

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

419



FROM: Probation Department

SUBMITTAL DATE:
October 29, 2012

SUBJECT: Receive and file the update from the Probation Department regarding the implementation of AB 109, Criminal Justice Alignment, and Amend Ordinance No. 440 pursuant to Resolution 440- 8912 submitted herewith.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and file the update from the Probation Department regarding the implementation of AB 109, Criminal Justice Alignment.
2. Approve and direct the Auditor-Controller to make budget adjustments as outlined in the attached Schedule A for Fiscal Year 2012/13.
3. Amend Ordinance No. 440 pursuant to Resolution 440- 8912 submitted herewith.

BACKGROUND: 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 (agenda item 3.42). The document incorporated all the previously approved Community Corrections Partnership Executive Committee (CCPEC) agency plans into one final comprehensive plan that included updated statistical and program information since October 1, 2011.

(continued to page 2)

Alan M. Crogan
Chief Probation Officer

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 872,106	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0	For Fiscal Year:	FY 12/13

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

C.E.O. RECOMMENDATION: APPROVE

BY:
Elizabeth J. Olson

County Executive Office Signature

FISCAL PROCEDURES APPROVED
PAUL ANGULO, CPA, AUDITOR-CONTROLLER
BY:
SAMUEL WONG

Barbara A. Olivier
Approved by Barbara A. Olivier
Asst. County Executive Officer/
Human Resources Director
Concurrence

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

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The CCPEC recognizes the overall intent of the Public Safety Realignment Act, Assembly Bill 109 (AB 109), which took effect October 1, 2011, and its responsibility for the program elements contained in the Final Implementation Plan. The CCPEC also recognizes the scale of requirements and financial constraints, as well as the broader opportunity to provide a higher level of justice system effectiveness and public safety. All of the key departments and agencies involved in the implementation process have collaboratively worked together to create a process where there will be an allocation of resources, sharing of information, avoidance of duplication of services and providing needed services to this population.

In fiscal year 2011/12, the CCPEC and the Board of Supervisors approved a six-month funding allocation of \$5,838,954 and 91 positions for the Probation Department to implement AB 109 realignment. The department developed and implemented evidence-based programs to provide Post-Release Community Supervision (PRCS) and Supervised Release Supervision, effective October 1, 2011. Since then, the department experienced a major shift upwards in the numbers of the PRCS offenders than originally projected by the California Department of Corrections and Rehabilitation (CDCR), and in the complexity and array of services they need based on the higher percentage that assessed at a higher rate of risk posed to the community.

Post-Release Community Supervision (PRCS) and Supervised Release Supervision

To date, one of the greatest impacts of realignment implementation has been on the Probation Department's high-risk caseloads.

Originally, CDCR projected Riverside County would receive 1,688 Post-release Community Supervision (PRCS) offenders during the first year (October 1, 2011 to June 30, 2012). In December 2011, this projection was revised to 1,965 PRCS offenders. This revision represented an approximate increase of 16% above the initial projection. It is important to note the initial CDCR projections were used to determine Riverside County's Average Daily Population at 1,601 by the California Department of Finance, which determined the funding allotted to Riverside County.

Based on early projections, the Probation Department established 28 AB 109 caseloads. As of October 26, 2012, 1,728 PRCS offenders and 687 Supervised Release offenders have been assigned to these caseloads, totaling 2,415. Probation initially estimated 40% of the PRCS offenders would assess as high-risk via the COMPAS Risk Needs assessment tool. In fact, 62% of the PRCS population has assessed at high-risk; requiring a higher number of caseloads, services and staff than originally estimated.

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Assessments of PRCS Offenders		
High	1,072	62%
Medium	285	17%
Low	371	21%
Subtotal	1,728	100%
Pending Assessment	209	
Total Active Supervision	1,937	

Assessments of Supervised Release Offenders		
High	392	57%
Medium	140	20%
Low	155	23%
Subtotal	687	100%
Pending Assessment	220	
Total Active Supervision	907	

Caseloads were established consisting of high, medium and low-risk levels of supervision based on the results of the assessments. Armed high-risk caseloads were created to target those individuals who posed a significant threat to officer safety. Three Probation Officers are assigned part-time to the Police Accountability Compliance Team (P.A.C.T) to assist with compliance checks and warrant service. Additionally, AB 109 offenders reporting to be homeless are required to check in daily to the Kiosk offender reporting system at the nearest Probation office.

Staff has participated in training specific to Evidence-based Practices Overview, Motivational Interviewing Fundamentals, Correctional Offender Management Profiling for Alternative Sanctions (COMPAS), and Cognitive Behavior Therapy interventions. As of October 26, 2012, Probation has imposed 156 intermediate sanctions; utilized 366 Flash Incarcerations; and filed 1044 Violation Petitions to the Court.

In fiscal year 2012/13, given the current numbers based on the assessments, an additional 17 supervision caseloads are needed along with the personnel required to provide local supervision to the increased PRCS population. As approved by the CCPEC on October 2, 2012, the attached resolution details the requested positions to be added to the Probation Department to accomplish the program and activities associated with the continued implementation of AB 109 Post-Release Community Supervision. All positions are 100% AB 109 funded. In accordance with Policy A-30, all positions in the attached resolution will be deleted upon termination of the funding.

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Day Reporting Center

On October 15, 2012, the Probation Department opened a Day Reporting Center (DRC) in the City of Riverside. The goal of the DRC is to target the AB 109 population consisting of PRCS offenders; individuals serving a split sentence, or supervised release as referred by the Court [PC1170(h)(5)(B)]. DRC's are a best practice in the field of probation for providing treatment and rehabilitation services.

Through collaboration with other county departments and community-based organizations such as the Department of Public Social Services, the Riverside County Workforce Development and the Riverside County Office of Education, DRC services will ensure accountability and provide offenders with a "one stop concept." The DRC, with a daily capacity of 50 offenders, offers a variety of comprehensive treatment services to assist offenders referred to the program with successful transitioning into their communities. Offenders will have the opportunity to access resources to assist them in substance abuse rehabilitation; improve health issues; finding and maintaining employment; and resources for family services.

The goals of the DRC is to reduce recidivism; assist offenders in successful re-entry by providing needed evidence-based services; and increase public safety by holding offenders accountable. These goals will be achieved by providing skill-based learning opportunities, educational and vocational training and intensive community supervision.

As approved by the CCPEC on October 2, 2012, the attached resolution details the requested positions to be added to the Probation Department to fully operate the DRC program on an ongoing basis. All positions are 100% AB 109 funded. In accordance with Policy A-30, all positions in the attached resolution will be deleted upon termination of the funding.

Investigations Unit

The Probation Department is working with the Superior Court to provide investigation reports on 1170(h) PC offenders on Supervised Release ordered by the Court. The investigation workload is expected to produce an average of 102 memorandums per month or four reports per week per investigator. The Post-Sentence/Release investigation report will include a mental health evaluation, COMPAS assessment and case plan.

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As approved by the CCPEC on October 2, 2012, the attached resolution details the requested positions to be added to the Probation Department to accomplish the program and activities associated with the Investigation Unit. All positions are 100% AB 109 funded. In accordance with Policy A-30, all positions in the attached resolution will be deleted upon termination of the funding.

FY 2012/13 AB 109 Funding

On October 2, 2012, the CCPEC approved the Probation Department Plan modifications and fiscal year 2012/13 funding allocation at 9 months of the department's original request. The total Riverside County AB 109 allocation is \$43,183,181. The approved Probation Department fiscal year 2012/13 budget allocation is listed below:

	Rollover Funds FY 2011/12	Contingency Funds FY 2011/12	Approved Budget FY 2012/13	Total Budget FY 2012/13
Probation	\$ 1,824,761	\$ 197,345	\$ 10,350,000	\$ 12,372,106

The Probation Department will utilize the approved AB 109 funding for on-going costs associated with the continued implementation of AB 109. No additional net county cost will be required and there is no county match requirement. The current fiscal year budget adjustments for the Probation Department are outlined in the attached Schedule A. The Probation Department originally included appropriations of \$11.5M in the fiscal year 2012/13 budget associated with the continued implementation of AB 109. The budget adjustment included in the attached Schedule A of \$872,106 will bring the total fiscal year 2012/13 AB 109 budget appropriations to the approved amount of \$12,372,106.

The budget adjustment and requested positions associated with the continued implementation of AB 109 have been reviewed by the Auditor-Controller and Human Resources.

Schedule A

Riverside County Probation Department AB 109 Criminal Justice Alignment Fiscal Year 2012/13

Increase Appropriations:

10000-2600200000-510040	Regular Salaries	\$ 422,106
10000-2600200000-518100	Budgeted Benefits	200,000
10000-2600700000-510040	Regular Salaries	175,000
10000-2600700000-518100	Budgeted Benefits	75,000
	Total	\$ 872,106

Increase Estimated Revenue:

10000-2600200000-755900	CA-AB118 Local Revenue	\$ 622,106
10000-2600700000-755900	CA-AB118 Local Revenue	250,000
	Total	\$ 872,106

1 RESOLUTION NO. 440-8912

2
3 BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in
4 regular session assembled on _____, 2012, that pursuant to Section 4(a)(ii) of Ordinance No.
5 440, the Chief Probation Officer is authorized to make the following listed change(s), operative on the
6 date of approval, as follows:

7 <u>Job</u>			
8 <u>Code</u>	<u>+/-</u>	<u>Department ID</u>	<u>Class Title</u>
9 79532	+21	2600200000	Deputy Probation Officer II
10 79532	+ 1	2600700000	Deputy Probation Officer II
11 13866	+ 7	2600200000	Office Assistant III
12 79533	+ 4	2600200000	Senior Probation Officer
13 79533	+ 1	2600700000	Senior Probation Officer
14 79534	+ 3	2600200000	Supervising Probation Officer