

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

418



**FROM:** Probation Department

**SUBMITTAL DATE:**  
October 29, 2012

**SUBJECT:** Update of the local Community Corrections Partnership for the implementation of AB 109, Criminal Justice Alignment.

**RECOMMENDED MOTION:** That the Board of Supervisors receive and file the update from the local Community Corrections Partnership for the implementation of AB 109, Criminal Justice Alignment.

**BACKGROUND:** Effective October 1, 2011, AB 109 changed the definition of a felony as it relates to sentencing, mandated specific changes to public safety and shifted responsibility for offenders whose most recent crimes are non-serious, non-violent and determined to be a non high-risk sex offense (non, non, non or N3) from the California Department of Corrections and Rehabilitation (CDCR) to counties. All N3 offenders completing state prison terms are now placed under Post-Release Community Supervision (PRCS) and supervised by probation departments rather than State Parole. Locally supervised offenders who violate the terms of their supervision are revoked and sent to jail instead of prison. Local judges commit N3 defendants to the county jail for a full term according to the applicable sentencing law, or a hybrid term which combines the legal sentencing term with a period of mandatory supervision. Sentence enhancements apply and day for day credits are given for all county jail sentences.


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Alan M. Crogan  
Chief Probation Officer

<b>FINANCIAL DATA</b>	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:	FY 12/13

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

**C.E.O. RECOMMENDATION:** APPROVE

BY:   
Elizabeth J. Olson

**County Executive Office Signature**

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

3.67

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Community Corrections Partnership Executive Committee

AB 109 also requires that the local Community Corrections Partnership, already established by SB 678, form an Executive Committee chaired by the Chief Probation Officer. The local Community Corrections Partnership Executive Committee (CCPEC) members include the following: Chief Probation Officer (chair); Presiding Judge of the Superior Court or designee; District Attorney; Public Defender; Sheriff; a Chief of Police; and the Director of Mental Health, who was selected by the Board of Supervisors. Effective October 2, 2012, the Presiding Judge of the Superior Court or designee will not be attending future CCPEC meetings due to a ruling that the Court received from the Administrative Office of the Courts General Counsel stating that the Judiciary Court should not participate in CCPEC budget decisions that may affect any department funds due to a potential conflict of interest.

The CCPEC continues to meet regularly to discuss matters relating to the county's Realignment implementation. The 2012 scheduled meeting dates are as follows:

January 10, 2012	April 3, 2012	August 7, 2012	October 18, 2012 *
January 24, 2012	May 1, 2012	August 21, 2012 *	November 13, 2012
February 7, 2012	June 5, 2012	September 4, 2012	December 4, 2012
March 6, 2012	July 3, 2012	October 2, 2012	

\*Special Meeting

On February 28, 2012, the Board of Supervisors approved the Local Community Corrections Partnership Public Safety Realignment and Post-Release Community Supervision Final Plan for Implementation of AB 109 Criminal Justice Alignment. The Final Plan incorporated all the previously approved CCPEC agency plans into one final comprehensive plan that included updated statistical and program information since October 1, 2011.

It is anticipated that the CCPEC will return to the Board of Supervisors with an update to the comprehensive plan in early 2013.

Realignment Funding: Local Revenue Fund 2011

The CCPEC and the Board of Supervisors have previously approved to designate the Chief Probation Officer as the fiscal administrator of the funds that Riverside County is to receive from the State of California for implementing AB 109. The budget trailer bill, AB 118, created the funding framework for all aspects of 2011 Realignment including AB 109 implementation and created the Local Revenue Fund 2011 to fund the Community Corrections Grant Program. These funds are intended to cover all aspects of the adult population shifts: the transfer of the N3's offender population, counties' new supervision responsibilities for state prison inmates released to post-release community supervision (PRCS), sanctions – to include incarceration – for those on PRCS who are revoked, and local custody up to 180 days for state parolees who are revoked.

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In fiscal year 2011/12, Riverside County received three separate funding allocations through the AB 118 Local Revenue Fund: the Criminal Justice Alignment/Local Community Corrections Account program allocation which is designated for custody supervision and treatment services (\$21,074,467); the Criminal Justice Alignment one-time Community Corrections Partnership planning allocation funds (\$200,000) and the one-time implementation funding allocation for recruitment, training, and equipment (\$1,487,050). In addition, the AB 118 Local Revenue Fund 2011 established separate accounts for the Superior Court (Trial Court Security Account: \$662,000), and the District Attorney and Public Defender (District Attorney and Public Defender Account: did share \$755,421).

Fiscal Year 2012/13 Funding:

In fiscal 2012/13, Riverside County received two separate funding allocations: the Criminal Justice Alignment/Local Community Corrections Account program allocation which is designated for the custody supervision and treatment services (\$43,183,181); and the Criminal Justice Alignment one-time Community Corrections Partnership planning allocation funds (\$200,000). And again, as in the previous year, the Superior Court and the District Attorney and Public Defender received their separate accounts. The Court is scheduled to receive \$344,651; and the District Attorney and Public Defender will share \$852,762 this fiscal year.

On October 18, 2012, the CCPEC approved the fiscal year 2012/13 budget allocations as listed below:

<b>CCPEC Member Agency</b>	<b>Rollover Funds FY 2011/12</b>	<b>Contingency Funds FY 2011/12</b>	<b>Other Funds FY 2012/13</b>	<b>9 Month Approved Budgets FY 2012/13</b>	<b>Total Budgets FY 2012/13</b>
Probation	\$ 1,824,761	\$ 197,345	N/A	\$ 10,350,000	\$ 12,372,106
Sheriff	\$ 3,462,103	\$ 339,500	N/A	\$ 17,952,137	\$ 21,753,740
District Attorney	\$ 304,453	\$ 19,954	\$ 426,381	\$ 797,863	\$ 1,548,651
Public Defender	\$ 438,188	\$ 15,257	\$ 426,381	\$ 0	\$ 879,826
Mental Health	\$ 2,441,407	\$ 140,000	N/A	\$ 9,952,644	\$ 12,534,051
Police	\$ 337,715	\$ 25,550	N/A	\$ 1,056,675	\$ 1,419,940
Superior Court			\$ 344,651	N/A	\$ 344,651
Contingency				\$ 3,073,862	\$ 3,073,862
<b>Total</b>	<b>\$ 8,808,627</b>	<b>\$ 737,606</b>	<b>\$1,197,413</b>	<b>\$ 43,183,181</b>	<b>\$ 53,926,827</b>

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The allocations for the Probation, Sheriff, District Attorney, and Mental Health departments are at 9 months of the member agency's original fiscal year 2012/13 budget requests. The Public Defender received no additional funding from the fiscal year 2012/13 AB 109 Operating Funds, and the Police agency received funding at 9 months of their fiscal year 2011/12 allocation. It is anticipated that the Public Defender and the Police agencies will return at a future meeting of the CCPEC to request adjustments to their fiscal year 2012/13 approved budget allocations.

The CCPEC member agencies will utilize the AB 109 funding for on-going costs. No additional net county cost will be required and there is no county match requirement. Each county CCPEC member agency will return to the Board of Supervisors for additional budget adjustments and position requests as needed.

**Signatures on next page**

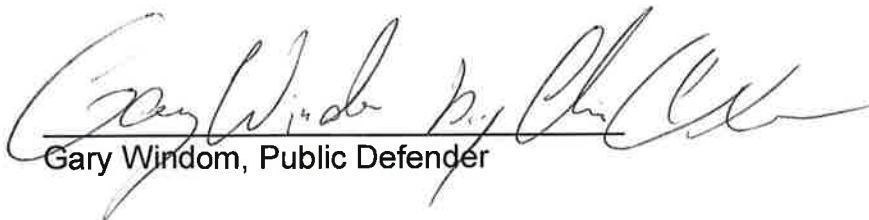
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**Community Corrections Partnership Executive Committee (CCPEC)**


  
Stanley L. Sniff, Jr., Sheriff-Coroner-PA

  
Paul E. Zellerbach, District Attorney

  
Gary Windom, Public Defender

  
Jerry A. Wengerd, Director  
Department of Mental Health

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Sherri Carter, Superior Court Designee

  
Dave Brown, Chief of Police, Hemet