

**Santa Barbara County**

**COMMUNITY CORRECTIONS PARTNERSHIP**



# **2011 Public Safety Realignment Act**

**(Assembly Bills 109/117)**

## **IMPLEMENTATION PLAN**

**County of Santa Barbara  
2011 Public Safety Realignment Act  
(Assembly Bill [AB]109/AB117)  
Implementation Plan**

**Executive Committee of the Community Corrections Partnership**

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Tim Dabney, Lompoc Police Chief

Ann Detrick, Ph.D., Director Alcohol, Drug, and Mental Health Services

Joyce Dudley, District Attorney

Brian Hill, Presiding Judge of the Superior Court

Rai Montes De Oca, Public Defender

Patricia Stewart, Chief Probation Officer (Chair)

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## **INTRODUCTION**

The 2011 Public Safety Realignment Act significantly changes the face of local community corrections and the following plan is developed as an initial implementation strategy utilizing prorated year one resources. The Realignment of California's criminal justice system holds tremendous potential. With enough resources for implementation, Realignment can, in the long-term, result in improved offender outcomes and reduced recidivism, as well as a higher level of public safety and a lower total cost of the criminal justice system for our citizens. However, it is the opinion of the Community Corrections Partnership Executive Committee (CCP-EC) that the State is not adequately funding Realignment. In addition, it is being implemented at a time when Santa Barbara County is unable to adequately fund existing public safety obligations. The result of inadequate funding resources to detain, supervise, and program the realigned population could result in a significant reduction in public safety and the quality of life in the County.

It is imperative that the Board of Supervisors and the citizens of Santa Barbara County understand the existing constraints that challenge the stakeholders serving the criminal justice system. Santa Barbara County has a strong and successful history of public/private collaboration in the re-entry process. However, the current lack of guaranteed funding for the impact caused by Realignment, in the form of a State Constitutional Amendment ensuring a continuous appropriation, presents a significant concern for the long-term success of Realignment in Santa Barbara County and counties throughout California. Notwithstanding the reservations of the CCP-EC regarding the level and consistency of funding, the following Implementation Plan and spending recommendations outline a balanced, efficient, and effective deployment of the current resources allocated to Santa Barbara County for Public Safety Realignment.



## I. OVERVIEW OF 2011 PUBLIC SAFETY REALIGNMENT ACT (AB109/AB117)

In an effort to address overcrowding in California's prisons and assist in alleviating the State's financial crisis, the Public Safety Realignment Act (Assembly Bill 109 [AB109]) was signed into law on April 4, 2011. AB109, as subsequently revised by AB117 on June 29, 2011, transfers responsibility for specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. This change will be implemented on October 1, 2011.

Additionally, Section 1230.1 of the California Penal Code (PC) is added and reads "(a) Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the county board of supervisors for the implementation of the 2011 public safety realignment. (b) The plan shall be voted on by an executive committee of each county's Community Corrections Partnership consisting of the chief probation officer of the county as chair, a chief of police, the sheriff, the District Attorney, the Public Defender, the presiding judge of the superior court, or his or her designee, and one department representative listed in either subparagraph (G), (H), or (J) of paragraph (2) of subdivision (b) of Section 1230<sup>1</sup>, as designated by the county board of supervisors for purposes related to the development and presentation of the plan. (c) The plan shall be deemed accepted by the county board of supervisors unless the board rejects the plan by a vote of four-fifths of the board, in which case the plan goes back to the Community Corrections Partnership for further consideration. (d) Consistent with local needs and resources, 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."

### Key elements of AB109 include:

- Redefining Felonies: Revises the definition of a felony to include specified lower-level (i.e., non-serious, non-violent, non-sex offenses) crimes that would be punishable in jail or another local sentencing option.

Pursuant to §1170(h)(5) PC, felony offenders no longer eligible for commitment to the California Department of Corrections and Rehabilitation can be sentenced to jail for the full term or a portion of the term, with the balance suspended for a period of post sentence probation supervision.

- Establishes Post-Release Community Supervision Population: Parolees whose committing offense is non-violent, non-serious felony and who are not deemed to be high risk sex offenders.
1. Referenced representatives listed in paragraph (2) of subdivision (b) of Section 1230 are "the head of the county department of social services, the head of the county department of mental health and the head of the county alcohol and substance abuse programs."

- Local Post-Release Community Supervision: Offenders released from state prison on or after October 1, 2011, after serving a sentence for an eligible offense, shall be subject to, for a period not to exceed three (3) years, Post-Release Community Supervision provided by a designated county agency. Each county agency shall establish a review process for assessing and refining a person's program of post release supervision.

A Post-Release Community Supervision agreement shall include the offender waiving his/her right to a court hearing prior to the imposition of a period of "flash incarceration" in a county jail of not more than ten consecutive days for any violation of his/her release conditions.

- Revocations Heard & Served Locally: Revocations for realigned offenders and parole revocations will be served in local jails (by law the maximum parole revocation sentence is up to 180 days), with the exception of paroled "lifers" who have a revocation term of greater than 30 days. The Courts will hear revocations of realigned offenders subject to County Supervision, while the Board of Parole Hearings (BPH) will conduct violation hearings in jail for state parolees<sup>2</sup>.
- Changes to Custody Credits: Jail inmates serving prison sentences will be able to earn four (4) days credit for every two (2) days served. Time spent on home detention (i.e., electronic monitoring) is credited as time spent in jail custody.
- Alternative Custody: Penal Code §1203.018 authorizes electronic monitoring for inmates being held in the county jail in lieu of bail. Eligible inmates must first be held in custody for 60 days post-arraignment or 30 days for those charged with misdemeanor offenses.

§1203.016 PC is expanded and authorizes a program under which inmates committed to a county jail or other county correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in the county jail or other county correctional facility or program under the auspices of the Probation Officer.

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

2. Commencing July 1, 2013, the Courts will hear all parole revocations including those under the jurisdiction of CDCR.

## AB109 TARGET POPULATION

AB109 brings two (2) new populations under the supervision and responsibility of local county jurisdiction (See Attachment 1 Flow Chart). The first is the **Post-Release Community Supervision (PRCS)** population of offenders with prison commitment offenses for non-violent, non-serious felonies and who are not deemed to be high risk sex offenders. The second population consists of **non-violent, non-serious, non-sex offenders (NX3)** who will serve their felony sentence locally (excluding 61 offenses, Attachment 2) and can be subject to a mandatory split sentence of probation supervision as ordered by the Superior Court.

Based on estimates from CDCR, beginning October 1, 2011, Santa Barbara County will receive on average 25-35 PRCS offenders per month. The numbers will decrease up to 40% beginning in July 2012 (10-20 PRCS offenders per month) due to the maintenance of the NX3 population locally. It is estimated that upon full implementation, Santa Barbara County's "average daily population" (ADP) of PRCS offenders will be between **300-320** offenders. CDCR's estimates appear to be on target based on a review of 2010 Prison Commitment data for Santa Barbara County.

CDCR estimates that in addition to PRCS cases released for local supervision, Santa Barbara County Courts will sentence approximately 22 front-end NX3 offenders per month to local incarceration under AB109 over the first ten months following implementation. Upon full implementation, it is estimated that the county will be supervising an additional **300-320** front-end NX3 offenders locally. This estimate also appears to be accurate, based on an assessment of the actual number of offenders sentenced to prison by the Courts in Santa Barbara County during the first quarter of 2011.

NX3 offenders serve an average of 166 days before sentencing. It is estimated that at full implementation approximately 66 NX3 sentenced inmates and 24 NX3 violators will be incarcerated in county jail on any average day. CDCR also estimates that approximately 37 paroled PRCS violators would be incarcerated locally on any given day in Santa Barbara County assuming, that on average, the violators would serve 30 days in jail. Based upon the previous full implementation projections, planning includes mitigations for up to 600 County jurisdiction supervision cases and for up to 125 collective jail beds or alternative detention slots.

## II. LOCAL PLANNING AND OVERSIGHT

### A. COMMUNITY CORRECTIONS PARTNERSHIP

In the last two (2) years, there have been statewide efforts to expand the use of evidence based practices (EBP) in sentencing and in probation practices, and to reduce the State prison population. Senate Bill 678<sup>3</sup> (2009) established a Community Corrections Partnership (CCP) in each county, chaired by the Chief Probation Officer

3. SB678, reference page 9 of this report

and charged with advising on the implementation of SB678 funded initiatives. AB117 requires the CCP to develop an implementation plan for the 2011 Public Safety Realignment and the Executive Committee votes to approve the plan for submission to the Board of Supervisors. The plan and recommended programs are to be consistent with local needs and resources as applied to the realignment population.

The CCP Executive Committee which will oversee and report on the progress of the Implementation Plan is also chaired by the Chief Probation Officer. The CCP Executive Committee will make recommendations to the Board of Supervisors for funding to be applied for the various components of the plan. The Board of Supervisors maintains full authority over the appropriation of realignment funds. Voting members of the CCP Executive Committee include:

Bill Brown, Sheriff  
Tim Dabney, Lompoc Police Chief  
Ann Detrick, PhD., Director Alcohol, Drug, and Mental Health Services  
Joyce Dudley, District Attorney  
Brian Hill, Presiding Judge of the Superior Court  
Rai Montes De Oca, Public Defender  
Patricia Stewart, Chief Probation Officer (Chair)

## B. PLANNING AND DEVELOPMENT TEAM

This plan was developed by the CCP and Executive Committee members, their designees and other key partners. Probation began in-house data collection and workgroups in April 2011; with the larger workgroups meeting bi-monthly beginning in June. Staff and volunteers assigned to workgroups included:

### Probation Department

Lee Bethel, Probation Manager  
Damon Fletcher, Administrative Deputy Director  
Tanja Heitman, Probation Manager  
Ron Mose, Supervising Probation Officer  
Dennis Pankratz, Project Manager  
Beverly Taylor, Deputy Chief Probation Officer, Adult Division

### Sheriff's Office

Jim Peterson, Undersheriff  
Don Patterson, Chief Deputy  
Mark Mahurin, Lieutenant  
Mike Haberkorn, Custody Sergeant  
Chuck McClain, Sheriff's Treatment Program (STP), Supervisor

District Attorney's Office

Ann Bramsen, Senior Deputy District Attorney  
Gordon Auchincloss, Chief Deputy District Attorney

Public Defender's Office

Rai Montes De Oca, Public Defender  
Jim Voysey, Assistant Public Defender

Superior Court

The Honorable Rogelio Flores  
The Honorable James Iwasko  
The Honorable Patricia Kelly  
Gary Blair, Superior Court Executive Officer  
Darrel Parker, Assistant Superior Court Executive Officer

Alcohol, Drug, and Mental Health Services

John Doyel, Alcohol and Drug Program Manager  
Asia Eichmiller, Alcohol and Drug Program Services Specialist

State Parole

Ernest Hernandez, Unit Supervisor  
Benjamin Jimenez, District Administrator  
Nancy Kolb, Parole Agent II  
Mark Treadwell, Unit Supervisor

Santa Barbara County Re-entry Project

Rick Roney, Re-entry Steering Committee Chair and citizen volunteer

Community Solutions Inc. (CSI)/Day Report Center Providers

Liz Repp, CSI Program Director  
Katie Ward, CSI Program Director

**C. PLANNING SUPPORT AND COLLABORATIVE BODIES**

*CRIMINAL JUSTICE COORDINATING COUNCIL*

The Santa Barbara Criminal Justice Coordinating Council is convened by the Presiding Judge pursuant to California Rules of Court 10.952. The Honorable Brian Hill coordinates bi-monthly meetings which include judges, the District Attorney, Public Defender, representatives of the local bar, the Chief Probation Officer, Sheriff, Court Administrator, court personnel, and other interested persons. The purpose is to identify and eliminate inefficiencies, inconsistencies, or other obstacles in the criminal court system and to discuss issues of mutual concern. With the advent of AB109, the Criminal Justice Coordinating Council will provide guidance and assistance in the development and implementation of Public Safety Realignment strategies.

#### *COLLABORATIVE COURTS POLICY COUNCIL AND CORE COMMITTEE*

Santa Barbara County first became involved in a Collaborative Court program model in 1997 with the inception of the Substance Abuse Treatment Court (SATC). SATC offered a collaborative model and a therapeutic justice approach that set in motion a governance structure that has continued and has expanded over the years. Initially, SATC was overseen by a Core Committee, which included Judicial Officers, as well as staff from the offices of the Public Defender and District Attorney, the Probation Department, the Santa Barbara County Sheriff's Office, Alcohol and Drug Programs, and the treatment community. When Proposition (Prop) 36 was passed by California voters in 2001, a new Core Committee was formed to manage the program.

In 2002, an executive Collaborative Courts Policy Council was established and tasked with the determination of policy and general oversight of each of the specialty court Core Committees, i.e., the Mental Health Treatment Court, Juvenile Drug Court, SATC, Prop. 36 Court, and the Domestic Violence Review Court. Each Core Committee has liaison personnel who report back to the Policy Council on issues that must be addressed at the executive level. The Collaborative Courts are based in evidence based practices and have evolved into very successful models that are recognized nationally. The high level of collaboration among the partner agencies and shared decision making has been critical to the sustainability and the positive outcomes of the Collaborative Courts. Like the Criminal Justice Coordinating Council, this body will provide guidance and support in the development and implementation of Public Safety Realignment strategies and treatment services.

#### *JUVENILE JUSTICE COORDINATING COUNCIL*

Santa Barbara County's Juvenile Justice Coordinating Council (JJCC) was established pursuant to §749.22 of the Welfare and Institutions Code, which requires counties to establish a multi-agency council to develop and implement a continuum of county-based responses to juvenile crime. The operations of the JJCC established a model for the development and implementation of strategies to respond to adult crime and the AB109 population. Currently, the CCP and JJCC meet on the same day and are defined by many of the same members. This partnership will foster and ensure consistency among stakeholders and continuity in programming for transitional-aged offenders as Realignment strategies are refined and implemented.

#### *SANTA BARBARA COUNTY RE-ENTRY PROJECT*

Since 2005, Santa Barbara County volunteer citizens and multi-agency partners have collaborated regarding how to most effectively manage the state prison parolee population returning to Santa Barbara County from CDCR. The Santa Barbara County Re-entry Project Steering Committee meets monthly, and like the JJCC, is composed of many members participatory in the CCP. This partnership has bolstered the available data and expertise tapped to develop this AB109 Implementation Plan. The following information will further illustrate pre-existing collaboration and program experience with the PRCS population:

Beginning in May 2005, a group of concerned citizens and Santa Barbara County public and private agency representatives (e.g., law enforcement, law and justice, probation, substance abuse recovery, and mental health) began meeting to discuss how to address the challenges facing parolees returning to the county from State prisons and how to reduce recidivism. In March 2006, a Steering Committee was formed to advance the ideas crystallized during the more informal meetings and in November 2006 the formal Santa Barbara County Re-entry Project was formed and a full-time Project Director was hired.

A pilot program was implemented from December 2006 through December 2009. The Project served 134 clients who were tracked for a period of one calendar year after entry into the Project. In addition, there were 40 members of a randomly selected control group who were similarly tracked.

Project clients who were assessed as a very high risk to re-offend had a one (1) year recidivism rate that was 37% lower than the randomly selected control group. As a result of the success of the Pilot Project, in May 2010, CDCR contracted with the Sheriff's Office to continue the activities of the project and run two (2) Day Reporting Centers (DRC) in the County, one in Santa Barbara and one in Santa Maria. These DRCs opened in July 2010 and are designed to serve 300 parolees annually (150 at each site). The DRCs will remain a resource for the parole population and will be a possible contracted resource to effectively serve selected PRCS clients.

#### *INTER-AGENCY POLICY COUNCIL (IAPC)*

To facilitate collaboration, communication, and shared efficiencies, the heads of the Department of Social Services, Public Health, Alcohol, Drug, and Mental Health Services, Child Support, Community Services Department, Probation and the County Executive Office meet monthly and coordinate annual retreats to develop projects, strategies, and initiatives to provide inter-departmental coordination. IAPC members have drafted or reviewed draft language pertinent to their scope of operations and contributed to the review of the final draft plan.

### **III. REALIGNED POPULATIONS, SERVICE AND FUNDING**

Santa Barbara County provides a number of evidence based interventions and successful treatment options for offenders that will be expanded. Evidence based programs are becoming the standard (Attachment 3). Validated assessment tools are a key component to the implementation of evidence based practices (EBP) and are used by Probation and the treatment community to determine appropriate risk and need of the client. The County has also benefited from very successful outcomes realized through nationally recognized Collaborative Courts, which include the Substance Abuse Treatment Court and the Mental Health Treatment Court (Attachment 4). The Clean and Sober Court and Restorative Justice Court are recent additions to the Collaborative Courts. Evidence based substance abuse and treatment programs are funded

through Alcohol, Drug, and Mental Health Services (Attachment 5); alternatives to detention programs are offered by the Sheriff (Attachment 6); and the Sheriff's Office and Probation provide evidence based programming and offender accountability at two (2) Day Report Centers (DRCs) and two (2) Probation Report and Resource Centers (PRRCs) (Attachment 7 & 8, respectively). Local partners will build upon successful models and implement promising new practices to responsibly meet the diverse needs of the realigned population (Attachment 9).

#### *PROJECTED POPULATION*

The State has estimated that upon full implementation, Santa Barbara County will assume responsibility for the supervision of approximately 600-640 additional offenders at any point in time across all agencies. This population is diverse and includes offenders who have been convicted of property, public disorder, drug, and domestic violence offenses, as well as gang-involved offenders. It is estimated that an average daily population of approximately 125 offenders will be serving a sentence of local incarceration or be sanctioned to early release or alternatives to detention. As a jurisdiction subject to a court ordered jail cap, opportunities to expand jail beds are limited, so alternative sanctions and creative early release and detention alternatives including home detention and electronic monitoring/Global Positioning System (GPS), are critical to the success of the local plan.

#### *PROJECTED FUNDING*

AB109/AB117 for community corrections becomes operative October 1, 2011. State funding will be allocated to Santa Barbara County's Community Corrections Performance Incentives Fund (CCPIF). This fund was originally established by SB678 (2009 California Community Corrections Performance Incentives Act) and will now receive SB678, AB109, and all previously funded Vehicle License Fee (VLF) program funds, which will be accounted for separately (e.g. Juvenile Justice Crime Prevention Act, Juvenile Probation Camp Funding, Youthful Offender Block Grant, SB678, etc.).

SB678 gives broad discretion to probation departments in selecting and implementing EBP to maximize the return on investment and improve outcomes with more effective supervision of probationers, which ultimately impacts commitments to state prison. The Probation Department's use of evidence based supervision practices has successfully reduced the number of probationers being sent from Santa Barbara County to state prison for probation violations, from a three-year average of 312 (2006-2008) to 201 in 2009. As a result, Probation has recently received a formula grant of \$888,000 for FY 2011-12. These funds will be directed toward services and support for existing felony probationers (totaling approximately 2,710). Probation's experience with evidence based assessments and programs geared to the traditional probation population ensure the County of Santa Barbara is well poised to expand successful strategies and outcomes to the realigned offender population.

The formula establishing annualized statewide funding allocations for AB109 implementation in *FY 2011-12* assumes \$25,000 per offender for six months of local



incarceration, with each of these offenders allocated \$2,275 for rehabilitative services while incarcerated or in alternative incarceration programs. This same level of funding will be made available for PRCS and parole violators factored to serve no more than a single 30-day revocation. Offenders on Post-Release Community Supervision (PRCS) or post sentence probationers (NX3) are funded at \$3,500 per person for community supervision and \$2,275 per person for rehabilitative services (for a maximum of 18 months). The above formula establishing a statewide allotment was developed by the State Department of Finance (DOF) and agreed to by the County Administrative Officers Association of California (CAOAC) and the California State Association of Counties (CSAC). Limited funding for planning and start up costs, as well as funding for the courts, prosecution, and counsel were designated to be paid from other funding appropriations. It is presumed that funding allocations will be deployed to redesign the local community corrections model and are not intended to replicate the costly state system or current local models.

The level of local funding available for AB109 implementation is based on a weighted formula containing three elements:

- 60% based on estimated average daily population (ADP) of offenders meeting AB109 eligibility criteria;
- 30% based on U.S. Census Data pertaining to the total population of adults (18-64) in the County as a percentage of the statewide population; and
- 10% based on the SB678 distribution formula.

Based on this formula prorated for implementation on October 1, 2011, Santa Barbara County is projected to receive \$3,878,876 for nine months of FY 2011-12, to serve a combined population of PRCS and NX3 of approximately 477 offenders in the first fiscal year (Attachment 10, 2011-12 AB109 State Allocation Sheet). Collective funding includes:

AB 109 Planning Grant (one-time)	\$ 150,000
AB 109 Training and Implementation Activities (one-time)	273,700
Supervision/Local Incarceration/Treatment	3,878,876
District Attorney/Public Defender	139,040
Courts <sup>4</sup>	166,791
<b>TOTAL:</b>	<b><u><u>\$ 4,608,407</u></u></b>

*JUSTICE REINVESTMENT*

PC 3450(b)(7), as added by AB109, states:

“Fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county. "Justice reinvestment" is a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety. The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating

4. Full statewide appropriation of \$17.7 million

savings that can be reinvested in evidence based strategies that increase public safety while holding offenders accountable.”

**Recommended Spending by Project Component: (See Section VII Spending Plan)**

Project Component	FY 2011-12 Allocation
Jail Custody and Early Release	\$ 993,079
Detention Release Services/Alternatives (includes assessment and treatment)	709,367
Community Supervision and Case Management	1,096,820
Collaborative Law Enforcement Efforts	342,000
Community Mental Health and Drug and Alcohol Treatment	401,440
Transitional Housing/Sober Living	165,000
Evaluation and Data Analysis	40,000
Administration	131,170
Total 2011 Public Safety Realignment Act Funding:	<u><u>\$ 3,878,876</u></u>
Public Safety Realignment Planning Grant	\$ 150,000
Public Safety Realignment Implementation Activities	\$ 273,700

The above funding allocations are based on an October 1, 2011, implementation through June 30, 2012, and are for the first year only. More detail and projected costs for year two operations (with no growth or enhanced services) are included in the Spending Plan.

CSAC, CAOAC, and the DOF will revisit the formula for future years. As indicated in the introduction to this report, the adequate funding of Realignment is necessary to ensure public safety; particularly after a four year period of fiscal challenges resulting in reductions to county law and justice and public safety departments. Initial DOF projections for 2012-13 exceeded \$8 million for Santa Barbara County which would ensure significantly expanded services for the realigned population. However, statewide county and local municipal government and stakeholder associations must work to achieve a guarantee of the revenue necessary for the safe and effective implementation of public safety realignment.

On August 15<sup>th</sup>, the Legislative Analysis Office (LAO) released a report titled “2011 Realignment: Addressing Issues to Promote Its Long Term Success.”<sup>5</sup> It is highlighted

5. See LAO Report at [http://www.lao.ca.gov/reports/2011/stadm/realignment/realignment\\_081911.pdf](http://www.lao.ca.gov/reports/2011/stadm/realignment/realignment_081911.pdf)

that the Legislature's plan relies on a shift of existing state and local tax revenues rather than the extension of expiring tax rates as proposed by the Governor and, the adopted budget legislation does not include the Governor's proposal for the constitutional amendment to make the funding allocations to local governments permanent and protect the state from potential mandate claims.

In a CSAC Summary of the LAO's report it was noted:

"The pressing issues that the LAO recommends the Legislature tackle in the next few weeks include how to allocate revenues if funds are less than expected, prioritizing programs if revenues are higher than expected, minimizing the state's mandate risk, clarifying how counties can contract back with the state for incarceration of adult offenders<sup>6</sup>, and expressing intent to modify the existing grants that encourage reducing the number of probationers sent back to state prison.

Longer-term issues they identify include revenue allocation past the first year, providing counties greater financial and program flexibility, promoting local accountability, and avoiding reimbursable mandate claims.

Notably, the LAO states that 'the clearest way' for the state to avoid reimbursable mandates is to pass a constitutional amendment like the one the Governor proposed, which would exclude 2011 Realignment from the mandate process and require the state to share equally in cost increases. CSAC strongly supports the Governor's proposed constitutional amendment.

Lastly, the report urges the Legislature to use the interim between sessions this winter to reach consensus with the Governor's office, counties, local administrators, and others on how to address the long-term issues they identify."

Undoubtedly, the long term success of the 2011 Public Safety Realignment will be a long and complicated process. *Consequently, the recommendations of this plan are meant to address initial implementation strategies that will be affirmed or modified as part of the ongoing CCP assessment process and subject to review and update on an annual basis.*

6. The CPP-EC has determined not to immediately recommend contracting with a Community Correctional Facility or leasing beds back from CDCR (a process that has not been developed by the State). This will, however, be an option further explored for year two after more data is accumulated and liability concerns are clarified.

## IV. PROPOSED IMPLEMENTATION STRATEGIES

The proposed strategies that follow take into consideration the needs of the AB109 population, the resources available, and the basic services necessary to achieve acceptable public safety/community corrections outcomes. A cornerstone of all of these strategies is the use of a validated risk and needs assessment and development of individualized case plans facilitated by the COMPAS (Correctional Offender Management Profiling for Alternative Sanctions) instrument (Attachment 11).

### A. SHERIFF'S OFFICE

The Sheriff's Office, in conjunction with allied agencies and community partners, will do its best to make the Realignment process as successful as possible in Santa Barbara County. However, it must be re-emphasized that the capability of the existing jail system - including programs and treatment services available both inside the jail and in the community - is inadequate to meet the current needs, let alone the added strain that Realignment will place upon the custody system.

The need for an additional jail facility located in north county is now more pressing than ever. The recommendation of the Sheriff's Blue Ribbon Commission on Jail Overcrowding (i.e. adding limited additional jail capacity in conjunction with an expansion of prevention, intervention, and treatment programs) remains extraordinarily relevant. Increased funding after the initial start-up year should be focused, to the extent possible, on providing evidence based programs addressing prevention, intervention and treatment aimed at reducing recidivism.

During the Realignment process, the Sheriff's Office will continue on a parallel effort to secure the completion of the north county jail through the AB900 process. The Board of Supervisors is to be applauded for taking the initial step of dedicating funds during FY 2011-12 that will be used as "match funds" toward the \$56.4 million AB900 grant. Regardless of the impacts of the Realignment process, the Sheriff's Office maintains it is imperative that the long-term annual plan to set aside funds for the construction of the north county jail be continued.

#### *PROJECTED ADDITIONAL NUMBER OF INMATES*

The Santa Barbara County Main Jail has been subject to a court ordered jail cap dating back to 1985, which specifies a male occupancy capacity of 605 and a female capacity of 101<sup>7</sup>. The Medium Security Facility had 285 jail beds (240 male/45 female). The current decommissioned Santa Maria (SM) Branch Jail has 43 available jail beds. In 2010, the ADP at the Main Jail was 686; the ADP at the Medium Security Facility was 246; and the ADP at the SM Jail was 21. It is noted that unoccupied beds are not always available for use by any given inmate due to gender, segregation, and/or classification restrictions or other operational limits upon inmate housing.

7. Although the Corrections Standard Authority (CSA) rated capacity of the main jail is 765 (with a presumed 85% occupancy per CSA guidelines), the court ordered jail cap is overriding.

Based on estimates supplied by CDCR, by December 2011 the jail will have, at minimum, 66 post sentenced NX3 offenders, up to 37 PRCS and parole violators, and 24 NX3 violators in custody on any given day. In addition to those in custody, by December there will be approximately 90 NX3 and PRCS offenders in the community under active supervision. By the end of the FY 2011-12, the total number of PRCS/NX3 will increase to 477; and to over 600 at full implementation which will include up to 60 incarcerated NX3/PRCS violators at any given time. It is projected that 125 collective jail beds or alternative detention slots will be necessary to meet the capacity required for this realigned detention population.

#### *PROPOSED STRATEGIES FOR COUNTY INMATE POPULATION CONTROL*

To address this expanded population demand, the Santa Barbara Sheriff's Office (SBSO) will take a three-pronged approach.

The first will be to utilize alternatives to incarceration through collaborative efforts with the Probation Department's Adult Special Programs and High Priority Supervision Units and the Sheriff's Alternative Sentencing Division. This will include the use of an evidence based assessment tool to determine those eligible for post sentence early release per §1203.016 PC and which service or program release conditions will be applied. Current alternative programs will be enhanced, including the expansion of GPS staffing and services, participation in north and south collaborative response teams, and assessing and expanding services at the Sheriff's DRCs, concurrent with the expansion of the PRRCs.

The second strategy will be to work with the Criminal Justice partners in the development of a pre-trial and pre-sentence release program. Development and implementation of an electronic monitoring program pursuant to PC §1203.018 for inmates being held in lieu of bail will be assessed.

The third approach will be to blend general fund resources with AB109 revenue and recommission the Santa Maria Branch Jail to increase jail capacity by 43 beds. New beds will add to system wide availability and will be deployed as longer term beds for PRCS/NX3 and parole violators (23 beds), as well as for flash incarcerations (10 beds) and to reinstitute a number of booking/holding beds (10 beds).

There is no increase to operational beds or treatment space in the Main Jail. Therefore, it is not anticipated that aside from a Re-entry Planner and Deputy Probation Officer (DPO) assessor, that current Main Jail staffing or programs will be immediately impacted by the realigned population. Programming and classification issues, facility incidents, and staff to inmate ratios will be routinely reassessed to determine the necessity to redeploy or add resources to enhance safety or to implement responsive treatment strategies.

#### *SHERIFF'S ALTERNATIVE DETENTION PROGRAMS*

Alternatives to incarceration managed by the SBSO will be expanded and made available to the realigned population providing they meet eligibility criteria and space is

available. Offenders eligible for release to an alternative program will be assessed for release based on risk and need. The pre-sentence report and court commitment period, in-custody behavior, participation and progress in jail programs and services, eligibility based on current charges and prior convictions, and availability of alternatives to incarceration best suited for the prisoner will be considered in the decision making process. Depending on the status of the offender and jurisdiction, the Sheriff or Probation staff will provide supervision in the community.

In 2010, the ADP for the SBSO alternative programs was 171. AB109 will require a significantly increased reliance on alternatives to incarceration in order to manage anticipated offender population increases. Included in the alternatives is involuntary home detention and electronic monitoring for the post-sentenced inmates per §123.016 PC. In addition, PC §1203.018 will allow the Sheriff to release prisoners being held in lieu of bail in the county jail to an electronic monitoring program under specific circumstances. The Sheriff and the District Attorney may prescribe reasonable rules and regulations under which such a program will operate and a team will be selected for project development. Specific eligibility criteria will limit the number and type of pre-trial prisoners eligible for this program.

As noted above, Probation and Jail personnel will coordinate to implement an enhanced early release/re-entry program, using SB678 funds for traditional probationers and AB109 funds for NX3 or PRCS populations. A Sheriff's Treatment Program (STP) Re-Entry Planner, in tandem with an Assessment DPO, and two (2) Early Release/Re-Entry Officers will assist in the assessment process and supervision of offenders early released from jail who are under the supervision of the Probation Department. An evidence based assessment tool will be used for both populations to determine the appropriateness for early release and to develop the re-entry services case plans. Ideally, the assessment and planning activities will occur 45 days prior to an inmate's release to ensure the connection of the offender to needed services *prior* to his/her release from incarceration. To ensure that limited resources are appropriately directed and effectively coordinated, these staff will work closely with custody personnel, jail medical/mental health staff and drug and alcohol counselors, and local community providers.

## B. PROBATION DEPARTMENT

### *PROJECTED NUMBER OF REALIGNED OFFENDERS SUBJECT TO PROBATION SUPERVISION*

The Probation Department estimates at the end of January 2012, there will be 224 offenders from the realigned population subject to county supervision. These include inmates released from state prison (PRCS) and offenders who have served their prison sentences locally in jail (NX3). As previously noted, based on numbers provided by CDCR, this population is projected to grow to an estimated 477 by July 1, 2012. Upon full implementation, on any given day, the number will total 600-640 offenders. Of that number, 300-320 will be subject to PRCS and 300-320 will be NX3 offenders.

Supervision for the PRCS offenders shall not exceed three years. An individual may be discharged following six months of successful community supervision and shall be discharged after one year without a violation. It is not anticipated that many PRCS offenders will be discharged early from supervision. The NX3 population will remain on probation for the length of their sentence, minus any time spent in local confinement, or terminate early from supervision by an order of the Court.

#### *PROPOSED STRATEGIES*

Probation has been designated as the County agency responsible for administering programs directed to the post-release community supervision population and by code will supervise the NX3 population who are sentenced to a local prison commitment and to a split sentence of probation supervision. Resources available will include intensive community supervision and routine home visits, home detention with electronic monitoring, day reporting, outpatient behavioral health treatment (e.g., substance abuse, mental health, sex offender, batterer's intervention), sober/transitional housing, limited detox and/or residential substance abuse treatment, urinalysis testing, cognitive behavioral interventions, restorative justice programs, community service, family strengthening strategies, pre-release services (assessments and supervision planning pending release from jail), referral to education, vocational training/employment services, housing resources, and imposition of up to 10 days in jail (flash incarcerations by administrative process) as a sanction for violating PRCS conditions. PRCS violations exceeding 10 days confinement without a defendant waiver and jail time for NX3 violations will require Court adjudication with representation by counsel.

#### *PRCS AND NX3 COMMUNITY SUPERVISION OFFICERS (ASSIGNED TO ADULT HIGH PRIORITY AND SPECIAL PROGRAMS UNITS)*

In response to current research on offender rehabilitation and what works to reduce recidivism and improve public safety, Probation invested in implementing evidence based assessment tools, supervision strategies, and intervention practices proven effective in reducing recidivism and improving outcomes. Targeting interventions by assessing and identifying criminogenic risk factors which contribute to ongoing criminal behavior is core to EBP. Currently, once the offender is granted probation, a risk and needs assessment is conducted using COMPAS, a validated risk tool. Having the assessment information earlier in the process, at the time of sentencing, would guide sentencing recommendations and identify the most appropriate supervision conditions and services to reduce the likelihood of re-offense. Pre-sentence assessments and related evidence based sentencing strategies will be a system change reviewed by the Criminal Justice Coordinating Council for incremental implementation.

Probation will form specialized caseloads assigned to the High Priority and Special Programs Supervision Units with responsibility for intensive supervision of the PRCS and NX3 population. Staff will use pre-existing Probation information, reports, and CDCR transfer information (PRCS population), in tandem with assessing the offender using the COMPAS to guide supervision intensity, treatment/program referrals, case management efforts, and offender activities. As part of an early release/re-entry strategy with the Sheriff, Probation is in discussions with Northpointe, Inc. to expand

the use of COMPAS assessment tools to the County Jail (CJ) for purposes of determining appropriate candidates for early release. COMPAS is also the assessment tool used by CDCR for in-house case management services. Consequently, there will be consistency of risk/needs assessment between CDCR, the CJ, and Probation.

A system of rewards and responses is critical in identifying appropriate levels of interventions. Probation is in the process of researching and refining a decision-making matrix that will provide guidance in selecting appropriate intermediate sanctions in response to offender behavior. The matrix will facilitate decision making based on offender risk and criminogenic need factors, the severity of the violation, and the offender's behavior and will establish a decision-making structure to promote consistency in response to milestone achievements or violations.

Given the anticipated high-risk level of the AB109 population, a 50:1 offender to officer staffing ratio is initially recommended. Parole supervision ratios in Region 4 are reported to be 80:1 for a mixed risk caseload, with a recommended reduction to a 48-53:1 ratio for the non-realigned parole population. Current probation supervision ratios for general high priority caseloads are 70:1, 50:1 for specialty cases, and 40:1 for hybrid Targeted Gang Intervention caseloads (Attachment 1). The proposed 50:1 ratio for the realigned population recognizes the reality of fiscal constraints; exceeding the 20:1 caseload ratio recommended by the American Probation and Parole Association (APPA) for the highest risk offenders, but it is presumed that not all of the targeted population will risk-out at the highest level. With a 50:1 supervision ratio, 11 Deputy Probation Officers (DPOs) and a Supervising Probation Officer (SPO) are recommended for phased-in deployment during the first year of implementation. A timeline for hiring and related detail is outlined in the Spending Plan.

Collaborative case planning is critical and must involve the offender. Probation began implementation of an evidence based adult offender case plan model in March 2011. Individual factors such as strengths, risk factors, needs, learning style, culture, language and ethnicity are integral to the determination of appropriate interventions and services. In addition to these important considerations, COMPAS will determine the level of supervision the probationer requires and identify the type of evidence based treatment and services the probationer can participate in to be successful on supervision; promoting dual goals of reducing the risk of re-offense and increasing pro-social functioning and self-sufficiency.

In addition to intensive supervision and collaborative case planning, Probation will actively explore a variety of alternatives to incarceration. Probation and the Sheriff are committed to work collaboratively to expand the PRRCs as well as the Sheriff's DRCs.

In order to offer viable transitional services to the PRCS population, the Sheriff's DRC facility will need to expand (Attachment 7). The initial plan will be to purchase existing program slots at the Santa Maria DRC and support the enhancement of existing services. In Santa Barbara, the DRC has limited space available for growth but expanded hours of operation will be negotiated. A conservative number of 30 slots per site has been projected.



The PRRC was first piloted in December 2009 in Santa Maria using redirected Probation Department resources. Through the American Recovery and Reinvestment Act (ARRA) funding, the Santa Barbara PRRC began limited operations in April 2010 and in July 2010, opened as a fulltime center. The State allocated one-time ARRA/California Emergency Management Agency (Cal EMA) funding to counties to promote the start up of SB678 and subsequent SB678 revenues are targeted to support the PRRCs. The PRRCs have been used primarily as a resource center for high risk felony probationers (Attachment 8). On average 158 high risk felony probationers countywide receive services at the PRRCs each month. The PRRCs provide cognitive behavior interventions, positive community connections, parenting classes, employment development, substance abuse treatment, intervention and referrals. Effective August 2011, the Sheriff's Treatment Program (STP) substance abuse curriculum has been added as a PRRC resource option (Attachment 13).

The PRRC will be expanded to serve as a traditional day report center with weekend hours available. It will be used as an early release alternative for the NX3 population, pre-sentence NX3, and post-sentence traditional probationers, and in lieu of jail for probation/NX3 violations. Traditional probation cases and the NX3 population will be referred to the PRRC for programming, early release monitoring and reentry services. Early release/re-entry staff will ensure a COMPAS Risk and Inventory of Needs (ION) assessment is completed. Based on the status of the client, assessed needs, and requirements of probation etc., a case plan (via COMPAS) will be developed. As determined by the case plan and risk, offenders will attend the PRRC up to five days per week. Re-entry and cognitive behavioral programming, substance abuse counseling and support groups, job search skills and support, basic education tutoring, and parenting classes are currently in place. Positive community connections will be developed and support and supervision will be enhanced by assigned DPOs at the PRRC and supervision in the community. This will include regular field visits by the DPOs, and, based on risk, monitoring via electronic monitoring such as GPS and/or Secure Continuous Remote Alcohol Monitoring (SCRAM).

#### COLLABORATIVE LAW ENFORCEMENT EFFORTS

It is also highly recommended that two (2) countywide collaborative Response Teams, be developed, including team deployment in mid county. Each team will consist of a Deputy Sheriff and a DPO. These Officers will provide compliance monitoring checks with random home visits, searches, and the team members will facilitate and lead warrant apprehension activities, respond to high level GPS alerts, and assist local municipal law enforcement and allied agencies with operations or incidents related to the realigned offender population. The Probation team members will also have limited caseload responsibilities within their regional assignments.

In recognition of the efficacy of joint law enforcement task force activity and collaborative efforts to improve public safety, it is also recommended that a regional realignment response activity allocation of overtime funds be identified for local municipal police, county law enforcement, and other allied agencies to respond to

incidents related to the realigned offender population and for participation in multi-agency operations to conduct searches or warrant apprehensions as coordinated by the Response Teams.

## C. CRIMINAL JUSTICE PARTNERS

### COURTS

#### *PROJECTED NUMBER OF ADDITIONAL REVOCATION CASES*

Under AB117, a budget trailer bill accompanying the 2011 Budget Act, the Superior Court's role in criminal realignment previously outlined under AB109 has been substantially narrowed to handle only the final revocation process for PRCS and NX3 offenders who violate their terms or conditions of community supervision beginning on October 1, 2011. The Court, Public Defender, and District Attorney have agreed that these hearings would be processed consistent with current Probation Violation hearings.

With the Court's role in revocation proceedings for persons under State Parole supervision and serious and violent parole violators being delayed per AB117 until July 1, 2013, the Court collaborative workgroup did not predict immediate or overwhelming impacts on Court operations related to violation hearings for the realigned population. According to state estimates, the total parole and post-release supervision population expected to be serving revocation sentences in local custody is estimated to be 37 on any given day. There are however operational obstacles that can affect the Courts if filing and settlement practices change to impact the volume of court appearances and jury trials. In addition, the Court workgroup will monitor increased requests for conflict defense attorneys related to contested revocation hearings for this population and the associated costs not covered by realigned revenue.

*The State Budget appropriated separate funds for the Judicial Branch to undertake Realignment functions and Santa Barbara County's allocation is \$166,791 for local court operations and security.* The Judicial Branch and Administrative Office of the Courts is proceeding with the related implementation planning and the development of judicial rules and forms for final revocation procedures. The Criminal Law Advisory Committee is proposing the adoption of rules 4.540 and 4.541 of the California Rules of the Court and *Petition for Revocation of Community Supervision* (Form CR-300). Review and submission of comments were due on August 17, 2011.

*The Public Defender and District Attorney will collectively receive a set \$139,040 appropriation as a result of State Realignment. The allocation is for equal shares totaling \$69,520 for each Department.*

## DISTRICT ATTORNEY

### *IMPACT OF REALIGNMENT ON THE DISTRICT ATTORNEY'S OFFICE*

Realignment is projected to have a significant impact on the workload of the District Attorney's (DA) Office, as well as the sentencing options available to resolve cases. The DA anticipates three major impacts.

First, the DA will now be responsible for reviewing, charging, and prosecuting final violations of PRCS and NX3 offenders. For these cases, jurisdiction of the BPH is being transferred to the Santa Barbara County Superior Court and those violation hearings will be handled by the DA in local courtrooms.

Second, the DA anticipates that prosecutors will need to make more court appearances and engage with cases for longer periods of time. Given that non-violent, non-serious, non-sex offender cases sentenced to state prison will now serve their custody time locally, local authorities could take on additional responsibilities to track and monitor offenders after conviction. The number of appearances on a case could increase before sentencing because achieving agreement on the appropriate sentence may be protracted and, after sentencing, because final sentence violations come back to the DA for assessment and adjudication. Also, because Realignment dramatically changes sentencing options, negotiated dispositions could decrease, resulting in an increase in the number of jury trials. This would not only severely impact the resources of the DA, but would also impact the resources of the Public Defender's (PD) Office and the Courts.

Third, the DA's Office must now develop expertise in alternative sentences and work closely with criminal justice partners to ensure effective sentencing with a reduced level of reliance on incarceration. Prison (actual confinement in a CDCR facility) is excluded as a sentence option for numerous offenses, and relying on jail in lieu of prison will further overburden the jail system. Realignment will force the DA to use new sentencing approaches that are based on the assessed risk and needs of the offender and incorporate the strategic usage of programs. It will also cause numerous recidivist offenders that were previously classified as unamenable to supervision on probation to be released back into the community on electronic monitoring which could appreciably impact public safety and increase the number of new criminal cases filed.

Finally, the DA's Office would be remiss if serious concerns were not expressed about the impact AB109 could have on public safety. NX3 offenders comprise the majority of felons convicted in our courts and AB109 effectively eliminates the sanction of state prison for these offenders even if they repeatedly reoffend. In addition, because of the provisions of AB109 coupled with jail overcrowding, recidivists who previously were sentenced to long terms in state prison may now be released back into the community on electronic monitoring with little or no significant punishment in the form of incarceration. It is worth mentioning that a majority of NX3 offenders who were previously sentenced to state prison are recidivists that already had the benefit of

supervised probation that may have included rehabilitative programs. Many of these offenders refused treatment or violated probation so many times they were considered by the courts to be unamenable to supervision before being sentenced to state prison. This option will no longer be available.

The powerful disincentive of a possible state prison sentence will no longer exist for NX3 and PRCS offenders and the prospect of any punishment in the form of incarceration will be severely curtailed, and in some cases eliminated, occurring only when there is sufficient room in an already overcrowded county jail.

The AB109 prosecution funding allocation is insufficient to offset DA costs to process the affected offender population. Additionally, as more criminal recidivists are released early back into the community there is the potential for crime rates to climb resulting in more work for everyone in the criminal justice system. Selected staff may specialize in NX3 and PRCS cases, but full-time specialty assignments are not supported at this time by the projected funding. Workload assessment will be ongoing as CDCR workload projections were deflated and did not include the many unintended systemic consequences that will manifest only after implementation occurs. Present funding provides for approximately one half of an entry level Deputy District Attorney with no experience. Additional attorneys, investigators, and legal office professionals may be required to provide the necessary level of prosecutorial staff time to meet the duties associated with AB109.

#### *DA'S REALIGNMENT STRATEGY*

Given these anticipated changes, the DA is implementing the following action plan to prepare the office for changes under Realignment:

To equip prosecutors with a "Recidivism Reduction Approach" to assessing sentencing options, when resources permit, the DA will organize staff trainings on alternative sentencing options and best practices in recidivism reduction and develop tools to increase the capacity of staff to utilize a recidivism reduction analysis when deciding best sentencing strategies. AB109 one-time implementation funds will be requisitioned to offset eligible training expenses.

To help access relevant offender history information earlier in the case resolution process, the DA will work with Probation to evaluate the possibility of completing the assessment and utilizing COMPAS information earlier.

To increase utilization of Santa Barbara County's wide array of Collaborative Court programs, the DA will partner with other criminal justice agencies and the Collaborative Courts Policy Council and Core Committees to further assess guidelines for the varied programs and educate line staff regarding the programs and the eligibility requirements.

DA will also explore expanding the application of alternative sanction/detention programs for categories of offenders that may be well suited to these strategies,

provided there is no perceived risk to public safety. The further examination of prison and jail populations will assist in the assessment of categories of local offenders appropriate for electronic monitoring or other community supervision programming rather than incarceration. The DA will also work with the partner agencies to identify gaps in community based programming and assess the viability of expanding high-demand programs exhibiting positive outcomes.

## PUBLIC DEFENDER

### *IMPACT OF REALIGNMENT ON THE PUBLIC DEFENDER'S OFFICE*

Realignment presents a challenge as well as an opportunity for our community and the Public Defender's Office (PD). If implemented in a thoughtful and cooperative way, Realignment presents our community with the opportunity to re-shape relationship with those persons in our community who commit non-violent criminal offenses. The PD's Office will continue to represent clients in a way that serves their interests as well as those of our community.

In the short term, as the DA's Office evaluates how Realignment is implemented by the other agencies in the Law and Justice community, we might anticipate a possible change in the DA's filing decisions if the office chooses to file charges so that defendants are not eligible for local incarceration as a result of the limitations on eligibility found in PC §1170(h). These filing decisions may in turn lead to more protracted pre-trial negotiations and hearings, as well as more complicated sentences and sentence negotiations under the statute's new sentencing criteria. The PD's Office will need to develop both personnel and expertise in alternative sentencing strategies to ensure the needs of the client and the risk to the community are appropriately weighed when making recommendations for the placement of clients in treatment and alternative release programs.

After sentencing, the Public Defender's Office may be required to continue representing PRCS and NX3 defendants in final violation proceedings that as of October 1, 2011, will be conducted in the Superior Court. When PRCS and NX3 offenders were under state jurisdiction, this workload was handled administratively through the BPH and by attorneys contracted by the State. It is anticipated that the statutory changes providing courts with new sentencing options might require defense and prosecution attorneys to be engaged with cases/clients for longer periods. The type of involvement will depend upon the manner in which the Superior Court will sentence and supervise its defendants. For instance, if the courts develop a "Re-entry Court", modeled on the Collaborative Courts, [PC §3015(e)], the PD's involvement will be significant. A "Re-entry Court" may well be the preferred model for supervising parolees under local supervision as well as parolees coming from CDCR after July 2013. The expeditious development of a "Re-entry Court" would provide all parties with the opportunity to gain the experience and expertise that will be needed after July 2013.

## *PUBLIC DEFENDER'S REALIGNMENT STRATEGY*

The AB109 allocation for defense representation does not provide the resources necessary to establish a specialized Realignment Team. This Office supports the County's efforts to guarantee the continuous and suitable funding necessary to make Realignment successful. Working with an investigative aide/social services case worker, PD attorneys will need to defend clients charged with violations of their community supervision/parole agreements, as well as identify and locate treatment programs appropriate to these same clients. Because there is currently no investigative aide/social services caseworker on staff, the PD will need to hire someone to this position whose salary will be offset by AB109 funds.

The attorneys assigned to cases involving the realigned population will be responsible to collaborate on the design of alternative sentencing plans and identifying clients who are eligible for programs under AB109. Training will be established on alternative sentencing strategies and best practices in recidivism reduction. AB109 one-time implementation funds will be requisitioned to offset eligible training expenses. The PD will work with DA's staff to explore and develop new sentencing alternatives.

Current Realignment funding contains limited resources to provide representation to individuals facing local parole and "post-release community supervision" violation hearings. The volume of hearings, as well as the Court's ultimate protocol for handling the hearings, will determine the resources required. Additional attorneys, investigators and paralegals may be required to provide representation at these hearings. The projections provided by CDCR have been a moving target; initial projections of this workload were significantly reduced from the previous year's volume and did not include unintended systemic consequences that will manifest after the statute is fully implemented. Consequently, the response of the PD's Office will continue to evolve and workload will be assessed to identify the resources needed to fulfill the role given to the Office by statute.

## MUNICIPAL LAW ENFORCEMENT AGENCIES

The Municipal Law Enforcement Agencies (Santa Maria Police Department, Santa Barbara Police Department, Lompoc Police Department, and Guadalupe Police Department) recognize that the Public Safety Realignment Plan, pursuant to AB109/AB117, seeks to minimize the impact to local public safety municipalities. However, this Realignment plan is untested and the actual impact to public safety, crime, and recidivism in the streets and neighborhoods of municipalities within Santa Barbara County is yet to be measured.

Municipal law enforcement anticipates reliance upon and collaboration with Probation staff assigned to AB109/AB117 caseloads as well as the regional "Response Teams" (two Deputy Probation Officers and two Deputy Sheriffs). Municipal law enforcement officers anticipate a steady exchange of PRCS/NX3 population information to facilitate monitoring and violation investigations within each jurisdiction.

A small amount of funding has been set aside to offset the additional costs incurred by municipal law enforcement and allied agencies (Regional Realignment Response Activity Fund) to defray the cost of deployment in response to incidents involving PRCS/NX3 offenders who are now under the supervision of the Probation Department, that, absent AB109 Realignment, would be incarcerated in State prison or under the supervision of State Parole authorities. Additionally, the "Response Teams" and DPOs carrying PRCS/NX3 caseloads will periodically, or upon request of local law enforcement, coordinate sweeps, probation/parole searches, and other operations to address neighborhood problems, criminal activity and public safety concerns.

The municipal law enforcement agencies agree to work with the CCP-EC and Santa Barbara County Probation Department to establish a suitable method for disbursement of the Regional Realignment Response Activity Fund fairly across the various jurisdictions. It is acknowledged that the Regional Realignment Response Activity Fund is established at \$60,000 for the remainder of FY 2011-12 and preliminarily at \$120,000 for FY 2012-13.

The CCP and CCP-EC recognize that allocations to the Regional Realignment Response Activity Fund may be adjusted after year one based upon the actual public safety impact of AB109 Realignment at the municipal level.

#### D. ALCOHOL, DRUG, AND MENTAL HEALTH SERVICES (ADMHS) - TREATMENT SERVICES FOR REALIGNED OFFENDER POPULATION

From empirical research and Santa Barbara County data it can be assumed that a significant majority of adults in the criminal justice system will have behavioral health issues, substance abuse, diagnosable mental health disorders (including conduct and anti-social personality disorders) or co-occurring disorders (COD) (having both mental health and substance use disorders). Treatment will need to be integrated to ensure the most positive outcomes. Considering the collective SB678 and AB109 populations, treatment needs will exceed the resources currently available.

Central to success is the establishment of a matrix of services that will provide an appropriate level of intervention to subjects under probation supervision with a diagnosable behavioral health condition. ADMHS has a history of serving, or contracting with local providers to serve, the offender and ex-offender population. Innovative and evidence based treatment services targeting the myriad of mental health and substance abuse-related needs affecting the realigned population will be a requirement of pending service contracts.

One of the most significant barriers for the realigned population supervised in the community will be housing. To maximize treatment effectiveness and positive outcomes, housing options are essential. A significant investment in sober living beds, in combination with outpatient drug free counseling, will be vital (See Section E of this Chapter). In addition, another probable barrier will be the lack of psychiatric resources. This service gap and related obstacles to the success and stabilization of the target

population needs to be addressed with psychiatric assessments, medications, and support services. Finally, treatment capacity, primarily outpatient drug free (ODF) treatment capacity, will have to be expanded to accommodate a significant increase in unique client numbers. Funding for all stated treatment and housing gaps will be markedly increased using AB109 revenue as outlined in the Spending Plan.

#### *PROJECTED MENTAL HEALTH/DRUG & ALCOHOL TREATMENT SERVICES*

It is estimated that up to 80% of the realigned population, or approximately 480 offenders after full implementation, will present with some degree of a behavioral health/substance abuse condition that will warrant a treatment intervention. It is noted however, the AB109 population will not be new to the community; they will simply be confined locally rather than in CDCR before release, and will be subject to County, rather than State supervision. Service needs will not increase due to an increased target population in the community, but due to a better assessed and more frequently referred population under local jurisdiction.

#### *TREATMENT STRATEGIES*

Treatment works and is successful when there is a good match between the client needs and treatment interventions that are congruent with those needs. The backbone or mainstay of treatment is outpatient drug free; however, outpatient drug free methods require a stable living environment. Few clients have ever succeeded in treatment unless they have stable housing in a relatively drug free environment. Many treatment models work, but the most effective both in terms of positive outcomes and cost effectiveness is cognitive behavioral approaches such as the Matrix Model (Attachment 13). With clients who have suffered trauma, especially Post Traumatic Stress Disorder (PTSD), trauma-informed treatment appears to be all but essential and can be provided on a cost effective basis. Psychiatric care and medications should also be budgeted if possible, as up to 20-40% of clients may require psychiatric services with up to 10% requiring acute services. Finally, peer-based or recovery oriented systems of care will probably be the most cost effective and efficacious elements of alcohol and other drug and COD services in the future.

Resources can be managed and maximized most efficiently by creating a menu of synergistic evidenced based practices. Sober and/or transitional living provides affordable and stable housing that, when combined with outpatient drug free counseling, provides a full range of effective and affordable treatment opportunities. Regardless of housing, expanding outpatient drug free services, such as cognitive behavioral treatment, is effective in providing high levels of client care at affordable costs. Funding peer-supported or Recovery Oriented System of Care (ROSC) groups to supplement and enhance the 12-Step group meetings is both economical and effective in helping clients obtain and sustain long-term sobriety and recovery. Finally, targeted mental health and/or psychiatric services will help clients with co-occurring disorders obtain sobriety, avoid relapse and avoid admissions into costly controlled environments.



E. DEPARTMENT OF SOCIAL SERVICES (DSS), COMMUNITY SERVICES DEPARTMENT (CSD), PUBLIC HEALTH DEPARTMENT (PHD) – HUMAN SERVICES, HOUSING, AND HEALTH SERVICES FOR REALIGNED OFFENDERS UNDER COMMUNITY SUPERVISION

Central to the success of individuals and their families are individualized supportive, housing and medical services provided by DSS and/or CSD, and/or PHD. DSS or CSD will provide services, access to benefits, and housing opportunities to eligible clients, and PHD will provide health care services to the realigned population who are eligible and out of custody and supervised in the community by Probation. DSS will assess referrals of single individuals and those with families for all benefit programs, including CalWorks, CalFresh, Medi-Cal, and General Relief. Because of the closer coordination and communication we intend to achieve as part of the CCP, there may be an increase in the number of individuals applying for benefits, and, the length of time receiving benefits may increase due to planned joint efforts to promote job readiness and long-term self-sufficiency. DSS will monitor the impacts and provide periodic data on benefit issuance to the realigned population.

It is noted that of the 4,068 individuals on active probation supervision (excludes warrants) 237 or 6% are listed as transient. The current regional parole population reported to be transient or homeless is 9.4%. Of the current DRC population, over 25% received transitional housing assistance. Using a blended average, it is projected that 17.5% of the realigned population will require transitional housing during the first year. Year one projections for a homeless/transient population equal 2,677 bed days. In addition there is another segment of the population who may have a place to stay but, their living environment will not be conducive to sobriety or successful re-entry. It is anticipated that at least an equal amount of clean/sober beds will be required for this population. Year one projections are outlined in the Spending Plan. Additionally, funding for detox beds and subsidizing the cost of SCRAM for this population has been incorporated into the menu of proposed services.

The Department of Social Services will collaborate with Probation to integrate employment assistance and training through the Workforce Resource Centers and Workforce Investment Act Programs to better serve the realigned offender population. DSS has a history of collaborating with local non-profits in seeking grant funds targeted at the offender population to provide specialized work training and will continue these efforts as part of the Realignment collaborative process. Once stable housing is secured and treatment referrals executed, regular employment maximizes the likelihood of case plan compliance and success in the community.

DSS and Probation will also collaborate in case planning for mutual clients subject to Child Welfare Services (CWS) and PRCS/NX3 supervision.

## V. PROPOSED OUTCOMES

Realignment as a policy initiative and the intervention strategies articulated in the local Public Safety Realignment Plan are intended to *improve success rates of offenders under supervision*, resulting in less victimization and increased community safety. Accomplishing this in the most cost efficient manner and employing proven correctional and justice system practices is the primary strategic goal of the initiative.

Evaluation of the outcomes achieved by the strategies proposed herein will be critical in order to guide future decisions in the investment of subsequent AB109 funds. Consequently, it is important to appropriate funding to support formal data analysis and outcome measurement assessment.

### *OUTCOME MEASURES*

The Realignment Plan seeks to achieve the following three outcomes:

1. Implementation of a streamlined and efficient system to manage the additional responsibilities under Realignment;
2. Implementation of a system that maintains public safety and utilizes evidence based practices/best practices in recidivism reduction; and,
3. Implementation of a system that effectively utilizes alternatives to pre-trial and post-conviction incarceration where appropriate.

To verify the achievement of these outcomes, CCP partners will develop and track numerous outcome measures. Examples of potential outcome measures include:

- Partner feedback on effectiveness of mechanisms in place to collaboratively address Realignment issues as they arise
- Percentage of offenders successfully completing traditional felony probation supervision
- Percentage of offenders successfully completing NX3 supervision
- Percentage of offenders successfully completing PRCS
- Felony recidivism rates for traditional felony probation
- Misdemeanor recidivism rates for felony probation
- Felony recidivism rates for NX3

- Misdemeanor recidivism rates for NX3
- Felony recidivism rates for parolees now under county jurisdiction (PRCS)
- Misdemeanor recidivism rates for parolees now under county jurisdiction (PRCS)
- Number and type of offenders sentenced to county jail and state prison
- Number and type of offenders sentenced to probation or alternative programs
- Percentage of PRCS, NX3, and traditional probation offenders participating/completing treatment referral
- Percentage of PRCS, NX3 and traditional probationers employed at time of grant/release and quarterly thereafter
- Percentage of NX3, PRCS, and traditional probationers participating in and successfully completing GPS/Early Release (ER) alternative release programs
- Percentage of GPS or other ER program slot days used
- Percentage of offenders on GPS programs/percentage of offenders on other ER programs (types of programs)

Further or alternative measures will be discussed and developed among the CCP partners or will be developed by an external evaluator providing data measurement and assessment assistance.

## **VI. CLOSING STATEMENT**

The Community Corrections Partnership Executive Committee is pleased to have the opportunity to recommend the preceding plan and the following spending recommendations for the implementation of the 2011 Public Safety Realignment. The process reinforced the success and degree of pre-existing collaboration and the extent to which EBP and best practices have been applied in the operations of community corrections in Santa Barbara County. Although the challenges introduced by AB109 are multifaceted and the revenue is limited, there is a collective recognition that all members of the Community Corrections Partnership will work together to seize opportunities for improved offender outcomes and enhanced public safety as defined by local standards and expectations.

## VII. SPENDING PLAN NARRATIVE

### *Santa Barbara County 2011-2012 AB109 Allocations*

(1) Programs-Supervision/Local Incarceration/Treatment:	\$3,878,876 (prorated)
(2) DA/PD Prosecution and Defense:	\$139,040 (prorated)
(3) Training, Retention, capital start up costs:	\$273,700 (one-time)
(4) Community Corrections Partnership Planning:	\$150,000 (one-time)

### *JAIL CUSTODY/EARLY RELEASE*

<u>FY 2011-12 Jail Custody/Early Release Total</u>	<b>\$ 993,079</b>
<u>FY 2012-13 Jail Custody/Early Release Total</u>	<b>\$ 1,918,293</b>

*State Realignment brings a significant impact to local detention facilities:*

- State Parole violators (up to 180 days with four (4) days credit per two (2) days served)
- PRCS flash incarcerations/long term (10 days flash incarceration and up to 180 days with applicable credits)
- NX3 Post Sentenced offenders sentenced to prison locally
- NX3 Post Sentenced probationers who violate

### *Projected Need:*

Based on CDCR estimates at any given time there will be:

- **37 state parolees and PRCS violators** serving time in county jail;
- 24 NX3 violators; and
- 66 NX3 serving post-sentence time prior to release.

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Based on these numbers it is anticipated that at any given time, **approximately 125 beds and/or alternative programming slots will be required.** Mitigation measures through the expansion of Early Release and Alternative to Detention programs (GPS, Home Detention, graduated sanctions, program referrals), including the implementation of a custody risk assessment and pre-incarceration mitigations which include a decision making violation/revocation and sanction/reward protocol to ensure appropriate responses and alternatives to detention are considered before using incarceration. However, even with evidence based alternatives, there will be a need for incarcerating some of the 125 offenders noted above. This use of jail beds will be **new demand** on local jail beds, and will be in addition to historical ADP.

In order to mitigate the need for increased jail beds, it is recommended to add a total of 100 GPS units and a support staff to provide enhanced monitoring capacity for those realigned or traditional probation offenders eligible for early release. These units will be used by both Probation and the Sheriff.

To address public safety and ensure that those offenders who require a custody setting have a jail bed, and to provide short flash incarceration as needed, it is recommended that Realignment funding be utilized in conjunction with alternative funding to re-

commission the Santa Maria Branch Jail to 24-7 operations. Of the additional 43 jail beds, when factored into countywide jail beds available, it is projected that approximately 23 will be used for the PRCS and parole populations sentenced to extended periods of incarceration; ten (10) beds for “flash incarceration”; and approximately ten (10) beds will be identified for new north county bookings. It will take at a minimum of six months to refine projections and, more realistically twelve months, to understand the full impact this population will have on the use of local jail bed days.

It is a goal to have custody staff redirected or hired and posted between 10/3/11 – 1/9/12 to ensure readiness for Phase II implementation in January 2012.

	<u>FY 2011-12</u>	
Jail Custody/Early Release		
Phase I Early Release (10/3/11):		
100 GPS Units	\$ 143,719	
AOP II for GPS Monitoring	65,765	
Urinalysis (test supplies)	<u>23,697</u>	
Total Early Release:	<u>233,181</u>	
 Phase II Jail Custody (1/9/12):		
One (1) Custody Sergeant	74,107	
Six (6) Custody Deputy	371,094	
Two (2) Custody Deputy Special Duty	130,624	
Two (2) Utility Worker	75,460	
One (1) AOP II	43,843	
Services and Supplies	<u>64,770</u>	
Total Jail Custody:	<u>759,898</u>	
<b>FY 2011-12 Total:</b>	<b><u>\$ 993,079</u></b>	(prorated and phased)
	<u>FY 2012-13</u>	
Early Release		
100 GPS Units	\$ 191,625	
AOP II for GPS Monitoring	175,374	
Urinalysis (test supplies)	<u>31,596</u>	
Total Early Release:	<u>398,595</u>	
 Jail Custody		
One (1) Custody Sergeant	148,213	
Six (6) Custody Deputy	742,187	
Two (2) Custody Deputy Special Duty	261,248	
Two (2) Utility Worker	150,921	
One (1) AOP II	87,687	
Services and Supplies	<u>129,442</u>	
Total Jail Custody:	<u>1,519,698</u>	
<b>FY 2012-13 Total:</b>	<b><u>\$ 1,918,293</u></b>	

*DETENTION SERVICES/ALTERNATIVES*

<u>FY 2011-12 Detention Release Services/Alternatives Total</u>	<b>\$ 709,367</b>
<u>FY 2012-13 Detention Release Services/Alternatives Total</u>	<b>\$ 1,006,000</b>

Early Release Support

Assessments: The Jail will incorporate an evidence based assessment tool to identify offenders eligible for early release to a community alternative program. It is anticipated that Probation staff will conduct these assessments for offenders under Probation supervision and potentially expand assessments to all early release offenders.

Programs: The Jail currently provides a variety of program opportunities for inmates. It is not anticipated that there will be room in the jail to expand additional in-custody programs; however one (1) STP re-entry treatment planner will be added to facilitate continuity of care. Jail programming will be further assessed for development.

The Sheriff's Treatment Program (STP) will be expanded outside of the jail by two (2) STP counselors, to provide substance abuse treatment at the PRRCs for the NX3 population and at the DRCs for the PRCS population. It is noted that 103 (51%) of the 201 felons on probation committed to prison in 2010 were non-violent offenders who had sustained convictions for drug and/or drug-related theft offenses, or had a significant history of substance abuse and theft. The goal is to further enhance continuity of care for the offender transitioning from the jail to community.

Alternatives to Detention (Community)

*Probation Report and Resource Centers (PRRC):* The PRRCs are operated by the Probation Department and funded with a combination of SB 678 and redirected general funded staff. Operations and services at the PRRC will be enhanced to integrate the new NX3 population, early release, and alternatives to incarceration for offenders on Probation. The Sheriff's STP will be added to the current menu of services offered at the PRRCs. The PRRC will be expanded to offer day reporting for the NX3 and early release offenders, and will be used as an alternative to incarceration.

Current PRRC personnel will assist Jail personnel to assess identified inmates for early release and, along with the NX3 DPOs, will provide case management services to this population. Type and length of program will be based upon assessed risk and needs. SB678 revenue will fund CBO facilitators to provide EBP to these clients. It is anticipated that up to 30 offenders would be reporting to each of the two (2) PRRC locations on a daily basis (90 annualized; 180 countywide) and another 20-30 (up to 100 annualized or 200 countywide) would be attending one or more of the EBP options.

*Day Report Centers (DRC):* DRCs are located in Santa Maria and Santa Barbara. They are funded through a grant awarded to the Sheriff from CDCR. The Sheriff's Office contracts with Community Solutions Incorporated (CSI), for case management services. The objective of this plan will be to contract with CSI to provide program facilitation services for the PRCS population. It is anticipated that 60 PRCS will be

served countywide at the DRCs at any given time, with approximately 240 served annually. If contracting is cost prohibitive, the alternative will be to develop expanded day reporting capacity for the PRCS population at a Probation facility or other available county site.

Implementation:

September 5, 2011

Detention Release Services/Alternatives	<u>FY 2011-12</u>	
<b>Detention Services:</b>		
One (1) DPO Assessor	\$ 91,667	
One (1) STP Re-entry Planner	75,000	
Two (2) DRC/PRRC STP Counselors	150,000	
ADP of 30 Slots for PRCS SM:	196,350	
ADP of 30 Slots for PRCS SB:	196,350	
<b>FY 2011-12 Total</b>	<b><u>\$ 709,367</u></b>	(prorated)
	<u>FY 2012-13</u>	
Two (2) DPO Assessor	\$ 231,000	
One (1) STP Re-entry Planner	100,000	
Two (2) DRC/PRRC STP Counselors	200,000	
ADP of 30 Slots for PRCS SM:	237,500	
ADP of 30 Slots for PRCS SB:	237,500	
<b>FY 2012-13 Total</b>	<b><u>\$ 1,006,000</u></b>	

*COMMUNITY SUPERVISION AND CASE MANAGEMENT*

<u>FY 2011-12 Supervision and Case Management Total</u>	<b>\$ 1,096,820</b>
<u>FY 2012-13 Supervision and Case Management Total</u>	<b>\$ 2,244,706</b>

Post-Release Community Supervision (PRCS)

Upon implementation of AB109 on October 1, 2011, 31 PRCS parolees will be released from state prison to the county for local supervision.

From October 2011 through June 2012, CDCR has estimated that Santa Barbara County will assume the supervision for 25-35 PRCS parolees per month; and from July 2012 through September 2013 an estimated 10-20 PCRS will be released per month. It is estimated that upon full implementation, at any given time, Probation would be responsible for the supervision of 300 – 320 PRCS parolees. This number is based off CDCR estimates and local data for calendar year 2010, and first quarter 2011 numbers of prison commitments.

Based on the data from CDCR, in the **first six months** of implementation, there will be **177 PRCS** under probation supervision; at 12 months that number is estimated to be at

**309.** The first opportunity Probation will have to consider discharge of a PRCS from supervision will be April 2012. Pursuant to AB109/AB117, an offender on PRCS:

- Shall not be on PRCS longer than three years;
- **May** be discharged from supervision, if the offender has not had any violations during a continuous six month period; and,
- **Shall be** discharged from supervision if the offender has not committed a violation during a continuous twelve month period of post release community supervision.

It is not anticipated that many offenders under PRCS would be discharged in the first six months. Twelve months of supervision is a more realistic estimate.

#### Front End Non-Serious, Non-Violent, Non-Sex Offenders (NX3)

Commencing October 1, 2011, and over the next ten months, CDCR estimated that Santa Barbara County Courts will sentence approximately 22 front end NX3 offenders per month to local incarceration under AB109. *At full implementation, it is estimated that the County will be supervising an additional 300-320 front end NX3 offenders locally.* This number appears to be fairly accurate, based on the actual numbers sentenced to prison by the Courts in Santa Barbara County during the first quarter of 2011. The Courts sentenced 155 offenders to state prison in the first quarter of 2011. Of that number, 82 were offenders defined in AB109/AB117. CDCR has provided estimates that Santa Barbara County will supervise 294 NX3 offenders upon full implementation, but this volume assumes a more rapid rate of discharge from supervision than is projected by Probation.

#### *Staffing Needs Based on Workload*

Additional Probation workload is associated with the supervision, programming and related violations, and Court actions for 600-640 realigned felony offenders. To provide the appropriate level of supervision for these high-risk/high need offenders, Probation should initially establish caseloads of 50 offenders per officer (see page 17). If current projections are accurate, upon full implementation, Probation will need to hire 11 additional DPOs, three support staff, and a SPO in the first year of operation.

#### Hiring Timeline

The following phased staff implementation is recommended to ensure the efficient deployment of resources and that the appropriate level of case management/community supervision is in place for the realigned population:

A September 5<sup>th</sup> hire date initially approved by the CEO allowed officers time to review packets from CDCR, identify resource and treatment needs, develop treatment plans, assess home environment, engage local providers, etc. The role of the SPO is to assist in program development, refining and developing new policies and procedures resulting from AB109, and staff training. A second SPO will be added in year two. Ultimately, adult supervision resources will be reorganized to ensure the strategic deployment of administrative and supervision resources to ensure consistency in service level for the realigned probation population (NX3 and PRCS) and traditional



local probation cases. Two (2) high priority supervision units, two (2) special programs units, and an enhanced hybrid unit in Lompoc will provide countywide Adult Field Supervision Services.

	<u>FY 2011-12</u>
Community Supervision/Case Management	
Phase I (September 5, 2011):	
(PRCS Totals: 94 Offenders, 2 Officers)	
(NX3 Totals: 66-80 Offenders, 2 Officers)	
One (1) SPO	\$ 117,500
One (1) DPO Sr - SB - PRCS	105,833
One (1) DPO - SM - PRCS	91,667
One (1) DPO Sr - SM - NX3	105,833
One (1) DPO - SB - NX3	91,667
Total Phase I Staffing	<u>512,500</u>
Urinalysis Testing (annualized)	57,685
Operating Expenses	<u>133,635</u>
Total Phase I:	<u><u>703,820</u></u>
Phase II (January 9, 2012):	
(PRCS Totals: 186 Offenders, 4 Officers)	
(NX3 Totals: 146 Offenders, 4 Officers)	
One (1) AOP	41,000
One (1) DPO Sr - LPC - PRCS	63,500
One (1) DPO - SB - PRCS	55,000
One (1) DPO - SM - NX3	55,000
One (1) DPO - SB - NX3	55,000
Total Phase II:	<u><u>269,500</u></u>
Phase III (April 12, 2012):	
(PRCS Totals: 282 Offenders, 6 Officers)	
(NX3 Totals: 212 Offenders, 5 Officers)	
Two (2) AOP	41,000
Two (2) DPO - TBD - PRCS	55,000
One (1) DPO - TBD - NX3	27,500
Total Phase III:	<u>123,500</u>
<b>FY 2011-12 Total:</b>	<b><u><u>\$ 1,096,820</u></u></b>

	<u>FY 2012-13</u>
(PRCS Totals: 300 Offenders, 6 Officers)	
(NX3 Totals: 291 Offenders, 6 Officers)	
Two (2) SPO	\$ 296,100
Three (3) AOP	258,300
Three (3) DPO Sr	400,050
Nine (9) DPO	<u>1,039,500</u>
Total Staffing	1,993,950
Urinalysis Testing	72,576
Operating Supplies	<u>178,180</u>
<b>FY 2012-13 Total:</b>	<b><u><u>\$ 2,244,706</u></u></b>

*COLLABORATIVE EFFORTS*

<u>FY 2011-12 Collaborative Efforts Total</u>	<b>\$ 342,000</b>
<u>FY 2012-13 Collaborative Efforts Total</u>	<b>\$ 684,000</b>

Response Teams **\$282,000** (prorated)

It is recommended that **Response Teams** made up of a Deputy Sheriff and DPO be developed to include mid county deployment. These Officers will provide enhanced monitoring for offenders on the PRCS and NX3 caseloads, as well as for early release inmates from the Jail. The Teams will also support local law enforcement related to incidents involving the realigned population and will be deployed as needed on a countywide basis.

In each region of the County, the Teams will conduct compliance monitoring checks by making random home visits, conducting searches, facilitating and leading warrant apprehension teams, responding to high level GPS alerts, and other identified duties. With the GPS program significantly expanded, this Team will provide overflow response to GPS caseloads, as needed.

Regional Realignment Response Activity Fund **\$60,000** (prorated)

The law enforcement community in Santa Barbara County has a strong collaborative working relationship. This is evident by their active participation and support in the County Law Enforcement Chiefs (CLEC) organization. An ongoing successful collaboration by CLEC is the Santa Barbara Regional Narcotic Enforcement Team (SBRNET). In recognition of the efficacy of joint law enforcement task force activity and collaborative efforts to improve public safety, it is recommended that funds for overtime be identified for local municipal police departments, county law enforcement, and other allied agencies to respond to incidents related (by case number) to the realigned offender population and to participate in multi-agency operations to conduct searches or warrant apprehensions as coordinated by the Response Teams.

Hiring/Implementation Timeline

Implementation of the two (2) Response Teams is recommended for January 2012. There will be approximately 170 offenders in the community by January 1, 2012; overtime for allied law enforcement agencies is recommended for availability as of January 9, 2012.

	<u>FY 2011-12</u>	
Response Teams		
Two (2) DSO	\$ 155,000	
Two (2) DPO Sr	<u>127,000</u>	
Total Response Team:	282,000	
Regional Realignment Response Activity Fund	60,000	
<b>FY 2011-12 Total:</b>	<b><u>\$ 342,000</u></b>	(prorated)
	<u>FY 2012-13</u>	
Response Teams		
Two (2) DSO	\$ 310,000	
Two (2) DPO Sr	<u>254,000</u>	
Total Response Team:	564,000	
Regional Realignment Response Activity Fund	120,000	
<b>FY 2012-13 Total:</b>	<b><u>\$ 684,000</u></b>	

*COMMUNITY MENTAL HEALTH AND DRUG AND ALCOHOL TREATMENT SERVICES*

<u>FY 2011-12 Mental Health and AOD Treatment Total</u>	<b>\$ 401,440</b>
<u>FY 2012-13 Mental Health and AOD Treatment Total</u>	<b>\$ 468,128</b>

Psychiatric assessments, medications and psychiatric support services will be important for the realigned population. Outpatient drug free (ODF) treatment capacity will have to be expanded to accommodate a significant increase in unique client numbers under the jurisdiction of the County. Peer supported or Recovery Oriented System of Care groups to supplement and enhance the 12-Step group meetings is both economical and effective in helping clients obtain and sustain long-term sobriety and recovery. Finally, targeted mental health and/or psychiatric services will help clients with co-occurring disorders obtain sobriety, avoid relapse, and avoid admissions into costly controlled environments.

It is estimated that 80% of the realigned population or approximately 380 offenders in year one, will present with a behavioral health/substance abuse condition (mental health diagnosis, substance abuse or co-occurring disorder) that will warrant some level of treatment intervention. Ten percent are projected to have acute needs and

20% to have individual support needs. It is noted however, the AB109 population will not be new to the community; they will simply be confined locally rather than in CDCR before release and will be subject to county, rather than state supervision. *Service needs will not increase due to an increased target population, but a better assessed and more frequently referred population.*

Department of Finance estimates treatment costs an average of \$2,275 for the realigned populations. For initial projections of baseline in-community treatment needs, \$401,440 will be designated for treatment contracts to be negotiated after approval of funding. This is in addition to \$225,000 for enhanced STP services and \$165,000 for transitional housing/detox beds, for a total cumulative recommendation for treatment and housing support of \$788,440.

Presuming 10% of the realigned population (60 cases at full implementation) will require psychiatric assessments (at \$2,400) and medications (\$150 per month), and that 20% (120 cases) will require individual behavioral health/substance abuse support (\$85 per session), and group support will include 8 sessions countywide per week (52 weeks at \$65 per group), the full cost projections are:

	<u>FY 2011-12</u>	
Psychiatric Assessment	144,000	
Medication	108,000	
Individual Counseling	122,400	
Group Counseling	27,040	
<b>Total FY 2011-12:</b>	<b><u>401,440</u></b>	(prorated)
	<u>FY 2012-13</u>	
Psychiatric Assessment	167,922	
Medication	125,941	
Individual Counseling	142,733	
Group Counseling	31,532	
<b>Total FY 2012-13</b>	<b><u>468,128</u></b>	

Total first year community treatment services should remain flexible for any one or combination of the above service types.

*TRANSITIONAL HOUSING/SOBER LIVING/DETOX BEDS*

<u>FY 2011-12 Transitional Housing/Sober Living Total</u>	<b>\$ 165,000</b>
<u>FY 2012-13 Transitional Housing/Sober Living Total</u>	<b>\$ 220,000</b>

A significant barrier for the realigned population supervised in the community will be housing. To maximize treatment effectiveness and positive outcomes, housing options will be essential. A significant investment in sober living beds, in combination with detox and outpatient drug free counseling, will be vital.

It is noted that of the 4,068 individuals on active probation supervision (excludes warrants), 237 or 6% are listed as transient. The current regional parole population reported to be transient or homeless is 9.4%. Of the current DRC population, over 25% received assistance with transitional housing. Using a blended average, it is projected that at least 17.5% of the realigned population will require transitional housing. Because of re-entry planning and offenders remaining confined locally, projections are frugal. Housing assistance will be limited and attached to milestones and modeled after current DRC assistance of: 1<sup>st</sup> month = 30 days; 2<sup>nd</sup> month = 15 days; 3 months = 7 days; 4<sup>th</sup> month = goal of housing stability achieved.

Presuming 17% or 103 of the fully realigned population will require up to 52 days of housing costs at \$25.00 per day (sober living costs), year one recommendation is approximately \$133,900.

First Year projections for homeless:	2,677 bed days
First Year projections for sober living:	2,677 bed days
Total 5,354 at \$25 per day	

Recognizing that this population may be assessed to need a detox bed, or may benefit from enhanced supervision through SCRAM, an additional \$31,100 is recommended. Total first year funding of \$165,000 should remain flexible for any one, or a combination of the following services: transitional living, sober living, detox beds, or assistance with SCRAM fees.

*EVALUATION AND DATA ANALYSIS*

<u>FY 2011-12 Evaluation and Data Analysis Total</u>	<b>\$ 40,000</b>
<u>FY 2012-13 Evaluation and Data Analysis Total</u>	<b>\$ 40,000</b>

Evaluation of the outcomes achieved by the strategies proposed herein will be critical in order to guide future decisions in the investment of subsequent AB109 funds. Consequently, it is important to appropriate funding to support formal data analysis and outcome measurement assessment. The recommended \$40,000 will be in addition to the mandatory \$44,000 in SB678 funding directed to evaluation.

*ADMINISTRATION*

<u>FY 2011-12 Administration Total</u>	<b>\$ 131,170</b>
<u>FY 2012-13 Administration Total</u>	<b>\$ 230,784</b>

To ensure the proper administration of AB109 funding, a reasonable administrative expense of 3.5% of direct program expenditures is recommended. Project components are overseen by both the Probation Department and the Sheriff's Department. Each department will received 3% of the direct project expenditures which they oversee. Realignment also requires additional Auditor Controller resources resulting in the dedication of .5% of all direct program expenditures to fund these requirements.

	<u>FY 2011-12</u>	
Probation Admin	\$ 70,879	
Sheriff Admin	41,552	
Auditor Controller Admin	18,739	
<b>FY 2011-12 Total:</b>	<b><u>\$ 131,170</u></b>	(prorated)

	<u>FY 2012-13</u>
Probation Admin	\$ 121,246
Sheriff Admin	76,569
Auditor Controller Admin	32,969
<b>FY 2012-13 Total:</b>	<b><u>\$ 230,784</u></b>

*REALIGNMENT ADMINISTRATION, TRAINING, AND IMPLEMENTATION ACTIVITIES*

	<u>FY 2011-12</u>
<b>Field Officer Equipment</b>	
DPO Equipment (\$2,500 per officer x 16 officers) (Vest, duty belt, handcuffs, radio, charger, badge, pepper spray, weapon, holster and weapon lock box)	\$ 40,000
DSO Equipment (\$4,250 per officer x 2 officers) (Vest, duty belt, handcuffs, radio, charger, badge, pepper spray, weapon, holster, weapon lock box and taser)	8,500
Total Field Officer Equipment:	<u>48,500</u>
<b>Computers/Cell Phones</b>	
Terminal Server	26,700
Thin Clients (\$825 / unit x 16 units)	13,200
Cell Phones (\$260 per phone x 16 phones)	4,160
Accessories (\$75 per phone x 16 phones)	1,200
Total Computers / Cell Phones:	<u>45,260</u>
<b>Assessment Tools</b>	
COMPAS Licenses	3,300
COMPAS Training	12,000
Support	2,500
Total Assessment Tools:	<u>17,800</u>
<b>Vehicles</b>	
Caged Probation Vehicles (\$25,000 / vehicle x 5 vehicles) (2 Response Teams, 1 SM PRRC, 1 SB, 1 SM)	125,000
<b>Training</b>	
Available to all partner agencies	12,000
<b>Furniture</b>	
Includes desk, hutches, cabinets, task chairs, tables, av equipment	25,140
<b>Total Training and Implementation Costs:</b>	<b><u>\$ 273,700</u></b>

## 2011 Public Safety Realignment Act

	FY 2011-12 Budget	FY 2012-13 Estimated
<b>JAIL CUSTODY/EARLY RELEASE</b>		
CUSTODY OPERATIONS	\$ 759,898	\$ 1,519,698
100 GPS UNITS	143,719	191,625
AOP II FOR GPS	65,765	87,687
AOP II FOR GPS (Added FY 2012-13)	-	87,687
URINALYSIS	23,697	31,596
<b>TOTAL JAIL CUSTODY / EARLY RELEASE:</b>	993,079	1,918,293
<b>DETENTION SERVICES/ALTERNATIVES</b>		
Detention Services		
DPO Assessor - (9/5/11)	91,667	115,500
DPO Assessor - (Added FY 2012-13)	-	115,500
STP Re-entry Planner	75,000	100,000
STP DRC/PRRC	150,000	200,000
DRC ADP 30 Slots SB	196,350	237,500
DRC ADP 30 Slots SM	196,350	237,500
<b>TOTAL DETENTION SERVICES/ALTERNATIVES:</b>	709,367	1,006,000
<b>COMMUNITY SUPERVISION AND CASE MANAGEMENT</b>		
<b>Supervision/Support</b>		
SPO	117,500	148,050
SPO (Added FY 2012-13)	-	148,050
AOP (3)	82,000	258,300
Subtotal Supervision & Support:	199,500	554,400
<b>PRCS</b>		
DPO Sr (2)	169,333	266,700
DPO (4)	201,667	462,000
Subtotal PRCS:	371,000	728,700
<b>NX3</b>		
DPO Sr (1)	105,833	133,350
DPO (4)	229,167	462,000
DPO (Added FY 2012-13)	-	115,500
Subtotal NX3:	335,000	710,850
TOTAL STAFFING COSTS	905,500	1,993,950
URINALYSIS	57,685	72,576
OPERATING EXPENSES	133,635	178,180
<b>TOTAL SUPERVISION &amp; CASE MANAGEMENT:</b>	1,096,820	2,244,706
<b>COLLABORATIVE EFFORTS</b>		
<b>Regional Response Teams</b>		
DSO (2)	155,000	310,000
DPO Sr (2)	127,000	266,700
Subtotal Response Teams:	282,000	576,700
Regional Realignment Response Activity Fund	60,000	120,000
<b>TOTAL COLLABORATIVE EFFORTS:</b>	342,000	696,700
<b>COMMUNITY MENTAL HEALTH AND AOD TREATMENT</b>	401,440	468,128
<b>TRANSITIONAL HOUSING/SOBER LIVING/DETOX</b>	165,000	220,000
<b>EVALUATION AND DATA ANALYSIS</b>	40,000	40,000
<b>ADMINISTRATION</b>		
Probation Admin	70,879	121,246
Sheriff Admin	41,552	76,569
Auditor Controller	18,739	32,969
<b>TOTAL ADMINISTRATION:</b>	131,170	230,784
<b>TOTAL:</b>	<b>\$ 3,878,876</b>	<b>\$ 6,824,611</b>

## VIII. GLOSSARY OF TERMS

ADMHS.....	Alcohol, Drug, & Mental Health Services
ADP .....	Average Daily Population
ADA .....	Average Daily Attendance
APPA .....	American Probation and Parole Association
ARRA.....	American Recovery and Reinvestment Act
BPH .....	Board of Parole Hearings
Cal Chiefs .....	California Police Chiefs Association
CAOAC .....	County Administrative Officers Association of California
CCP .....	Community Corrections Partnership
CCP-EC .....	Community Corrections Partnership Executive Committee
CCPIF .....	Community Corrections Partnership Incentives Fund
CDAA.....	California District Attorneys Association
CDCR .....	California Department of Corrections and Rehabilitation
CJ .....	County Jail
CLEC .....	County Law Enforcement Chiefs
COMPAS .....	Correctional Offender Management and Profiling Alternative Sanctions
CPDA.....	California Public Defenders Association
CPOC .....	Chief Probation Officers of California
CSI.....	Community Solutions Incorporated
CSA .....	Corrections Standards Authority
CSAC .....	California State Association of Counties
CSSA .....	California State Sheriffs' Association



CY.....	Calendar Year
DA.....	District Attorney
DOF .....	Department of Finance
DPO .....	Deputy Probation Officer
DRC .....	Day Report Center
DSO .....	Deputy Sheriff Officer
EBP.....	Evidence Based Practices
EM .....	Electronic Monitoring
FY .....	Fiscal Year
GPS .....	Global Positioning System
IAPC .....	Inter-Agency Policy Council
IMPACT .....	Information Management for Probation Automated Client Tracking
IT.....	Information Technology
JJCC.....	Juvenile Justice Coordinating Council
JJCPA.....	Juvenile Justice Crime Prevention Act
JPCF.....	Juvenile Probation and Camps Funding
NX3.....	Non-violent, Non-serious, Non-sex offenders
ODF .....	Outpatient Drug Free
PD.....	Public Defender
PRCS.....	Post Release Community Supervision
PRRC.....	Probation Report and Resource Center
PTSD .....	Post Traumatic Stress Disorder
ROSC .....	Recovery Oriented System of Care

SBARA.....	Santa Barbara Asset and Risk Assessment
SBRNET .....	Santa Barbara Regional Narcotic Enforcement Team
SBSO.....	Santa Barbara Sheriff's Office
SCRAM.....	Secure Continuous Remote Alcohol Monitoring
SB.....	Santa Barbara
SM .....	Santa Maria
STC.....	Standards and Training for Corrections
STP.....	Sheriff's Treatment Program
SWAP .....	Sheriff's Work Alternative Program
TTC.....	Treasurer Tax Collector
VLF .....	Vehicle License Fee
YOBG .....	Youthful Offender Block Grant

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**CDCR Projections for AB109 Populations  
and  
Criminal Justice Data Review**

**Estimated Impact of AB109: Number of Persons Not Sent to State Prison as New Admissions or Parole Violators with New Terms**

Santa Barbara

<b>Month</b>	<b>New Admission</b>	<b>Parole Violator with New Term</b>	<b>Total</b>
<b>OCT2011</b>	29	0	29
<b>NOV2011</b>	21	0	21
<b>DEC2011</b>	24	1	25
<b>JAN2012</b>	17	4	21
<b>FEB2012</b>	29	3	32
<b>MAR2012</b>	11	4	15
<b>APR2012</b>	18	0	18
<b>MAY2012</b>	21	0	21
<b>JUN2012</b>	22	1	23
<b>JUL2012</b>	13	3	16
<b>AUG2012</b>	21	0	21
<b>SEP2012</b>	19	0	19
<b>OCT2012</b>	17	13	30
<b>NOV2012</b>	11	5	16
<b>DEC2012</b>	21	11	32
<b>JAN2013</b>	15	17	32
<b>FEB2013</b>	12	3	15
<b>MAR2013</b>	29	10	39
<b>APR2013</b>	21	8	29
<b>MAY2013</b>	23	8	31
<b>JUN2013</b>	23	8	31
<b>JUL2013</b>	15	14	29
<b>AUG2013</b>	15	5	20
<b>SEP2013</b>	17	8	25
<b>Average</b>	19	5	25

**Average Daily Population at Full Rollout (Year 4) of AB 109 by County (Department of Finance estimates)**

County	Low-level (N/N/N) Offenders			Postrelease	RTC ADP
	Total Inmates N/N/N no Prior S/V ADP 1, 2, 5	Short-term Inmates N/N/N w/no Prior S/V w Sentence Length < 3 Years 1, 2, 3, 5, 6	Long-term Inmates N/N/N w/no Prior S/V w Sentence Length > 3 Years 1, 2, 4, 5, 6	Community Supervision Population Totals 1	30-Day ALOS 1, 7
Alameda	267	181	86	848	132
Alpine	2	2	-	-	-
Amador	53	35	18	43	6
Butte	268	161	108	181	36
Calaveras	21	12	8	25	5
Colusa	23	16	6	9	1
Contra Costa	104	60	44	318	56
Del Norte	11	2	9	20	5
El Dorado	68	45	23	81	10
Fresno	518	357	161	971	218
Glenn	28	18	10	19	3
Humboldt	137	108	29	126	15
Imperial	90	53	37	107	11
Inyo	15	7	7	15	3
Kern	1,019	784	236	1,040	154
Kings	321	201	120	185	39
Lake	73	39	34	75	11
Lassen	32	19	13	26	6
Los Angeles	8,342	5,767	2,576	9,791	530
Madera	111	67	44	150	24
Marin	66	27	39	53	8
Mariposa	13	9	5	11	2
Mendocino	75	38	37	50	8
Merced	171	100	71	214	42
Modoc	2	1	1	3	1
Mono	3	2	1	7	1
Monterey	308	176	132	309	34
Napa	70	44	26	69	7
Nevada	23	16	7	17	6
Orange	1,464	1,038	427	1,750	220
Placer	251	133	118	153	25
Plumas	9	7	3	12	1
Riverside	1,601	990	611	1,683	262
Sacramento	895	505	390	1,203	208
San Benito	52	30	22	23	4
San Bernardino	2,301	1,638	663	2,521	348
San Diego	1,821	1,043	778	2,038	256
San Francisco	164	114	50	421	61
San Joaquin	450	311	138	639	126
San Luis Obispo	140	88	52	136	22
San Mateo	208	139	70	351	33
Santa Barbara	294	181	112	288	37
Santa Clara	693	402	291	1,067	115
Santa Cruz	78	72	6	69	17
Shasta	326	147	178	201	40
Sierra	1	1	-	1	-
Siskiyou	34	12	21	23	8
Solano	278	162	116	363	53
Sonoma	231	116	115	164	21
Stanislaus	540	316	224	426	66
Sutter	103	67	35	108	21
Tehama	154	94	60	50	13
Trinity	9	8	1	9	1
Tulare	520	292	228	388	70
Tuolumne	47	13	33	33	4
Ventura	380	210	170	363	60
Yolo	277	130	147	215	37
Yuba	94	64	30	88	19
Total Projected:	25,651	16,673	8,978	29,550	3,525
TOTAL	58,726				
1 Numbers are based upon full implementation.					
2 Numbers have been adjusted for excluded crimes.					
3 Numbers reflect sentence lengths 3 years or less.					
4 Numbers reflect sentence lengths above 3 years. Population serving longer than 3 years will be significantly less due to day for day credit earning.					
5 Judicial decisions could decrease this population dramatically.					
6 This population is a subset of the total low level offender population.					
7 Assumes 30-Day Average Length of Stay for Locally Supervised Violators and State Parole Violators.					

County	Total Inmates	Inmates	Inmates	Total LL	Short-Term	Long-Term
	N/N/N no Prior S/V ADP <sup>1,2,5</sup>	N/N/N w/no Prior S/V w Sentence Length < 3 Years <sup>1,2,3,5,6</sup>	N/N/N w/no Prior S/V w Sentence Length > 3 Years <sup>1,2,4,5,6</sup>			
Alameda	267	181	86	1.043%	1.087%	0.961%
Alpine	2	2	-	0.008%	0.013%	0.000%
Amador	53	35	18	0.206%	0.212%	0.196%
Butte	268	161	108	1.046%	0.964%	1.199%
Calaveras	21	12	8	0.081%	0.075%	0.093%
Colusa	23	16	6	0.088%	0.096%	0.072%
Contra Costa	104	60	44	0.404%	0.359%	0.486%
Del Norte	11	2	9	0.045%	0.013%	0.103%
El Dorado	68	45	23	0.266%	0.270%	0.258%
Fresno	518	357	161	2.018%	2.143%	1.788%
Glenn	28	18	10	0.109%	0.106%	0.114%
Humboldt	137	108	29	0.532%	0.647%	0.320%
Imperial	90	53	37	0.349%	0.315%	0.413%
Inyo	15	7	7	0.057%	0.043%	0.083%
Kern	1,019	784	236	3.973%	4.699%	2.625%
Kings	321	201	120	1.252%	1.208%	1.333%
Lake	73	39	34	0.285%	0.233%	0.382%
Lassen	32	19	13	0.125%	0.115%	0.145%
Los Angeles	8,342	5,767	2,576	32.523%	34.586%	28.691%
Madera	111	67	44	0.432%	0.403%	0.486%
Marin	66	27	39	0.259%	0.164%	0.434%
Mariposa	13	9	5	0.052%	0.052%	0.052%
Mendocino	75	38	37	0.291%	0.225%	0.413%
Merced	171	100	71	0.669%	0.600%	0.796%
Modoc	2	1	1	0.008%	0.007%	0.010%
Mono	3	2	1	0.012%	0.013%	0.010%
Monterey	308	176	132	1.201%	1.058%	1.467%
Napa	70	44	26	0.275%	0.267%	0.289%
Nevada	23	16	7	0.089%	0.093%	0.083%
Orange	1,464	1,038	427	5.709%	6.224%	4.754%
Placer	251	133	118	0.979%	0.799%	1.312%
Plumas	9	7	3	0.036%	0.039%	0.031%
Riverside	1,601	990	611	6.243%	5.937%	6.810%
Sacramento	895	505	390	3.489%	3.030%	4.340%
San Benito	52	30	22	0.203%	0.178%	0.248%
San Bernardino	2,301	1,638	663	8.971%	9.823%	7.389%
San Diego	1,821	1,043	778	7.100%	6.255%	8.671%
San Francisco	164	114	50	0.641%	0.685%	0.558%
San Joaquin	450	311	138	1.753%	1.868%	1.540%
San Luis Obispo	140	88	52	0.547%	0.531%	0.579%
San Mateo	208	139	70	0.812%	0.832%	0.775%
Santa Barbara	294	181	112	1.145%	1.089%	1.250%
Santa Clara	693	402	291	2.703%	2.414%	3.241%
Santa Cruz	78	72	6	0.304%	0.432%	0.067%
Shasta	326	147	178	1.269%	0.884%	1.984%
Sierra	1	1	-	0.004%	0.006%	0.000%
Siskiyou	34	12	21	0.132%	0.075%	0.238%
Solano	278	162	116	1.084%	0.972%	1.292%
Sonoma	231	116	115	0.902%	0.698%	1.281%
Stanislaus	540	316	224	2.105%	1.898%	2.491%
Sutter	103	67	35	0.401%	0.405%	0.393%
Tehama	154	94	60	0.600%	0.561%	0.672%
Trinity	9	8	1	0.037%	0.051%	0.010%
Tulare	520	292	228	2.027%	1.749%	2.542%
Tuolumne	47	13	33	0.181%	0.079%	0.372%
Ventura	380	210	170	1.480%	1.258%	1.891%
Yolo	277	130	147	1.079%	0.780%	1.633%
Yuba	94	64	30	0.366%	0.385%	0.331%
<b>Total Projected:</b>	<b>25,651</b>	<b>16,673</b>	<b>8,978</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

<sup>1</sup>Numbers are based upon full implementation.

<sup>2</sup>Numbers have been adjusted for excluded crimes.

<sup>3</sup>Numbers reflect sentence lengths 3 years or less.

<sup>4</sup>Numbers reflect sentence lengths above 3 years. Population serving longer than 3 years will be significantly less due to day for day credit earning.

<sup>5</sup>Judicial decisions could decrease this population dramatically.

<sup>6</sup>This population is a subset of the total low level offender population.

County	Postrelease				All Supervision Percentage	PRCS Percentage	State Parole Percentage	RTC Percentage
	Total Community Supervised Offenders <sup>1</sup>	Community Supervision Population Totals <sup>1</sup>	State Parole Population Totals <sup>1</sup>	RTC ADP 30-Day ALOS <sup>1, 2</sup>				
Alameda	1,896	848	1,048	132	3.131%	2.869%	3.381%	3.746%
Alpine	-	-	-	-	0.000%	0.000%	0.000%	0.000%
Amador	78	43	34	6	0.128%	0.146%	0.111%	0.177%
Butte	381	181	200	36	0.629%	0.613%	0.644%	1.017%
Calaveras	47	25	22	5	0.077%	0.084%	0.071%	0.143%
Colusa	26	9	18	1	0.044%	0.029%	0.057%	0.041%
Contra Costa	754	318	436	56	1.245%	1.076%	1.406%	1.576%
Del Norte	48	20	28	5	0.080%	0.068%	0.091%	0.150%
El Dorado	208	81	127	10	0.344%	0.273%	0.411%	0.287%
Fresno	2,003	971	1,032	218	3.309%	3.286%	3.330%	6.195%
Glenn	42	19	23	3	0.069%	0.063%	0.074%	0.089%
Humboldt	235	126	110	15	0.389%	0.425%	0.354%	0.437%
Imperial	198	107	91	11	0.328%	0.364%	0.293%	0.321%
Inyo	34	15	19	3	0.056%	0.052%	0.061%	0.075%
Kern	1,990	1,040	950	154	3.287%	3.521%	3.064%	4.367%
Kings	425	185	239	39	0.702%	0.628%	0.772%	1.099%
Lake	175	75	99	11	0.289%	0.255%	0.320%	0.314%
Lassen	55	26	29	6	0.091%	0.088%	0.094%	0.164%
Los Angeles	19,382	9,791	9,591	530	32.010%	33.135%	30.938%	15.038%
Madera	281	150	131	24	0.464%	0.509%	0.421%	0.669%
Marin	115	53	62	8	0.189%	0.180%	0.199%	0.232%
Mariposa	36	11	25	2	0.059%	0.036%	0.081%	0.061%
Mendocino	111	50	62	8	0.184%	0.168%	0.199%	0.225%
Merced	471	214	257	42	0.778%	0.724%	0.829%	1.201%
Modoc	12	3	8	1	0.019%	0.011%	0.027%	0.041%
Mono	11	7	4	1	0.018%	0.023%	0.013%	0.020%
Monterey	646	309	338	34	1.068%	1.045%	1.089%	0.976%
Napa	148	69	78	7	0.244%	0.234%	0.253%	0.198%
Nevada	47	17	30	6	0.078%	0.058%	0.098%	0.177%
Orange	3,543	1,750	1,793	220	5.851%	5.921%	5.784%	6.250%
Placer	295	153	142	25	0.487%	0.517%	0.458%	0.703%
Plumas	19	12	7	1	0.032%	0.040%	0.024%	0.034%
Riverside	3,478	1,683	1,795	262	5.745%	5.696%	5.791%	7.444%
Sacramento	2,417	1,203	1,214	208	3.992%	4.071%	3.917%	5.902%
San Benito	49	23	26	4	0.082%	0.079%	0.084%	0.109%
San Bernardino	5,084	2,521	2,563	348	8.396%	8.530%	8.269%	9.873%
San Diego	4,198	2,038	2,160	256	6.932%	6.895%	6.968%	7.273%
San Francisco	898	421	478	61	1.483%	1.423%	1.540%	1.740%
San Joaquin	1,367	639	728	126	2.258%	2.161%	2.349%	3.562%
San Luis Obispo	299	136	163	22	0.495%	0.462%	0.526%	0.621%
San Mateo	737	351	386	33	1.217%	1.189%	1.244%	0.935%
Santa Barbara	655	288	367	37	1.082%	0.976%	1.183%	1.058%
Santa Clara	2,291	1,067	1,224	115	3.783%	3.611%	3.947%	3.268%
Santa Cruz	183	69	114	17	0.302%	0.233%	0.367%	0.484%
Shasta	403	201	202	40	0.665%	0.680%	0.651%	1.126%
Sierra	3	1	1	-	0.004%	0.005%	0.003%	0.000%
Siskiyou	57	23	34	8	0.095%	0.078%	0.111%	0.218%
Solano	699	363	336	53	1.155%	1.228%	1.085%	1.501%
Sonoma	396	164	232	21	0.654%	0.555%	0.748%	0.587%
Stanislaus	848	426	421	66	1.400%	1.443%	1.358%	1.883%
Sutter	209	108	101	21	0.346%	0.365%	0.327%	0.594%
Tehama	100	50	50	13	0.165%	0.169%	0.162%	0.362%
Trinity	18	9	9	1	0.030%	0.030%	0.030%	0.041%
Tulare	925	388	537	70	1.528%	1.314%	1.733%	1.992%
Tuolumne	74	33	41	4	0.122%	0.112%	0.131%	0.123%
Ventura	871	363	508	60	1.438%	1.229%	1.638%	1.699%
Yolo	383	215	168	37	0.633%	0.728%	0.543%	1.051%
Yuba	195	88	107	19	0.322%	0.299%	0.344%	0.532%
Grand Total	60,550	29,550	31,000	3,525	100%	100%	100%	100%

<sup>1</sup>Numbers are based upon full implementation.

<sup>2</sup>Assumes 30-Day Average Length of Stay for violators.



Spring 2011  
Based on AB109 Legislation  
Projected Institution Discharges to Post Release  
By County and Month

REGION	COUNTY	JUL2012	AUG2012	SEP2012	OCT2012	NOV2012	DEC2012	JAN2013	FEB2013	MAR2013	APR2013	MAY2013	JUN2013
Region 2	ALAMEDA	51	43	49	48	50	39	43	56	44	53	37	51
	CONTCSTA	15	20	21	13	14	19	12	22	15	12	13	16
	DELNORTE	0	0	1	2	0	0	0	1	1	0	0	3
	HUMBOLDT	11	13	6	6	10	13	11	8	6	7	7	6
	LAKE	5	9	9	8	1	9	5	5	4	8	2	2
	MARIN	4	2	3	5	1	1	1	3	8	2	6	2
	MENDCINO	6	5	2	4	6	3	7	5	0	3	3	6
	MONTEREY	22	25	10	22	26	31	19	15	17	14	15	12
	NAPA	5	7	8	9	2	9	0	3	3	5	2	3
	SANBENIT	3	2	3	2	1	2	1	3	2	0	5	4
	SANFRAN	22	14	18	13	15	13	9	11	10	7	11	16
	SANLUISO	11	13	9	9	15	5	12	11	4	5	14	10
	SANMATEO	24	21	14	17	16	15	16	7	11	10	16	12
SANTABAR	17	18	18	18	10	12	11	18	18	8	10	13	
SANTCLAR	57	44	56	48	53	38	59	52	44	44	38	35	
SANTCRUZ	3	9	4	5	6	3	5	2	2	2	5	4	
SOLANO	27	28	14	15	24	25	19	23	29	15	10	15	
SONOMA	18	16	12	11	15	7	8	9	15	9	14	6	
VENTURA	26	24	18	25	15	22	20	19	24	21	19	20	
Region 3	LOSANGEL	757	679	546	621	597	545	488	505	544	510	509	450
Region 4	IMPERIAL	8	7	4	7	4	1	10	5	6	3	6	5
	ORANGE	115	95	103	102	85	83	91	83	73	80	73	82
	RIVERSIDE	148	114	121	121	118	103	104	112	116	115	92	100
	SANBERDO	173	177	151	159	168	156	122	131	128	118	119	122
	SANDIEGO	162	133	149	125	120	141	110	118	116	106	94	93
Statewide Totals		2,230	1,984	1,780	1,864	1,785	1,703	1,559	1,558	1,592	1,501	1,443	1,428

26,787

Spring 2011  
 Based on AB109 Legislation  
 Projected Institution Discharges to Post Release  
 By County and Month

REGION	COUNTY	JUL2013	AUG2013	SEP2013
Region 2	ALAMEDA	37	36	39
	CONTCSTA	15	12	12
	DELNORTE	1	1	0
	HUMBOLDT	4	6	5
	LAKE	10	5	7
	MARIN	3	5	2
	MENDCINO	3	5	2
	MONTEREY	16	11	16
	NAPA	4	4	5
	SANBENIT	1	1	2
	SANFRAN	10	18	16
	SANLUISO	9	14	8
	SANMATEO	7	8	11
	SANTABAR	8	7	18
	SANTCLAR	54	41	42
	SANTCRUZ	2	2	4
Region 3	SCLANO	9	10	19
	SCHNOMA	11	8	10
Region 4	VENTURA	20	16	19
	LOSANGEL	483	440	434
	IMPERIAL	4	4	3
	ORANGE	82	80	71
Statewide Totals	RIVERSIDE	91	108	100
	SANBERDO	105	112	125
	SANDIEGO	87	96	92
Statewide Totals		1,381	1,371	1,377

## Profile of the 2010 Prison Commitments

In 2010, Probation initiated revocation proceedings on 201 felony probationers (82% male and 18% female) who were subsequently sentenced to prison. After an extensive case review of 196 of the 201 offenders, a countywide analysis and regional comparison revealed the following:

- Of those 196 prison commitments, 53% (103) were comprised of non-violent individuals who had sustained convictions for drug and/or drug-related theft offenses or had a significant history and nexus to substance abuse and theft.
- Seventy-five percent (77 of 103 drug offenders) included technical violations of probation for drug related behavior (new possession charge, under the influence, failure to report to probation/urinalysis, failure to attend treatment, new drug-related theft offense, etc.).
- At the time of revocation, 32% (33 of 103 drug offenders) were engaged in treatment, 41% (43) had been referred but did not engage in treatment, 21% (22) had completed treatment, and 6% (6) violated before treatment was available.
- Within the first three months of being placed on probation, 49% (50 of 103) had a probation violation.
- Of the 103 drug offenders sentenced to prison, 63% (65) had no prison priors.

For this particular population, local data indicates that standard services and interventions have continually failed. The County's outpatient programming is limited and unable to meet the transitional needs of these offenders being released from jail into the community. The number of offenders needing intensive treatment, as well as lacking coordinated service delivery efforts creates an untenable service gap. The offenders' inability to qualify for government assistance or pay for these services further limits access. Reductions in funding across the treatment system have resulted in long waiting lists, which are a recipe for relapse in a high risk/need re-entry population requiring direction and support in order to succeed in the community. Consequently, those released from custody typically fail to immediately engage in treatment and quickly relapse. ***This is evident by the 4 in 10 probationers failing to engage in treatment following referral and almost 60% violating within the first 90 days of jail release.***

In 2010, 641 offenders were sentenced to prison. Of those, 293 went on offenses carrying a confinement time of 16 months, 2 years, 3 years (16-2-3.) Of those 293 sent on 16-2-3 offenses, 106 were tried on probation first.

## **Staff Survey**

An anonymous on-line survey was sent out to all parole officers and probation officers serving adult probationers in Santa Barbara County the first week in July 2011 to assess line level input regarding factors affecting re-offending and recidivism. Their responses match what the data has indicated regarding services needed for this population:

A total of 42 officers responded to the survey. An overwhelming majority of officers ranked alcohol and drug use and abuse as the major factor in re-offending, as well as the basis for technical violations of probation or parole. Alcohol and drug use was also scored as the leading factor for re-offending in the mentally ill offender population. Increased availability and more effective employment training, mental health and drug and alcohol treatment services were high on the list of suggested improvements in the community to help adult offenders be more successful. The survey results will be studied in more detail in the implementation of the Adult Local Action Plan.

## **2011 First Quarter Prison Commitments**

In the first quarter of 2011, a **total of 155** offenders were committed to State Prison. Sixty-six were probationers on felony probation who fell into SB678 category. Of the 66, **forty** or 57% fell into the AB109 target of front end non-violent, non-serious, non-sex offenders (NX3). The remaining 89 commitments to state prison were offenders who were not on felony probation.

## **SB678 Probation Felons Population Profile**

### The 66 by Region:

Santa Barbara -	26 (39.4%)
Santa Maria -	22 (33.3%)
Lompoc -	18 (27.3%)

### By Gender:

Male –	59 (89.4%)
Female –	7 (10.6%)

### By Age:

18-25 -	23 (35%)
26-35 -	14 (22%)
36-45 -	11 (17%)
46-55 -	14 (22%)
55 +	4 (1%)

Warrant/Bank Caseload

Of the sixty-six prison commitments, approximately 10% came from a warrant status and 17% or 11 offenders were on a Bank Caseload.

Probation Violations:

Forty-five percent or 31 felons on probation had their probation revoked, and they were ordered to serve their sentence in prison, based on the probation violation only; whereas 55% or 35 had a new law offense that was alleged as part of the probation violation.

**Non Felony Probationers Committed to State Prison**

Of the 89 prison commitments of offenders not on felony probation, 47% (42) were for a non-violent, not-serious, non-sex offense (NX3.)

The 89 by Region:

Santa Barbara-	21	(23.5%)
Santa Maria-	61	(68.5%)
Lompoc-	7	(8%)

By Gender:

Male-	73	(82%)
Female-	16	(18%)

By Offense Type

Violent -	27	30%
Drug -	31	35%
Theft -	16	18%
Sex -	7	8%
Property -	4	4.5%
Alcohol -	4	4.5%

In summary, 57% (40) of the SB678 population (offenders on felony probation) committed to state prison in the first quarter of 2011 were sentenced for a NX3 offense; whereas 47% (42) of the 89 prison commitments for offenders not on felony probation were sentenced for offenses falling into the NX3 category.

## **Santa Barbara County Probation Adult Supervision Caseloads**

Through 2011, it is anticipated that felons on probation (active supervision and warrants) will continue to slowly decline, leveling off in 2012, with a possible slow increase. However, commencing October 1, 2011, a steady flow of the new AB109 population will become the responsibility of the Probation Department. Upon full implementation of AB109, caseloads of felony probationers will grow by 600 offenders.

### **Recidivism**

Recidivism outcomes for all supervised offenders are very low.

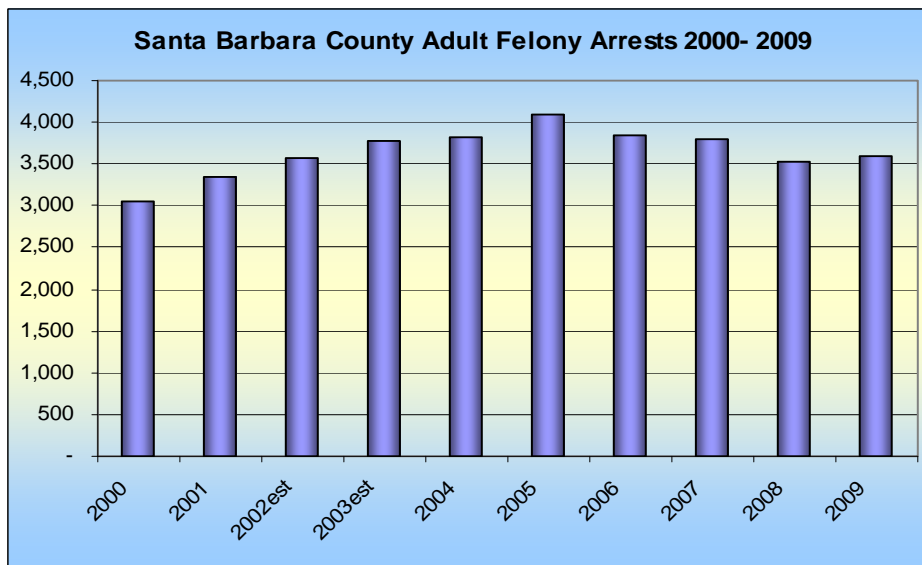
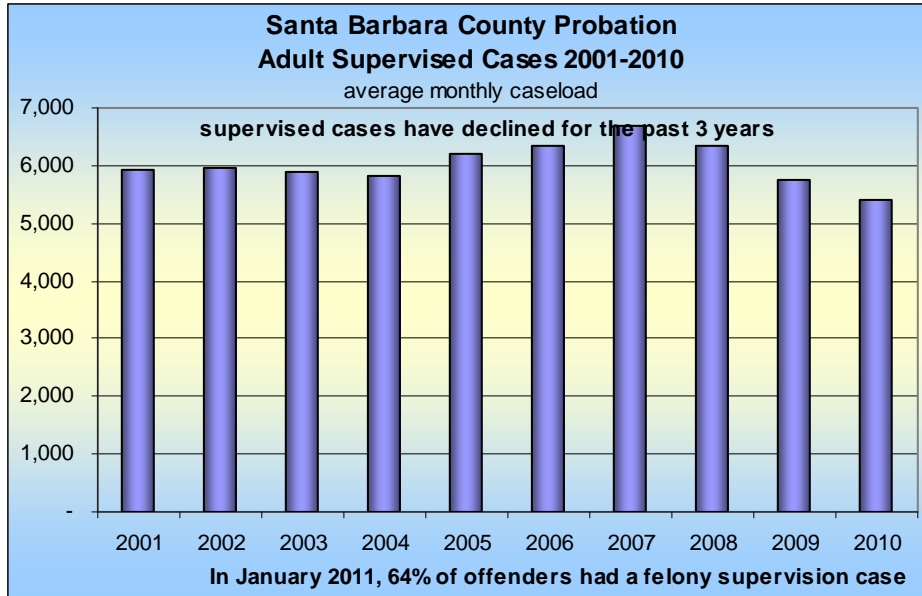
- Of the 2,767 adults exiting probation for any reason in the period of July 1, 2009 through June 30, 2010, 123 or 4.4% had a new felony conviction while they were on probation and 8.2% had a new misdemeanor while on probation supervision. Total recidivism of a new felony or misdemeanor while on probation was 13.6%.
- Of the 2,088 adults who successfully completed probation in the period of July 1, 2008 through June 30, 2009, 22 or 1.1% had a new felony conviction within one year of completion and 89 or 4.3% had a new conviction for a misdemeanor offense. Total recidivism for a new felony or misdemeanor offense within one year of successfully completing probation, was 111 or 5.3%.

### **Offenses**

Alcohol and drug charges constitute the single largest reason that offenders are on probation (36% currently) and on new cases opened in 2010, as high as 45%. Felony drug cases were proportionately highest in Santa Barbara (46% of total), while misdemeanor alcohol were highest in Santa Maria (62% of total)

### **Ethnicity**

While, in general, Hispanic offenders were not necessarily over represented on supervision caseloads (around 60%) they did represent a disproportionate percentage of warrant felons (79%).



Since 2006, felony arrests in Santa Barbara County have been decreasing.

### Current Population of Adults on Supervision

(Snapshot May 16, 2011)

Does not include the realigned population

#### 4,180 adults on supervision status

11.5% below May 2010; 25% below May of 2008

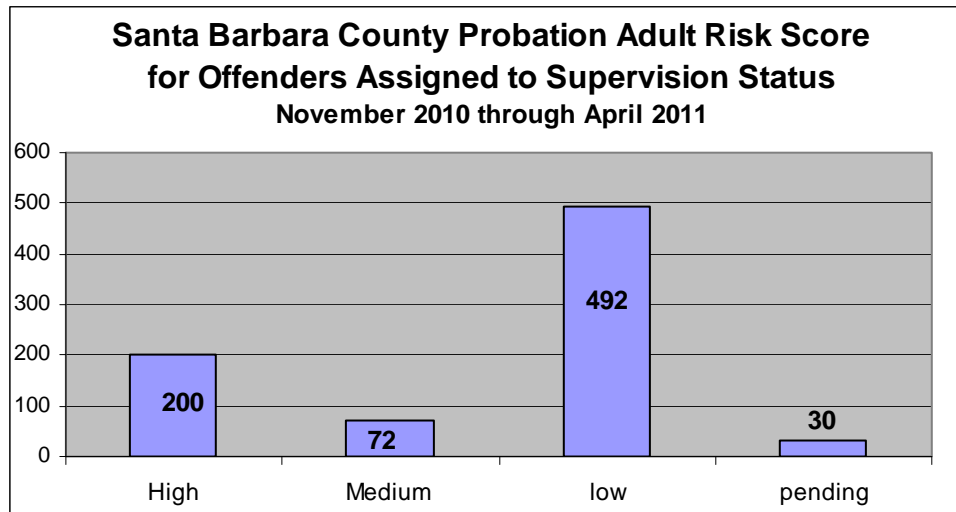
- Male, 81%; Female, 19%
- High risk assessed, 955 or 23%; medium/low or not risked 77%
- Felony, 2,710 (65%); Misdemeanor only, 1,470 (35%)

- Ethnic distribution: Hispanic-60%; White-32%; Black-5%; other-3%
- Age: 40% to 45% of offenders 25 or under
- North County 61% (Santa Maria 45%, Lompoc16%); South County, 1,630 (39%)
- Types of charges: Alcohol/Drugs - 36%; Violent - 24%; Property - 24%; other - 16%

## Risk Assessment

### 794 offenders were transferred to new supervision status in the six month period ending April 30, 2011

- 247 (31%) were felons and 547 (69%) for misdemeanors only
- 377 (69%) of the misdemeanants were low risk; 131 (24%) were high risk, and 39 (7%) medium risk
- 69 (28%) of the felons were high risk; 33 (13%) were medium risk; 115 (47%) were low risk and 30 (12%) were pending assessment
- 210 (26%) of all new offenders were high risk; 70 (9%) were medium; 492 (62%) were low risk; and 30 (3%) were pending assessment



**Definition:**

New cases – includes new cases for existing offenders and offenders who were previously known to Probation, or for new offenders

New offender – includes offenders who have never been involved with Adult Probation in Santa Barbara County, or at least not for the past 8 years



## **Santa Barbara County Comparative Arrest and Probation Data 2009**

Santa Barbara County's felony (1255 per 100,000) and misdemeanor (7743 per 100,000) arrest rates in 2009 were higher than the statewide average (1586 felony per 100,000; 3322 per 100,000 misdemeanor).

- Statewide felony arrest rate was 26% greater than Santa Barbara County; and Santa Barbara County's misdemeanor rate was 133% greater than the statewide rate.
- Statewide felony arrest rates: violent, 421; property, 405; drug, 439; sex offenses, 27; and other, 292.
- Santa Barbara County rates: violent, 411; property, 293; drug, 285; sex offenses, 20; and other 246.
- Santa Barbara County misdemeanor arrest rates for Liquor Laws was more than 350% greater than the statewide rate; and for County/City ordinances, the county rate was 145% greater than the state. (*Of note Isla Vista plays a roll in these high rates*)

### **Santa Barbara County Probation supervises, on average a higher percentage of misdemeanant only offenders than counties reporting on the Chief Probation Officer of California (CPOC) Fiscal Year 2009-2010 Survey**

- With most counties reporting, Santa Barbara County reported that on June 30, 2010, 65% of probationers under active supervision had a felony case and 35% offenders had a misdemeanor case only. The statewide percentages were 77% felony and 23% misdemeanor only

## **Local State Parole Data Area Office Contribution**

### **Homeless Population**

July 2011

North County- 562/65 listed as transient

South County – 560/41 listed as transient

### **Dual Status (Parole and Probation)**

April 2011

North County has 41 probationers with dual status

South County has 40 probationers with dual status

**Total Dual Status Supervision: 81  
290 PC**

None of the individuals on this dual status are 290 PC Registrants

**Sheriff's Day Report Centers (DRC)**  
Santa Maria DRC

Gender

17 Females 13%    108 Males 87%

Age

% 18-24    19 clients/15%  
% 25-35    50 clients/40%  
% 36-50    44 clients/35%  
% 50 +     12 clients/10%

Number of prior prison commitments

*Estimate*

% 1 prior	5%	6.25
% 2-3 prior	15%	18.75
% 3 +	80%	100

Committing offense

The majority is drug and gang related, such as robbery and drugs, assault and drugs, along with gang involvement, etc. A rough estimate would be 97% have a drug related crime

What are the top three issues that hinder their successful transition from prison to community?

- Sobriety
- Lack of Social Skills (this hinders support systems, which leads to housing issues, etc.)
- Employment

Santa Barbara DRC

Gender

108 Males - 89.8%                    13 Females - 10.2 %

Age

% 18-24 – 13 clients/11%  
% 25-35 – 46 clients/38%  
% 36-50 – 45 clients/37%  
% 50 + – 17 clients/14%

### Committing offense

Most common offenses are petty theft with prior, burglary, false imprisonment, possession with intent.

What are the top three issues that hinder their successful transition from prison to community?

- Employment
- Anti-social peers and behavior
- Substance use

## **ATTACHMENTS**

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