



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
Department No.: 022
For Agenda Of: May 14, 2024
Placement: Departmental
Estimated Time:
Continued Item: 45 minutes
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors *Holly L. Benton*
FROM: Holly L. Benton, Chief Probation Officer (805) 803-8537
Contact Info: Spencer Cross, Deputy Chief Probation Officer
(805) 882-3675
SUBJECT: Fiscal Year (FY) 2024-2026 Public Safety Realignment Plan

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Receive a presentation on the Fiscal Year (FY) 2024-2026 Public Safety Realignment Plan;
- B. Accept the Santa Barbara County FY 2024-2026 Public Safety Realignment Plan developed by the Community Corrections Partnership (CCP) and approved by the Executive Committee of the CCP;
- C. Find that the proposed actions do not constitute a "Project" within the meaning of the CEQA Guidelines pursuant to Section 15378(b)(5), in that they are government administrative activities that will not result in direct or indirect changes to the environment; and
- D. Determine that the acceptance of the FY 2024-2026 Public Safety Realignment 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 common sense exception that CEQA applies 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.

Summary Text:

This item is before your Board to accept the Santa Barbara County FY 2024-2026 Public Safety Realignment Plan developed by the CCP and approved by the CCP and the Executive Committee of the CCP on April 4, 2024. The FY 2024-2026 Realignment Plan highlights the ongoing collaboration between the partners of the CCP to examine and improve local Realignment efforts, which includes a balanced approach to funding new programs and agency staff to benefit the diverse needs of the justice involved populations in Santa Barbara County. The ultimate goal of CCP is to reduce recidivism and this effort is supported by the collection, analysis, and utilization of data. This further allows the allocation of resources to evidence-based strategies or promising practices to increase public safety and support justice reinvestment strategies.

Background:

The Public Safety Realignment Act (Assembly Bill 109) was implemented on October 1, 2011, as a means to address overcrowding in California's prisons and to assist in alleviating the State's financial crisis. The Act transferred the responsibility for specific inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. Additionally, it expanded the role of the CCP, as 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. Subsequent to passage of the Act in 2011, a plan for implementation of Realignment in Santa Barbara County has been brought before the Board of Supervisors each year for approval and adoption.

The funded programs, services and staffing detailed in the Realignment Spending Plan budget are described in the narrative Public Safety Realignment Plan document, which is revised in full every two years and modified by an addendum in the second year of the Realignment Plan. The Plan document and budget are brought before the Board annually; this year, your Board is receiving a report on the FY 2024-2026 Public Safety Realignment Plan and FY 2024-2025 Realignment Spending Plan.

On February 1, 2024, the CCP and the Executive Committee of the CCP voted to approve the CCP Workgroup's recommended Realignment Spending Plan for FY 2024-2025, and on April 4, 2024, the FY 2024-2026 Public Safety Realignment Plan document (Attachment B) was adopted by the CCP and the Executive Committee of the CCP.

The Public Safety Realignment Act brought two additional populations under the supervision and responsibility of local county jurisdictions. The Post Release Community Supervision (PRCS) population are individuals who exited from prison after serving a commitment for a non-violent, non-serious felony and who are deemed not to be high risk sex offenders. The non-violent, non-serious, non-sex offenders (NX3) population, known locally as Post-Sentence Supervision (PSS), are individuals who served their prison sentences locally and are subject to a mandatory period of supervision as ordered by the Superior Court.

Realignment planning in Santa Barbara County is overseen by the CCP, a collaborative, inter-agency partnership of representatives who maintain oversight of the shared goals, objectives and outcomes. Further support to the CCP is afforded by a Workgroup that meets on a monthly basis to review performance data related to funded strategies to ensure anticipated outcomes remain aligned with the five overarching performance objectives.

Santa Barbara County has been successful in using a balanced approach to the allocation of realignment funding towards jail population management, community supervision, diversion efforts, treatment programs, and innovation. This includes, but is not limited to, numerous new initiatives, programs, and staff positions as outlined in the FY 2024-2026 Public Safety Realignment Plan, summarized as follows:

Racial Justice Act Attorney (Public Defender's Office)

The California Racial Justice Act (RJA), took effect on January 1, 2021, which allows the defense to challenge criminal charges or sentences, or vacate a conviction by demonstrating that racial discrimination or bias, direct or implicit, played a role in the prosecution. The Public Defender's Office and the District Attorney's Office are committed to supporting a systemic approach to studying and addressing racial and ethnic disparities in the criminal justice system. The RJA attorney will review practices in different counties to develop a more effective approach for individuals facing bias due to race, culture, or national origin. The RJA attorney will collect data from key stakeholders to understand the impacted population, sentencing disparities, and areas vulnerable to bias in the justice system. Additionally, the RJA attorney will provide training to personnel most susceptible to systemic biases to ensure fair decision-making.

Re-entry, Early Access, and Diversion for You (READY) (Public Defender's Office)

The READY project weaves together resources from the Public Defender, Probation Department, Good Samaritan Shelter, and other local community-based organizations that specialize in areas such as life skills, job readiness, and medical care. The goal of READY is to provide an assessment of needs, connection to services, and representation at the earliest stage of a criminal case in addition to reducing the harm of pretrial incarceration for those well suited to be released from jail and diverted from the criminal legal system. READY will provide enhanced representation and connection for Santa Barbara County community members addressing disparities in the community.

Victim-Witness Program Assistant for Domestic Violence Caseloads (District Attorney's Office)

The District Attorney's Office Victim-Witness (VW) Program reported a 21% increase in domestic violence (DV) case referrals between 2019-2022 in the northern region of the county. Most notably the increase in referrals involved a high risk of lethality, defined as a DV case that is accompanied by strangulation, death threats, weapons, and/or suicidal ideations. The majority of the cases involved situations in which there were children in the home who witnessed the violence. The role of the victim witness assistant is to provide crucial documentation to the Deputy District Attorneys, Courts, Probation/Pretrial Services, and victims of crime. This information plays a vital role in the pretrial decision-making process, including the determination of criminal protective orders and restitution orders. Having a dedicated staff allows for early intervention and long-term case management services, safety planning, resource and referral counseling, emergency relocation, and securing of financial assistance to help victims break free from the cycle of violence. Additionally, this position helps the District Attorney's Office uphold constitutionally-mandated victims' rights and better serve the community.

Deputy District Attorney for Case Management System (District Attorney's Office)

The addition of a Deputy District Attorney (DDA) will allow the assignment of a staff to have oversight of the implementation of a new case management system (CMS). The DDA will work closely with the selected vendor to complete the software development/architecture phase, take the lead with officewide trainings and serve as a subject matter expert to provide an experienced prosecutor's perspective on the project. With DDA insight, the workflow will be optimized and in compliance with statutory requirements for data analysis, and configured to work with other County partners to promote better workflows and information exchanges.

Champion Healing Center (Behavioral Wellness)

The approved pilot program at the Champion Healing Center provides four (4) secure treatment beds within the County for justice-involved behavioral health clients who are in custody and eligible for a Lanterman Petris Short (LPS) Act conservatorship or qualify for temporary conservatorship. These beds will be used for inmates in County Jail and other local forensic facilities. The Champion Healing Center is a Mental Health Rehabilitation Center in Lompoc that is currently operated by Crestwood through a contract with Behavioral Wellness. The objective of this pilot program is to reduce the number of seriously mentally ill inmates in the Santa Barbara County jail.

Justice-Involved Bed Expansion

To increase the number of supportive housing beds for justice-involved individuals, twenty beds were funded in the Northern region of the county. The beds will be located within three additional dwelling units (ADU) located at Good Samaritan Shelter's existing three Clean and Sober Living locations in Santa Maria and the fourth site located in Lompoc and includes a new build.

Community Solutions, Inc; Valuing Voices (Probation Department on behalf of the CCP)

To integrate community member perspectives in public-safety related discussions and decision making, the CCP will contract with CSI for the Valuing Voices research project. This project will gather community feedback from the perspective of justice-involved individuals and/or victims, their families, and those who work with them to obtain information on opportunities to improve the delivery of services for individuals returning to their communities after a period of incarceration. To complete the project, CSI will complete a multi-modal qualitative study in a culturally sensitive manner, identifying themes and offering findings and recommendations to reduce racial and/or ethnic disparities in Santa Barbara County. CSI will conduct interviews, focus groups, and surveys throughout Santa Barbara County, encompassing locations such as Santa Maria, Lompoc, Guadalupe, Santa Ynez Valley, Santa Barbara and Carpinteria. These interactions will include individuals with past or present justice-involved lived experience, their families, and the professionals working alongside them. CSI will collect and analyze the data and provide a final report to the CCP highlighting strengths, services gaps, racial and ethnic disparities, along with recommendations to improve the delivery of services for individuals returning to their communities.

Mental Health/Diversion Paralegals (Public Defender's Office)

The addition of Diversion Paralegals (Legal Office Professional Seniors) within the Public Defender's Office will improve their ability to address clients with behavioral health disorders, developmental disabilities, emotional and psychological challenges as well as confronting systemic barriers preventing clients from accessing services. These staff will reduce costly continuances and reduce the number of days people with mental illness and other high needs will remain in jail.

Holistic Defense Program Manager (Public Defender's Office)

The addition of a Program Business Leader in the role of the Holistic Defense Program Manager (HDM) will allow the Public Defender's Office to organize, lead, and coach social workers and advocates to deliver innovative approaches to holistic defense. The HDM will develop organizational and programmatic systems to enhance efficiency, efficacy, and effective data collections while adapting to serve more complex clients.

Pretrial Services Intake Deputy Probation Officers (Probation Department)

The addition of Pretrial Intake Officers within the Probation Department will allow a dedicated staff to greet pretrial client walk-ins and conduct same day intake appointments at the Probation Department offices. This level of service will reduce waiting periods when clients report to Probation after being placed on pretrial supervision. Intake officers will be responsible for assessing and referring clients for needed services, as well as preparing cases for assignment to Pretrial Compliance Officers (PTCOs) based on risk. Their dedicated efforts will allow Pretrial Compliance Officers who were previously tasked with intake duties to have greater time to conduct field visits, author progress reports, and monitor client adherence to Court orders.

Diversion Director (District Attorney)

The addition of a Deputy District Attorney (DDA) Senior will allow for the development and implementation of various diversion programs within the DA’s office, working with other criminal justice agencies, community organizations, and service providers. This DDA will create policy and procedure for the identification, assessment, and referral of individuals suitable for diversion programs. This DDA will assess the needs of individuals involved in the criminal justice system and tailor interventions to address their specific issues. Additionally, this DDA will monitor and evaluate the effectiveness of diversion programs; collect data on participant outcomes; improve program success; ensure that diversion programs comply with applicable laws; communicate and collaborate with community organizations, social services, and other stakeholders; and provide training to prosecutors, law enforcement, and other relevant personnel on diversion program criteria, goals, and procedures.

Transportation Upgrades (Public Defender’s Office)

The Public Defender’s Office will use funding to convert a gas car to an electric car and add an additional electric car to be used by Community Defender Division staff. The electric vehicles will allow holistic defense staff to reach clients across the county, while maintaining a commitment to a healthy climate.

Fiscal and Facilities Impacts:

Budgeted: Yes **Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State	\$ 6,813,831.00	\$ 21,113,604.00	\$ 2,138,500.00
Federal			
Fees			
Other:			
Total	\$ 6,813,831.00	\$ 21,113,604.00	\$ 2,138,500.00

Narrative: The Realignment Spending Plan for FY 2024-2025 is fully financed by State revenue comprised of three main components: the estimated FY 2024-2025 Base allocation of \$19,583,268 for Santa Barbara County, supplemented by FY 2022-2023 Growth funds of \$668,108, and further supported by the utilization of the Realignment Programmatic Restricted Fund Balance (RPRFB) of \$862,228. Annual funding for ongoing programmatic operations is \$21,113,604.

The CCP has authorized the allocation of \$2,063,500 from the RPRFB to address specific one-time Realignment program-related expenditures, including:

- \$25,000 for media costs related to the Neighborhood Restorative Justice Program, which was implemented since 2021 and was previously referred to as Neighborhood Court, in the District Attorney's Office
- \$45,000 for a data evaluator
- \$556,200 for 1.0 FTE Diversion Director DDA in the District Attorney's Office
- \$40,000 for data needs of the Santa Barbara County Data Sharing Committee (SBCDSC) involving the collaboration of six (6) agencies working in partnership to facilitate cross-agency data sharing
- \$528,700 for 2.0 FTE Mental Health/Diversion Paralegals in the Public Defender's Office
- \$370,800 for a 1.0 FTE Holistic Defense Program Manager in the Public Defender's Office
- \$42,000 associated for the conversion of a gas car to an electric vehicle and purchase of an additional electric vehicle
- \$355,800 for 2.0 FTE Pretrial Services Intake Deputy Probation Officers in the Probation Department
- \$100,000 to purchase a vehicle for the Familiar Faces Program, a cross-department initiative focused on serving high-need individuals who are reluctant to engage in services, through a multi-disciplinary street outreach team
- \$75,000 from the Realignment Planning Restricted Fund Balance to fund the expansion of the evaluation component used to review programs as services or programs as selected by the CCP (\$50,000)
- Annual funding for training needs as determined by the CCP (\$25,000)

The RPRFB is anticipated to reach a total amount of \$33,173,092 by the conclusion of the current fiscal year, with \$13,790,132 earmarked for one-time needs. This leaves an estimated \$19,382,960 available to accommodate to program requirements, inclusive of a prudent reserve of \$1,200,000.

In the preceding fiscal year (FY 2023-2024), the CCP authorized the utilization of \$6,813,831 from the RPRFB for various purposes, including: \$726,160 for the Public Defender's Racial Justice Act Attorney; \$1,266,857 for the READY Program; \$364,300 for the District Attorney's Victim-Witness Program Assistant for domestic violence caseloads, \$169,800 for a Case Management Deputy District Attorney; \$282,459 for the Probation Department's Valuing Voices contract with CSI Inc.; \$2,776,255 for Behavioral Wellness' four beds at the Champion Center; and \$1,228,000 for 20 shelter beds provided by Good Samaritan Shelter Inc.

Approval of the FY 2024-2026 Public Safety Realignment Plan will not increase the General Fund contribution in FYs 2024-2026 for the departments mentioned above.

Staffing Impacts:

The staffing impacts listed below indicate deviations of FTE positions in the proposed FY 2024-2026 Public Safety Realignment Plan in comparison to the adopted FY 2023-2024 Public Safety Realignment Plan. Changes to FTE for the upcoming fiscal year include a job class reclassification from Team/Project Ldr-Gen to Program/Bus Ldr-Gen in the Probation Department for Reentry Services; +2.0 FTE Deputy Probation Officer's for Pretrial Services Intake; District Attorney +1.0 FTE Deputy District Attorney for Diversion Services; Public Defender +2.0 FTE Legal Office Professional Seniors., for Mental Health/Diversion Paralegals, +1.0 FTE Program/Bus Ldr-Gen for Holistic Defense Program Manager.

<u>Legal Positions:</u>	<u>FTEs:</u>
Probation Department	+2.0
District Attorney	+1.0
Public Defender	+3.0

Attachments:

Attachment A: PowerPoint Presentation of FY 2024-2026 Public Safety Realignment Plan

Attachment B: FY 2024-2026 Public Safety Realignment Plan

Authored by:

Spencer Cross, Deputy Chief Probation Officer