



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: April 21, 2015
Placement: Departmental
Estimated Time: 45 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Guadalupe Rabago, Chief Probation Officer 805.739.8603
Director(s)
Contact Info: Tanja Heitman, Deputy Chief Probation Officer 805.739.8537
heitman@co.santa-barbara.ca.us
SUBJECT: Fiscal Year (FY) 2015-2016 Public Safety Realignment Act Plan

County Counsel Concurrence

As to form: Yes

Other Concurrence: None

Recommended Actions:

That the Board of Supervisors:

- A. Receive a presentation on the FY 2015-2016 Public Safety Realignment Act Plan (Attachment A);
- B. Accept the Santa Barbara County FY 2015-2016 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. Determine that the acceptance of the FY 2015-2016 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 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 C)

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.

Auditor-Controller Concurrence

As to form: Yes

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 Executive Committee of the CCP is required to recommend an Implementation Plan to the Board of Supervisors. The initial Implementation Plan was approved by the Board of Supervisors on September 20, 2011. The FY 2015-2016 Plan will be the fifth Plan brought before the Board since Realignment was implemented.

The CCP's Realignment workgroup met to review the current FY 2014-2015 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 August 2014 through March 2015. On February 6, 2015, the proposed allocation plan was adopted by the CCP. On April 3, 2015, the FY 2015-2016 Public Safety Realignment Act Implementation Plan was adopted by the CCP and the Executive Committee of the CCP.

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 new 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 2015-2016 Realignment Plan is the fifth plan submitted for approval since Realignment was implemented. It appears that the foundational approach of equally funding jail population management, supervision, and treatment has served the County well and continues to be a best practice. The CCP continues toward mutual goals and is well served 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 had 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. In the coming fiscal year, 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, housing challenges that impact

the criminal justice population and supporting the courts in the development of evidence-based practices within pre-trial services.

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	\$ 10,182,104.00		
Federal			
Fees			
Other:			
Total	\$ 10,182,104.00	\$ -	\$ -

Narrative:

The FY 2015-2016 Public Safety Realignment Act Plan is fully funded by State funding sources which include the County’s anticipated FY 2015-2016 AB 109 allocation of \$9,343,991 and FY 2013-2014 Growth Funds of \$838,113, for a combined total amount of \$10,182,104. If accepted, the Spending Plan will be incorporated into the Probation; Sheriff; Public Defender; District Attorney; and Alcohol, Drug, and Mental Health Services (ADMHS) Proposed Budgets, which will be presented to the Board of Supervisors during Budget Hearings in June 2015. The Spending Plan has been incorporated into the County Executive Office (CEO) Recommended Budget for FY 2015-2016; however, due to timing differences between the budget development process and the development of the CCP’s Public Safety Realignment Act Plan, a final budget adjustment will be prepared to agree with the final adopted budget to the Public Safety Realignment Act Plan.

Acceptance of the FY 2015-2016 Public Safety Realignment Act Plan will not increase the General Fund Contribution to any of the departments.

Key Contract Risks:

The risk analysis has been completed and no key contract risks have been identified.

Staffing Impacts: The staffing impacts indicated below represent the deviations in full time equivalent (FTE) positions from the FY 2014-2015 Adopted Public Safety Realignment Act Plan and the FY 2015-2016 Proposed Public Safety Realignment Act Plan.

	<u>FTEs:</u>
Probation:	-1.0
Sheriff:	0.0
DA:	0.0
PD:	0.5
ADMHS:	0.0

Special Instructions:

None.

Attachments:

Attachment A: PowerPoint Presentation of FY 2015-2016 Public Safety Realignment Act Plan

Attachment B: FY 2015-2016 Public Safety Realignment Act Plan

Attachment C: CEQA Notice of Exemption

Authored by:

Tanja Heitman, Deputy Chief Probation Officer