



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Probation  
**Department No.:** 022  
**For Agenda Of:** May 17, 2016  
**Placement:** Departmental  
**Estimated Time:** 45 minutes  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department           Guadalupe Rabago, Chief Probation Officer  
Director(s)               805.739.8603

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**SUBJECT:**   **Fiscal Year (FY) 2016-2017 Public Safety Realignment Act Plan and Strategic Planning Initiative**

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: Risk Management

**Recommended Actions:**

That the Board of Supervisors:

- A. Receive a presentation on the FY 2016-2017 Public Safety Realignment Act Plan (Attachment A);
- B. Accept the Santa Barbara County FY 2016-2017 Public Safety Realignment Act Plan (Attachment B) developed by the Community Corrections Partnership (CCP) and approved by the Executive Committee of the CCP; and
- C. Approve Budget Revision #0004448 to increase the Probation Department's appropriation by \$30,000 for the FY 2015-2016 portion of the JFA Institute contract to assess the local criminal justice continuum of services and Realignment Plan and provide program and spending recommendations for future Plans. The FY 2016-2017 funding (\$65,000) will be included as a final budget adjustment during the June 2016 Budget Hearings (Attachment C);
- D. Determine that the acceptance of the FY 2016-2017 Public Safety Realignment Act Plan is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), finding that the activities are covered by the general rule that CEQA applies

**Auditor-Controller Concurrence**

As to form: Yes

only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activities in question may have a significant effect on the environment, the activities are not subject to CEQA (Attachment D).

**Summary Text:**

In an effort to address overcrowding in California's prisons and assist in alleviating the State financial crisis, the Public Safety Realignment Act transferred the responsibility for specific inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. This change was implemented on October 1, 2011. The Act expanded the role of the CCP established in the California Community Corrections Performance Incentives Act of 2009 (Senate Bill 678) and created a seven (7) member Executive Committee from at-large CCP members. The initial Implementation Plan was approved by the Board of Supervisors on September 20, 2011. The FY 2016-2017 Plan will be the sixth Plan brought before the Board since Realignment was implemented.

The CCP's Realignment Workgroup met to review the current FY 2015-2016 Plan, for enhancements, modifications, and additions to services and resources based upon the current workload, trends, and needs of the Realigned population. The Workgroup met monthly from June 2015 through March 2016. On February 5, 2016, the proposed FY 2016-2017 budget was adopted by the CCP and the Executive Committee of the CCP and subsequently on April 1, 2016, the FY 2016-2017 Public Safety Realignment Act Implementation Plan (Attachment B) was adopted by the CCP and the Executive Committee of the CCP. The Plan was effectively a status quo budget as expansion requests were discouraged until completion of an assessment of the local criminal justice continuum of services and Realignment Plan by an outside consultant, which is scheduled to begin in June 2016.

**Background:**

Assembly Bill 109 (AB109) brings two (2) additional offender populations under the supervision and responsibility of the local county jurisdiction. The first is the Post Release Community Supervision (PRCS) population of offenders whose committing prison offense is not a strike offense under the Three Strikes law. The second population consists of non-violent, non-serious, non-sex offenders (NX3) who will now serve their prison sentences locally and can be subject to a mandatory period of supervision as ordered by the Superior Court.

Other key elements of Realignment include revocations of community supervision being heard and served locally, changes to custody credits for jail inmates serving prison sentences and the expansion of local alternative custody options, including the expansion of alternative sanctions pursuant to Penal Code (PC) Sections (§)3453 and 3454 for PRCS; the expansion of the Sheriff's authorization to include the involuntarily placement of post sentence inmates on a home detention program pursuant to PC §1203.016; and legislation pursuant to PC §1203.018 that authorizes the Sheriff to offer an electronic monitoring program to inmates being held in lieu of bail. As a result of clean-up legislation enacted in November 2012, the Board of Supervisors authorized the Probation Department to be the agency to collect victim restitution on NX3 offenders for custody-only sentences.

The FY 2016-2017 Realignment Plan is the sixth plan submitted for approval since Realignment was implemented. A foundational and balanced approach of equally funding jail population management, supervision, and treatment continues to be a best practice and an effective local strategy. The CCP efforts are strengthened through the partnership and aligned goals, and by a Workgroup that meets

monthly to more closely review the data and funded strategies to ensure they are working as intended. Through additional collaboration opportunities such as Results First, Transition from Jail to Community, and the Re-Entry Steering Committee, all agencies have opportunities to expand their capacity to understand and implement evidence-based practices and benefit from technical assistance.

Although the criminal justice system continues to experience significant changes, such as those initiated through Proposition 47, the stakeholders’ efforts to use challenges as opportunities to further collaborate and improve outcomes is key to their success. It is anticipated that the CCP Workgroup will not only explore additional opportunities to improve Realignment outcomes, but also explore other systemic issues such as mental health needs within the jail, vocational/employment challenges that impact the criminal justice population, and the development of evidence-based practices within pre-trial services.

To further ensure local resources are utilized effectively, the County Executive Office and Supervisor Janet Wolf’s office proposed, and the CCP agreed, to fund an independent consultant to conduct a study examining the first five (5) years of Realignment funding and programs. This review of the County’s strategies will explore whether the Plan is adequately achieving the goals of “justice reinvestment” outlined in §3450(b)(7) PC. It is anticipated the study will begin in the June 2016, allowing it to inform the FY 2017-2018 planning process. This project is funded through Realignment planning funds and, ultimately, will provide a strategic plan for future Realignment Plan features and funding.

A request for proposals was distributed on March 8, 2016, and four (4) proposals were submitted. A sub-group of the CCP Workgroup reviewed the proposals and is recommending JFA Institute be awarded the consulting contract based on several factors including significant similar assignments in California. JFA Institute is a non-profit agency whose staff has over 30 years’ experience assisting jurisdictions around the country to implement more effective criminal justice policies. In the past five (5) years they have completed jail population and/or criminal justice evaluations for Marin, Los Angeles, San Diego, San Francisco, Sonoma, and Contra Costa counties. Their proposal involves a subcontract with Carter Goble Lee (CGL). Having worked in over 500 counties, all 50 states, and 17 countries, CGL is recognized as being criminal justice and corrections experts nationally and globally.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			
State	\$ 10,438,529.00		\$ 94,800.00
Federal			
Fees			
Other:			
Total	\$ 10,438,529.00	\$ -	\$ 94,800.00

**Narrative:**

The FY 2016-2017 Public Safety Realignment Act Plan is entirely funded by State revenue and consists of the County’s anticipated FY 2016-2017 AB109 base allocation amount of \$10,438,529. If approved, the Spending Plan will be incorporated into the Proposed Budgets – which will be presented to the Board of Supervisors during budget hearings in June 2016 – of the following departments: Probation,

Sheriff, Department of Behavioral Wellness (DBW), District Attorney, Public Defender, and Auditor-Controller. The Spending Plan has been incorporated into the County Executive Office (CEO) FY 2016-2017 Recommended Budget. However, as a result of timing differences between the County's budget development process and the development of the CCP's Public Safety Realignment Act Plan, a final budget adjustment will be prepared to conform to the final adopted budget for the Public Safety Realignment Act Plan.

The total cost of the JFA Institute contract for strategic planning is \$94,800. A budget revision for \$30,000 (the FY 2015-2016 portion of this consultant work) is being recommended with this Board Letter and the balance of \$64,800 will be included as a final budget adjustment with the June 2016 budget hearing materials.

Approval of the FY 2016-2017 Public Safety Realignment Act Plan and the Budget Revision related to the consultant contract will not increase the General Fund contribution of any of the departments mentioned above.

**Key Contract Risks:**

A risk analysis has been completed and key contract risks were not identified.

**Staffing Impacts:** The staffing impacts indicated below represent the deviations in full-time equivalent (FTE) positions from the FY 2015-2016 Adopted Public Safety Realignment Act Plan and the FY 2016-2017 Proposed Public Safety Realignment Act Plan.

	<b><u>FTEs:</u></b>
Probation:	0.0
Sheriff:	0.0
DBW:	0.0
DA:	0.0
Pub Def:	1.0
Auditor:	0.0

**Special Instructions:**

None

**Attachments:**

Attachment A: PowerPoint Presentation of FY 2016-2017 Public Safety Realignment Act Plan

Attachment B: FY 2016-2017 Public Safety Realignment Act Plan

Attachment C: Budget Revision Request

Attachment D: CEQA Notice of Exemption

**Authored by:**

Tanja Heitman, Deputy Chief Probation Officer