



**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 21, 2013
Placement: Departmental
Estimated Tme: 40 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Beverly A. Taylor, Chief Probation Officer 805.882.3652
Director(s)
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SUBJECT: Fiscal Year (FY) 2013-2014 Public Safety Realignment Act Plan

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence:

None

Recommended Actions:

That the Board of Supervisors:

- A. Receive a presentation on the FY 2013-14 Public Safety Realignment Act Plan; and
- B. Accept the Santa Barbara County FY 2013-14 Public Safety Realignment Act Plan (see Attachment A) developed by the Community Corrections Partnership (CCP) and approved by the Executive Committee of the CCP.

Summary Text:

In an effort to address overcrowding in California's prisons and assist in alleviating the State financial crisis, the 2011 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 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 2012-13 Plan was approved by the Board of Supervisors on May 22, 2012.

An Ad Hoc workgroup was established to review the current FY 2012-13 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 2012 through March 2013. On January 25, 2013, the workgroup members also presented before the full CCP the proposed plan of services. The CCP and Executive Committee approved the services, with minor modifications and directed the workgroup to draft the FY 2013-14 Public Safety Realignment Act Plan, including a proposed budget. Based on the direction provided at the January 25th meeting, on April 5, 2013, the proposed FY 2013-14 Spending Plan (Section VI, pages 28-30) was delivered to the CCP and Executive Committee at which time it was unanimously approved. On May 3rd the FY 2013-14 Public Safety Realignment Act Plan was presented to the CCP and the Executive Committee of the CCP and adopted, with minor modifications.

Background:

Assembly Bill 109 (AB109) brings two 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 or 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.

After a year and a half, Santa Barbara County has a better understanding of the needs of the AB109 offender through evidence based assessment tools and case management strategies. The actual number of Realigned offenders under Probation supervision is on target with projections. Custody capacity continues to be a source of concern. Although the jail has anticipated to mitigate the impact of Realignment through the use of risk assessments and increased use of GPS, there is a need to release more offenders than what is supported by the risk assessments. In the coming year, it is anticipated that efforts through a collaborative process with the Transition from Jail to Community (TJC) project and increase understanding of the pre-trial population will assist in identifying additional strategies.

The CCP will continue to closely monitor local implementation of Realignment. Additionally a mid-year report will also be provided before your Board in addition to the yearly presentation regarding the proposed implementation and spending plan.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

The budget for the FY 2013-14 Plan totals \$10,085,787 and includes the County's FY 2013-14 AB109 allocation of \$9,446,143 and \$639,644 in unspent prior year revenue. The use of \$639,644 in one-time funding is a reduction from the \$1,765,706 in one-time funding included in the adopted FY 2012-13 spending plan. If accepted, the spending plan will be incorporated into the Probation, Sheriff, Public Defender, District Attorney, and Alcohol, Drug, and Mental Health Services proposed budgets which will be presented to the Board of Supervisors during budget hearings in June 2013. The expenditure plan has been incorporated into the CEO's recommended budget for fiscal year 2014. However, due to timing differences between the budget development process and the development of the CCP plan, a final budget adjustment will be prepared to agree the final adopted budget to the CCP plan. Acceptance of the FY 2013-14 Realignment Plan will not increase the General Fund Contribution to any of the Departments.

Staffing Impacts:

The staffing impacts indicated below represent the increase in full time equivalent (FTE) positions from the FY 2012-13 adopted Public Safety Realignment Act Plan and the proposed FY 2013-14 Public Safety Realignment Act Plan.

	<u>FTEs:</u>
Probation:	2.5
Sheriff:	2.0
DA:	0.0
PD:	0.0
ADMHS:	0.0

Special Instructions:

None

Attachment:

Attachment A: FY 2013-14 Public Safety Realignment Act Plan

Authored by:

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CC:

Bill Brown, Sheriff

Larry Ralston, Lompoc Police Chief

Takashi Wada, Ph.D., Interim Director Alcohol, Drug and Mental Health Services

Joyce Dudley, District Attorney

Arthur Garcia, Presiding Judge of the Superior Court

Rai Montes De Oca, Public Defender