I/II (CSA)	2

Next Steps

The CCP will continue to regularly meet to review population numbers, service and treatment needs, staffing levels and outcomes of enhanced/expanded programs in order to develop a recommended plan for the subsequent year. Each year's plan will be submitted to the Board of Supervisors for approval.