



2011 Public Safety Realignment Act Criminal Justice Realignment Overview and Recommended Implementation Plan

Developed by the Community Corrections Partnership (CCP)
Approved by the Executive Committee of the CCP

Presented by Patti Stewart, Chief Probation Officer
September 20, 2011



2011 Public Safety Realignment Act

Penal Code §3450(b)(7) as added by AB109:

“The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable”

Why Public Safety Realignment & Why Now?

Origins of Public Safety Realignment

- State Budget Gap of over \$26 Billion in FY 2011-12
- State Prison Overcrowding & Supreme Court Prisoner Release Order
- Advocacy for better and more cost effective corrections outcomes
 - CDCR Recidivism nearing 70%
- SB678 (2009) established incentive funding for reduced prison commitments for felony probation revocations
 - Created the fourteen member CCP as advisory to the Chief Probation Officer per Penal Code §1230
 - Reduced State Prison commitments for revocations by 6,182 statewide (13.2% less than total prior year commitments)

2011 Public Safety Realignment Act (AB109/AB117) Overview

- Transfers responsibility for two populations of specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties
- Expands the role of the Community Corrections Partnership (CCP) established by SB678

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Transferred Responsibilities

- Post-release community supervision (PRCS) offender population with committing prison offense for non-violent, non-serious felony and not deemed to be a high risk sex offender
 - Estimate: 300-320 offenders at full implementation
- Non-violent, non-serious, non-sex offenders (NX3) who will now serve their felony sentences locally and can be subject to mandatory post sentence supervision by Probation
 - Estimate: 300-320 offenders at full implementation

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Expanded Role of the CCP

- CCP to oversee the development of a mandated Public Safety Realignment Implementation Plan
- Creates a 7 member Executive Committee:
 - Chief Probation Officer (Chairperson)
 - Sheriff
 - District Attorney
 - ADMHS Director (Appointed by the Board)
 - Local Police Chief
 - Public Defender
 - Presiding Judge

2011 Public Safety Realignment Act Executive Committee of the CCP

- Will approve a recommended implementation plan for Board of Supervisors adoption
 - Plan approved by unanimous vote of Executive Committee (August 22, 2011)
- Board to adopt plan and exercise authority to approve spending plan for implementation
 - Recommended plan adopted unless 4/5 vote to send back to CCP

2011 Public Safety Realignment Act Implementation Plan Timeline

- February 4, 2011: 1st CCP Meeting; Probation workgroups formed to develop an Adult Local Action Plan (ALAP)
- April 1, 2011: 2nd CCP meeting; affirmed workgroups to address SB678 & AB109 planning
 - Members invited to join or send delegates to SB678 and AB109 planning workgroups
- April 9, 2011: AB109 signed by Governor Brown
- June 29, 2011: AB109 revised by AB117 with the signing of the FY 2011-12 State Budget
 - CCP and workgroups transition to Brown Act operation and redirect efforts to the Public Safety Realignment Implementation Plan

2011 Public Safety Realignment Act Opportunities and Risks

- AB109/AB117 significantly changes the face of community corrections
- Public Safety Realignment holds tremendous potential if fully and continuously funded
 - Improved public safety and offender outcomes
 - Reduced recidivism and criminal justice cost
- Statewide county and local municipal government and stakeholder associations (CDAA, CPDA, CPOC, CSAC, CSSA, etc.) must advocate for a Constitutional Amendment ensuring permanent funding necessary for safe and effective Public Safety Realignment

2011 Public Safety Realignment Act Implementation Strategies

Sheriff's Office Strategies

- Application of Evidence Based Custody Risk Assessment to support early release and classification decisions
 - DPO Assessor will collaborate with Jail personnel

Custody Operations and Early Release

- Phase I, 10/3/11: Expansion of Enhanced Electronic Supervision by 100 GPS units for in lieu of detention
- Phase II, 1/12/12: Re-commission Santa Maria Branch Jail to 24-7 operations to add 43 system-wide jail beds

2011 Public Safety Realignment Act Implementation Strategies

Sheriff's Office Strategies (cont'd)

- Alternatives to Custody
 - Graduated sanctions: program referrals, home detention, day and weekend reporting, GPS in lieu of detentions, etc.
- Pre-trial and post-sentence release programs
 - §1203.016 PC expands and authorizes post sentence voluntary and involuntary electronic monitoring (EM)
 - §1203.018 PC authorizes EM for County Jail inmates being held in lieu of bail (Project workgroup pending)

2011 Public Safety Realignment Act Implementation Strategies

Probation Department Services

- PRCS & Post Sentence Probation (NX3) caseloads
 - High Priority and Special Program Units will supervise
 - Phased-in supervision resources with 50:1 caseload ratios
 - DRC slots for PRCS re-entry and violations
 - PRRC for traditional probation/NX3 re-entry and violations
- Early release planning and supervision
 - Assessment Officer & STP Planner develop case plans
 - Early Release Officers assigned to PRRCs
 - Home Detention and Resource Center case management

2011 Public Safety Realignment Act Implementation Strategies

Probation Department Services (cont'd)

- Treatment Resources/Contracts
 - Enhanced STP services in County Jail, PRRC, & DRC
 - Outpatient drug free treatment and support
 - Assessment, medication management, individual support services, and group resources
 - Transitional housing, sober living, and limited detox/residential services

2011 Public Safety Realignment Act Implementation Strategies

Collaborative Law Enforcement Efforts

- Response Teams (Probation/Sheriff)
 - Countywide deployment to support expanded GPS and Early Release
 - Support for Supervision Officers to enhance field contacts and accountability
 - Assist municipal law enforcement agencies to respond to realigned offender case activity
 - Plan, coordinate, organize compliance checks, sweeps, and warrant apprehensions with allied agencies
- Regional Realignment Response Activity Fund

2011 Public Safety Realignment Act Implementation Strategies

Criminal Justice Duties and Impacts Courts/District Attorney/Public Defender

- Separate and limited funds: Court \$167K, DA/PD \$69K each
 - Court/Defense funding does not include increase for conflict counsel
- Review, charge, and prosecute/defend PRCS and NX3 violations
- Possible increased court appearances, staff time, and trials due to potential changes in filing and settlement practices
- Expertise required in law changes, alternative sentencing, and effective sentencing with reduced reliance on custody
- Unknown impacts on Court calendars, increased conflict counsel cases, demand for jail beds, and other public safety issues

2011 Public Safety Realignment Act Implementation Strategies

Municipal Law Enforcement

- No direct municipal funding allocation
- Reliance on collaboration with Probation/Sheriff and Regional Response Teams
- Information exchange to facilitate investigation and supervision
- Realignment Response Fund for increased costs associated with realigned offenders
- Assessment of outcomes and public safety impacts is imperative

2011 Public Safety Realignment Act Implementation Strategies

Alcohol, Drug, & Mental Health Services Challenges & Treatment Strategies

- Significant behavioral health issues, substance abuse, mental health or co-occurring disorders
(Estimated that up to 80% will require treatment and/or some level of intervention - 20% individual support services - 10% acute services and medication management)
- Transitional housing, sober living, & detox beds
- Develop service matrix to facilitate case planning
- Treatment needs could exceed existing capacity & resources

2011 Public Safety Realignment Act Implementation Plan

Health and Human Services Agencies

- Eligibility criteria for adult offenders unchanged
- Possible increase of applications for benefits
 - DSS: General Relief, Cal-Works, Cal-Fresh, and Medi-Cal
 - Employment Assistance: WRC / WIA Programs
 - Collaboration with Probation for Joint CWS and NX3/PRCS
 - Public Health: Medically Indigent Adults and Low Income Health Programs
 - Community Services Department: Section 8 Housing

2011 Public Safety Realignment Act Recommended Spending Plan

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

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Requested Actions:

- Approve the recommended 2011 Public Safety Realignment Implementation Plan
- Approve the associated Spending Plan
- Affirm the review of data and implementation status at the regularly scheduled CCP meetings (February, April, August, October)
 - Development of second year (FY 2012-13) spending plan expansions/modifications targeted for April 2012

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Future Priorities

- Maintain integrity of critical Public Safety and Law and Justice infrastructure supported by the general fund
- Advocate for State Constitutional Amendment to guarantee continued funding for Public Safety Realignment

2011 Public Safety Realignment Act Opportunities and Risks

Conclusion:

- Realignment creates a significant shift in the State and local criminal justice system
- Realignment creates opportunity, but concern exists about adequacy and guarantee of funding
- Underlying problem of major cuts sustained by Santa Barbara County's criminal justice system
- Realignment will have unintended consequences and could negatively impact public safety
- The Implementation Plan outlines best effort for a balanced, efficient and effective deployment of limited resources to address Public Safety Realignment