



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: March 5, 2013
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department *Tanja Heitman for* Beverly A. Taylor, Chief Probation Officer (805) 882-8603
Director(s)
Contact Info: Tanja Heitman, Deputy Chief Probation Officer (805) 739-8537
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SUBJECT: Public Safety Realignment Quarterly Operational Impact Report

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Santa Barbara Sheriff's Office

As to form: Yes

Recommended Actions:

Consider the Public Safety Realignment quarterly impact reports for October through December 2012.

Summary Text:

Public Safety Realignment resulted in significant operational and resource changes for the Departments of Probation, the Sheriff, Alcohol, Drug and Mental Health Services, the District Attorney, and the Public Defender, as well as for the Courts. The quarterly report provides a snapshot of the resources being used to deliver the broad array of services associated with Realignment. The report is divided into four (4) sections: Probation, Court Services, Sheriff, and Financial.

Background:

The Board of Supervisors approved the Fiscal Year (FY) 2012-2013 Public Safety Realignment Act Implementation Plan for the County of Santa Barbara at their May 22, 2012, meeting. Since Public Safety Realignment went into effect on October 1, 2011, quarterly presentations have been made to update the Board regarding implementation. The last presentation to the Board was made on November 6, 2012, at which time a transition to placing the quarterly update on the Administrative Agenda was made. At a minimum, yearly Board presentations would occur to aid in the budget allocation planning process. It is currently anticipated that the next presentation will come before the Board in May 2013.

Probation/Court:

The actual number of Realigned offenders under probation supervision is on target to the projected number. As a combined population the projections versus the actuals as of December 31, 2012, remained very close (projection 453 vs. actual 449).

The Post Release Community Supervision (PRCS) population declined for the first time in October 2012. It is not keeping up with the projections contained in the current year's plan. PRCS offenders who were released during the first month of Realignment (October 2011) who had not received any violations became eligible for discharge in October 2012. Additionally a decline in those exiting prison who qualify for PRCS status has occurred and it is anticipated that the incoming PRCS offenders will begin leveling off. On the other hand, the Post Sentence Supervision (PSS) population continues to increase and at a faster pace than originally anticipated. It is expected that combined actuals will stay close to projections as the second year of Realignment comes to an end.

During the first nine (9) months of Realignment the state average for PSS commitments was 23%, with 77% sentenced to custody only. During the current quarter, locally we averaged 50% PSS or split sentence commitments. This increase in PSS commitments is a result of the recognition by the criminal justice partner agencies to the benefit of mandatory supervision. As discussed previously, PSS commitments ensure offenders receive mandatory supervision upon their release from jail including re-entry services and treatment which enhance the offenders' opportunity to be successful. Additionally, increased PSS commitments will ensure jail impacts are reduced.

On a statewide basis counties will be reporting recidivism as a new felony conviction occurring during the term of supervision. It is anticipated that we will be able to compare our local rates to those of other counties in the coming months as data becomes available. Since Realignment commenced, locally 65 PRCS offenders have been discharged from supervision. Eighteen percent or 12 of those discharged received a new felony conviction as their most serious offense during their term of supervision. Although the state comparisons will only be looking at offenders who had a felony conviction, Santa Barbara County is also tracking misdemeanors (other than traffic citations). One (1) of the discharged offenders received a new misdemeanor conviction as their most serious conviction.

The number of revocation hearings handled by the Court each month continues to be minimal.

Sheriff:

When Realignment was implemented, it was projected that the jail would have an average daily population of 127 Realigned offenders on any given day upon full implementation. The incarceration trends for these inmates continue to show a slight upward trend for this current reporting period, October through December 2012. During this period the jail averaged 132% of the projected impact. In the last three (3) months there has been a slight upward trend that is expected to continue until it levels out at full implementation.

As a result of our hiring effort in the last year, all AB109 positions have been filled with the exception of one vacant social worker position. The Sheriff's Office currently has 12 vacant Custody Deputy positions; however, significant strides have been made to fill these positions. The jail uses evidence-based instruments and decisions regarding alternatives to incarceration. Deputy Probation Officers (DPOs) have been embedded in the Alternative Sentencing Bureau (ASB). DPOs currently complete an
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assessment and interview on all inmates being considered for alternative sentencing. The use of DPOs for these functions allows the Custody Deputies and Administrative Office Professionals assigned to the ASB to concentrate on supervision and compliance for those on the GPS Program.

Financial:

The FY 2012-13 countywide AB109 program budget is \$9,736,628. Countywide expenditures as of December 31, 2012, total \$3,328,230 or 34.2% of the FY 2012-13 budget. Delays in receiving invoices for contracted services can result in understated expenditure amounts particularly in the Collaborative Efforts, the Mental Health, AOD, and Treatment, and the Housing, Sober Living, and Detox components. The budget includes administrative costs reimbursement at 4.5% of direct program expenditures. The compilation of the quarterly report equates to a countywide effort requiring a total of approximately 15 – 20 hours per month.

Although Realignment presents many challenges for the criminal justice community, locally the stakeholders continue to work together to address these challenges. As more offenders complete their supervision period there will be increased opportunity to assess their outcomes with the historic parole population. At this juncture, the Community Corrections Partnership (CCP) is confident that local outcomes will be favorable if we maintain a strategic balance of jail capacity, supervision and accountability, and treatment services while focusing on evidence-based practices.

Fiscal Analysis:

The compilation of the quarterly report equates to a countywide effort requiring a total of approximately 15 – 20 hours per month.

Special Instructions: None

Attachments:

Attachment A: October 2012, November 2012, and December 2012 Monthly Impact Reports

Attachment B: Departmental Mandates

Authored by:

Tanja Heitman, Deputy Chief Probation Officer

cc:

Sheriff Bill Brown

Joyce Dudley, District Attorney

Raimundo Montes De Oca, Public Defender

Dr. Takashi Wada, Alcohol, Drug and Mental Health Services Department

Ted Myers, Department of Social Services

Ray McDonald, Workforce Investment Board

Megan Riker-Rheinschild, Victim-Witness Assistance Program

AB 109 Operational Impact Report

PROBATION

| # of Individuals in Post Release Community Supervision (PRCS) | | |
|---|--------|-----|
| Entered | Exited | Net |
| 13 | 18 | 358 |

| # of individuals in Post Sentence Supervision (NX3) | | |
|---|--------|-----|
| Entered | Exited | Net |
| 12 | 1 | 73 |

(tracked bi-annually)
June

| | Felony | Misdemeanor | Total |
|------|--------|-------------|-------|
| PRCS | 11 | 48 | 59 |
| PSS | 1 | 1 | 2 |

SHERIFF

| Incarcerated AB109 Inmates | | | |
|----------------------------|---------|-------------|-------|
| | Custody | Alternative | Total |
| Sentenced | 91 | 24 | 115 |
| *PRCS | 23 | 0 | 23 |
| *Parole | 21 | | 21 |
| *Technical Violations Only | | | 159 |

Planned Total Bed Day: 3864/Month (127 ADA)

| | Custody | Alternative |
|-------|---------|-------------|
| | 4232 | 110% |
| | 710 | 18% |
| Total | 4942 | |

COURTS

| | # of Revocation Hearings conducted | | |
|-------------------|------------------------------------|------------|------------|
| | This Month | Last Month | 6 mo. Avg. |
| Public Defender | 6 | 5 | < 1 |
| Conflict Defense | 0 | 0 | < 1 |
| District Attorney | 6 | 5 | < 1 |

| | # of NX3 sentences | | |
|--------------|--------------------|------------|--|
| | This Month | Last Month | |
| Custody only | 18 | 14 | |
| PSS | 15 | 3 | |

| # of Individuals with signed waivers | | |
|--------------------------------------|------------|---------------------|
| This Month | Last Month | Monthly Avg./ 6 mo. |
| 5 | 1 | < 1 |

FINANCIAL STATUS FY12-13

33% of Fiscal Year Elapsed

| AB 109 Component | FY 2012-13 Budget | Expenditures as of 10/31 | % of Funds Expended |
|------------------------------|---------------------|--------------------------|---------------------|
| Jail Custody | \$ 2,292,112 | \$ 516,294 | 22.5% |
| Detention Alternatives | 840,729 | 68,391 | 8.1% |
| Community Supervision | 2,476,275 | 640,642 | 25.9% |
| Collaborative Efforts | 1,121,900 | 127,708 | 11.4% |
| MH, AOD, Tx | 2,163,000 | 246,624 | 11.4% |
| Housing, Sober Living, Detox | 320,000 | 45,332 | 14.2% |
| Evaluation | 103,331 | 44,583 | 43.1% |
| Administration | 419,281 | 74,142 | 17.7% |
| Total: | \$ 9,736,628 | \$1,763,716 | 18.1% |

October 2012

AB 109 Operational Impact Report

PROBATION

of individuals in
Post Release Community Supervision (PRCS)

| Entered | Exited | Net |
|---------|--------|-----|
| 15 | 25 | 348 |

of individuals in
Post Sentence Supervision (NX3)

| Entered | Exited | Net |
|---------|--------|-----|
| 15 | 0 | 87 |

(tracked bi-annually)
June

| | Felony | Misdemeanor | Total |
|------|--------|-------------|-------|
| PRCS | 11 | 48 | 59 |
| PSS | 1 | 1 | 2 |

SHERIFF

Incarcerated AB109 Inmates

| | Custody | Alternative | Total |
|----------------------------|---------|-------------|-------|
| Sentenced | 28 | 10 | 38 |
| *PRCS | 47 | 0 | 47 |
| *Parole | 16 | 1 | 10 |
| *Technical Violations Only | | | 102 |

Planned Total Bed Day: 3864/Month (127 ADA)

| | Custody | Alternative |
|-------|---------|-------------|
| | 4116 | 107% |
| | 849 | 22% |
| Total | 4965 | |

COURTS

of Revocation Hearings conducted

| | This Month | Last Month | 6 mo. Avg. |
|-------------------|------------|------------|------------|
| Public Defender | 7 | 6 | <1 |
| Conflict Defense | 0 | 0 | <1 |
| District Attorney | 7 | 6 | <1 |

of NX3 sentences

| | This Month | Last Month |
|--------------|------------|------------|
| Custody only | 9 | 18 |
| PSS | 15 | 15 |

of individuals with signed waivers

| This Month | Last Month | Monthly Avg./ 6 mo. |
|------------|------------|---------------------|
| 4 | 5 | <1 |

FINANCIAL STATUS FY12-13

41% of Fiscal Year Elapsed

| <i>AB 109 Component</i> | <i>FY 2012-13 Budget</i> | <i>Expenditures as of 11/30</i> | <i>% of Funds Expended</i> |
|------------------------------|--------------------------|---------------------------------|----------------------------|
| Jail Custody | \$ 2,292,112 | \$ 942,705 | 41.1% |
| Detention Alternatives | 840,729 | 95,071 | 11.3% |
| Community Supervision | 2,476,275 | 781,929 | 31.6% |
| Collaborative Efforts | 1,121,900 | 238,274 | 21.2% |
| MH, AOD, Tx | 2,163,000 | 351,616 | 16.3% |
| Housing, Sober Living, Detox | 320,000 | 55,930 | 17.5% |
| Evaluation | 103,331 | 44,583 | 43.1% |
| Administration | 419,281 | 112,955 | 26.9% |
| Total: | \$ 9,736,628 | \$ 2,623,063 | 26.9% |

November 2012

AB 109 Operational Impact Report

PROBATION

of individuals in Post Release Community Supervision (PRCS)

| Entered | Exited | Net |
|---------|--------|-----|
| 25 | 18 | 355 |

of individuals in Post Sentence Supervision (NX3)

| Entered | Exited | Net |
|---------|--------|-----|
| 7 | 1 | 98 |

SHERIFF

Incarcerated AB109 Inmates

| | Custody | Alternative | Total |
|----------------------------|---------|-------------|-------|
| Sentenced | 15 | 4 | 19 |
| *PRCS | 25 | 0 | 25 |
| *Parole | 16 | 1 | 17 |
| *Technical Violations Only | | | 61 |

Planned Total Bed Day: 3864/Month (127 ADA)

| | | |
|-------------|------|------|
| Custody | 4282 | 111% |
| Alternative | 1051 | 27% |
| Total | 5333 | |

COURTS

of Revocation Hearings conducted

| | This Month | Last Month | 6 mo. Avg. |
|-------------------|------------|------------|------------|
| Public Defender | 2 | 3 | 3 |
| Conflict Defense | 0 | 0 | 0 |
| District Attorney | 2 | 3 | 3 |

of NX3 sentences

| | This Month | Last Month |
|--------------|------------|------------|
| Custody only | 10 | 11 |
| PSS | 7 | 13 |

of individuals with signed waivers

| This Month | Last Month | Monthly Avg./6 mo. |
|------------|------------|--------------------|
| 4 | 4 | 2.8 |

FINANCIAL STATUS FY12-13

50% of Fiscal Year Elapsed

| AB 109 Component | FY 2012-13 Budget | Expenditures as of 12/31 | % of Funds Expended |
|------------------------------|---------------------|--------------------------|---------------------|
| Jail Custody | \$ 2,292,112 | \$ 1,312,721 | 57.3% |
| Detention Alternatives | 840,729 | 132,130 | 15.7% |
| Community Supervision | 2,476,275 | 932,577 | 37.7% |
| Collaborative Efforts | 1,121,900 | 273,135 | 24.3% |
| MH, AOD, Tx | 2,163,000 | 375,482 | 17.4% |
| Housing, Sober Living, Detox | 320,000 | 102,095 | 31.9% |
| Evaluation | 103,331 | 56,861 | 55.0% |
| Administration | 419,281 | 143,229 | 34.2% |
| Total: | \$ 9,736,628 | \$ 3,328,230 | 34.2% |

December 2012

PROBATION DEPARTMENT MANDATES

GENERAL

131.5CCP; 830.5 PC; 1202.7 PC; 273a(c) (3) (A) and 273d(c) (3) (A) PC; 1203.097(c) PC; 1203.098 PC; 1203.097 (c) (1) PC; 1203.097 (C) PC; 13010-13014 PC; 6035 PC13020 PC; 3300 G C; 1020-1031.5 Government Code

CIVIL

1513 Probate Code; 1513.1 Probate Code; 1826 Probate Code; 1851 Probate Code; 1851.5 Probate Code; 7800 FC; 7801 FC; 7803 FC; 7804 FC; 7805 FC; 7807 FC; 7808 FC; 7810 FC; 7851(a) FC; 8500 FC; 9001 FC

JUVENILE DIVISION

A. Administrative Responsibility/Notification

1203.74 PC; 270 WIC

B. Juvenile Intake

601 WIC; 601.2 WIC; 601.3 WIC; 602 WIC; 626(d) WIC; 627(a-b) WIC; 627.5 WIC; 628 WIC; 628.1 WIC; 629 WIC; 630 WIC; 631 WIC; 632 WIC; 643 WIC; 650(a) WIC; 652 WIC; 652.5 WIC; 653 WIC; 653.1 WIC; 653.5 WIC; 653.7 WIC; 654 WIC; 676.5 WIC; 777 WIC; 778 WIC; 1404-1405 Juvenile Court Rules

C. Juvenile Investigations

200 WIC; 280 WIC; 281 WIC; 281.5 WIC; 361.2 WIC; 628(a) WIC; 635 WIC; 636 WIC; 636.1(a) WIC; 652 WIC; 653.5 WIC; 656.2 WIC; 636.1 WIC; 706 WIC; 706.5 WIC; 706.6 WIC; 707 WIC; 727.1 WIC; 727.4 WIC; 742 WIC; 781 WIC; 1741 WIC; 1742 WIC; 6306 WIC; 1492 JCR; 1499 JCR; Prop 21; SB 334; AB 575;

D. Juvenile Supervision

241.1 WIC; 282 WIC; 366 WIC; 366.23 WIC; 366.26 WIC; 367 WIC; 625 WIC; 625.3 WIC; 641 WIC; 654 WIC; 654.1 WIC; 654.2 WIC; 654.3 WIC; 654.4 WIC; 654.6 WIC; 655 WIC; 724.4 WIC; 725 WIC; 727 WIC; 727.1 WIC; 727.2 WIC; 727.3 WIC; 727.31 WIC; 727.4 WIC; 727.4 (d) (4) WIC; 727.6 WIC; 729 WIC; 729.1 WIC; 729.2 WIC; 729.3 WIC; 729.7 WIC; 729.8(a) WIC; 729.9 WIC; 729.10 WIC; 730 WIC; 730.6 WIC; 730.7 WIC; 730.8 WIC; 737 WIC; 738 WIC; 740 WIC; 740.1 WIC; 742 WIC; 742.16 WIC; 790 WIC; 793 WIC; 794 WIC; 795 WIC; 841 WIC; 1300 ET Esq. WIC; 1502.4 (a)(1) H&S; 4096 WIC; 5600.3 WIC; 11400 WIC; 11401 WIC; 11402 WIC; 11404 WIC; 10553.1 WIC; 11404.1 WIC; 11462.01(2) (C) WIC; 16516.5 WIC; 1202.8(a) PC; 1208.9(b-d) PC; 295(i) (2); 296 PC; 298 (b) (4) PC; 296.1 (a) (3) (A) PC

INSTITUTIONS

A. Juvenile Hall

Title 15, Division 1, Chapter 1, Subchapter 5 - Minimum Standards for Juvenile Facilities, Corrections Standards Authority (CSA). Sections: 4266, 4279, 4285, 4286, 4291, 4294, 4295, 4300, 4301, 4302, 4302, and 1343, Title 15, CCR

210 WIC; 209(a) PC; 850 WIC; 851 WIC; 852 WIC; 853 WIC; 854 WIC; 855 WIC

B. Home Supervision

628.1 WIC; 840 WIC; 841 WIC

C. Boys Camp

Title 15, Division 1, Chapter 1, Subchapter 5 - Minimum Standards for Juvenile Facilities (CSA)

881 WIC; 882 WIC; 885 WIC

D. Non-Secure Detention

210.1 WIC; 601 WIC; 626 WIC;

E. Medical Care Juveniles

369 WIC; 739 WIC

F. Separate Categories

225-232 WIC; 284 WIC; 285 WIC; 656.2 WIC; 704 WIC; 729.7 WIC; 742 WIC; 742.20 WIC; 749.22 WIC; 749.23 WIC; 751 WIC; 826 WIC; 826.5 (a) WIC; 826.6 WIC; 827 WIC; 881.5 WIC; 48321 ED CODE; 56026 ED CODE; 56325 ED CODE;

ADULT DIVISION

A. Adult Investigation:

290.06(a) PC; 1000.1(b) PC, 1000.5PC; 1001.20 PC to 1001.34 PC; 1001.70 PC to 1001.90 PC; 1191 PC; 1191.1 PC; 1191.2 PC; 1191.3(b) PC; 1202.4 PC; 1202.4(f) (3) PC; 1202.42PC; 1203 PC; 1203a PC; 1203c PC; 1203d PC; 1203.2a PC; 1203.9 PC; 1203.10 PC; 1203.067 PC; 1203.097 PC; 1203.097(b) (3) PC; 1203.097(b) (4) PC; 1210.1 PC; 4502 PC; 4.310 Judicial Rule; 4.411(a) (b) (c) (d) Judicial Rule; 4.411.5 Judicial Rule

B. Adult Supervision:

290(c) (1) PC; 290.4 PC; 209.6(a)(5) PC; 295(i) (2) PC; 298 (b) (4) PC; 296.1 (a) (3) (A) PC; 296.1 (a) (5) (A) PC; 298(b) (3) PC; 457.1 (e) PC; 1202.7 PC; 1202.8 PC; 1203f PC; 1203.02 PC; 1203.016 PC; 1203.044 PC; 1203.044(h) PC; 1203.045 PC; 1203.047 PC; 1203.055 PC; 1203.055(f) PC; 1203.066 PC; 1203.067 PC; 1203.076 PC; 1203.097 PC; 1203.1 PC; 1203.1(b) PC; 1203.1(j) PC; 1203.1bb PC; 1203.1(d); 1203.1(h) PC; 1203.1ab PC; 1203.1b (a) PC; 1203.1e PC; 1203.1g PC; 1203.1k PC; 1203.2 PC; 1203.2(a) PC; 1203.3 PC; 1203.4 PC; 1203.7 PC; 1203.9 PC; 1203.9 (a) PC; 1203.9 (b) PC; 1203.10 PC; 1203.12 PC; 1203.13 PC; 1389.6 PC; 1203.95 PC; 3075 PC to 3076 PC; 11177(2) PC; 11180 PC and 11181 PC; 13020 PC; SB 1128; SB 1178; Proposition 83; AB 109, Judicial Rule 2.107; Judicial Rule 2.110(a); Judicial Rule 4.101

Rev 12/2011