



**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 20, 2014  
**Placement:** Departmental  
**Estimated Tme:** 1 hour  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Beverly A. Taylor, Chief Probation Officer 805.882.3652  
Director(s)  
Contact Info: Tanja Heitman, Deputy Chief Probation Officer 805.739.8537  
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**SUBJECT:** Fiscal Year (FY) 2014-2015 Public Safety Realignment Act Plan

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**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 2014-15 Public Safety Realignment Act Plan;
- B. Accept the Santa Barbara County FY 2014-15 Public Safety Realignment Act Plan (see Attachment A) 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 2014-15 Public Safety Realignment Act Plan is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(2), 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.

**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 2014-15 Plan will be the fourth Plan brought before the Board since Realignment was implemented.

An Ad Hoc workgroup was established to review the current FY 2013-14 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 September 2013 through April 2014. On April 4, 2014, three (3) options for proposed plans were presented to the CCP. The CCP made modifications to one (1) of the proposals and adopted the proposed FY 2014-15 Spending Plan (Section VI, pages 28-30) unanimously. On May 2<sup>nd</sup> 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 (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 2014-2015 Realignment Plan is the fourth plan submitted for approval since Realignment was implemented. This latest plan is a testament to the local stakeholders' commitment to a shared vision and while understanding the fiscal limitations, it continues to put forth a balanced and efficient deployment of the resources. The CCP continues to advocate at the State level for a county allocation formula, which will ensure more equitable distribution of funds across the State and is optimistic that with additional funds even greater success could be achieved.

It is anticipated that FY 2014-2015 will be a year of continued program improvements and collaboration to achieve increased efficiencies in jail assessment, discharge planning, and the use of clean and sober housing. Each of these program components have been in place since the initial Realignment plan was

adopted; however, they involve significant resources and are directly related to significant system improvements. They each involve multiple agencies and are crucial to the success of the Realignment population as well as other offenders within the criminal justice system.

In order to move towards achieving a balanced budget based on the current allocation projection, a number of reductions were made. The vast majority of them will not result in operational impacts and were achieved by a reduction in job classifications and line items that were not being fully expended. The only reduction that will result in adverse impact was a reduction in the allocation of Deputy Probation Officers (DPOs) to supervise offenders on Global Positioning System (GPS) from two (2.0) FTE to one (1.0) FTE. This reduction may be mitigated by the decreasing PRCS population as the majority of offenders on GPS are currently PRCS offenders needing additional supervision and oversight as they return to the community from prison. Due to the staffing reduction, a cap of 22 offenders will be administered for GPS.

The Compliance Response Team (CRT) strategy was prioritized for additional resources. The CRTs have been very successful, but over time it has become increasingly clear that they require a higher level of supervision in the field due to the nature of the operations in which they are involved. The supervision has been provided primarily through a Supervising Probation Officer (SPO) who has had direct responsibility for a number of other case-carrying staff and, therefore, is unavailable to respond to the field to provide assistance or supervision. Through an enhancement in this year's plan, the CRTs will be assigned a dedicated Santa Barbara Sheriff's Office (SBSO) Sergeant to oversee this effort and work collaboratively with the Probation Department as well as local law enforcement.

The District Attorney's (DA's) Office was also allocated a one-half (0.5) FTE Victim Witness Advocate to launch a new Realignment strategy. This will allow services to be specialized and enhanced for victims of Realigned offenders. Data will be collected in this first year to aid in determining the advantages and impacts of this additional strategy.

#### **Fiscal and Facilities Impacts:**

Budgeted: Yes

#### **Fiscal Analysis:**

The budget for the FY 2014-2015 Plan totals \$9,957,249 and includes the anticipated County's FY 2014-2015 AB109 allocation of \$8,833,000, unspent prior year revenue of \$508,826 and FY 2012-2013 growth funds of \$615,423. 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 2014. The expenditure plan has been incorporated into the County Executive Office (CEO) recommended budget for FY 2014-2015. However, due to timing differences between the budget development process and the development of the CCP's Realignment plan, a final budget adjustment will be prepared to agree with the final adopted budget to the Realignment plan. Acceptance of the FY 2014-2015 Realignment Plan will not increase the General Fund Contribution to any of the Departments.

**Staffing Impacts:**

	<b><u>FTEs:</u></b>
Probation:	-2.0
Sheriff:	0.0
DA:	0.5
PD:	0.0
ADMHS:	0.0

**Special Instructions:**

None

**Attachment:**

Attachment A: FY 2014-2015 Public Safety Realignment Act Plan

Attachment B: CEQA Notice of Exemption

**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