

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

507



FROM: Probation Department

SUBMITTAL DATE:
October 6, 2009

SUBJECT: SB 678 "California Community Corrections Performance Incentive Act" Report

RECOMMENDED MOTION: That the Board of Supervisors receive and file the SB 678 "California Community Corrections Performance Incentive Act" Report.

BACKGROUND: The attached report outlines the provisions of the pending SB 678 legislation called "California Community Corrections Performance Incentive Act". This bill will authorize each county to establish a Community Corrections Performance Incentives Fund (CCPIF) and will authorize the state to annually allocate money into a State Corrections Performance Incentives Fund to be used for specified purposes relating to improving local probation supervision practices and capacities.

This bill will require the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, to calculate the amount of money to be appropriated from the state fund into a CCPIF. This bill would specify that the calculation would be based on costs avoided by the Department of Corrections and Rehabilitation because of a reduction in the percentage of adult probationers sent to prison for a probation failure, as specified. This bill would also require each county (continued)

PBR-013-09/10

Alan M. Crogan
Chief Probation Officer

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	2009/10

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Elizabeth J. Olson

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE

Policy
 Policy
 Consent
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: | **District:** All | **Agenda Number:**

3.49

using CCPIF funds to identify and track specific outcome-based measures, as specified, and report to the Administrative Office of the Courts on the effectiveness of the programs paid for by the CCPIF.

The bill will require that a Community Corrections Partnership (CCP), chaired by the Chief Probation Officer, to be established. This is an advisory partnership that is discussed further in the attached report.

The Probation Department will return with another Form 11 outlining the implementation of SB 678 once approved and signed by the Governor. In the meantime, notification will be sent to the Community Corrections Partnership.

Riverside County Probation Department

SB 678 "California Community Corrections Performance Incentive Act"

History: Senate Bill 678 (SB 678), the "California Community Corrections Performance Incentive Act of 2009," is authored by State Senators Mark Leno and John Benoit. This bill will establish a system of performance-based funding to support evidence-based practices relating to the supervision of adult felony offenders. The bill will provide a formula-based system for sharing state savings with probation for purposes of improved supervision of felony probationers when those savings are achieved as a result of reduced prison admissions attributable to improved felony probation outcomes. The bill will provide financial incentives for county probation departments to implement the best practices identified by experts as critical for reducing recidivism rates and reduce the number of revocations of probation to state prison. This would result in better public safety outcomes for local communities and help reduce the prison population and parole expenditures.

The average yearly cost to incarcerate an adult inmate in the California State Prison system is \$49,000. It is estimated that 70% of the inmates currently in state prison are there for nonviolent crimes, although some have a prior history of violence. The state is under Federal Mandate to reduce the prison population by approximately 44,000 inmates. Although SB 678 is not intended to resolve this current problem, nor is it a "fix" for the current prison overcrowding issue, it will be a part of the solution to reduce or eliminate future overcrowding issues.

Funding: The legislature has already approved the "Adult Probation Funding-Byrne/JAG Stimulus Funds." This consists of \$45,000,000 of the total amount of money to be allocated by SB 678 to be provided to county probation departments for the purpose of providing evidence based supervision programs or services to probationers. This money is separate from funds to be received for actually reducing the numbers of probation offenders going to state prison for violations of probation. The amount to be received by each county will depend on the county population of adults who are 18 to 25 years of age, provided that each county receiving funding shall receive a minimum of \$25,000. Probation departments must demonstrate that the programs they are seeking funding for are evidence based and target adult probation offenders.

The monies received are specifically intended for county probation departments for the implementation of the provisions of SB 678. Therefore, once the bill is passed, it is requested that a separate probation trust fund be established for the monies received to be deposited in a Community Corrections Performance Incentives Fund (CCPIF).

Community Corrections Partnership (CCP): The Senate bill will also require that a Community Corrections program be developed and implemented by a county Probation Department under the advisory of a local Community Corrections Partnership (CCP) chaired by the County Chief Probation Officer. The Senate bill identifies that the CCP will be comprised by the following members:

1. The Presiding Judge of the County Superior court, or his or her designee.
2. A County Supervisor or the Chief Administrative Officer for the county.
3. The District Attorney.
4. The Public Defender.

5. The Sheriff.
6. A Chief of Police.
7. The head of the County Department of Social Services.
8. The head of the County Department of Mental Health.
9. The head of the County department of employment.
10. The head of the County Alcohol and Substance Abuse Programs.
11. The head of the County Office of Education.
12. A representative from a community-based organization with experience in successfully providing rehabilitative services to persons who have been convicted of a criminal offense.
13. An individual who represents the interests of victims.

Status: At present, the Riverside County Probation Department is preparing to implement the changes that we will need to make in order to comply with the provisions of SB 678 when it is eventually passed by the Legislature and signed by the Governor. The department will incorporate evidence based practices into our normal business practices. We are currently working with the National Institute of Corrections (NIC) who will be providing technical assistance. In August 2009 the department received a Technical Assistance Report from NIC with several recommendations regarding what the department will need to do to meet the upcoming challenges required by SB 678. These include initially focusing on the following eight areas: implementation of a risk/needs instrument; reduction in workloads; defining critical measures; develop a project implementation plan; project management; develop a quality assurance plan; performance evaluations; and staff training. The department is currently exploring development of a Day Reporting Center and probation staff will be trained in motivational interviewing and in evidence based practices.