

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

420



**FROM:** Probation Department

**SUBMITTAL DATE:**  
August 8, 2013

**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. In addition, 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.  
(continued to page 2)

rtmental Concurrence

*Mark A. Hake*  
Mark A. Hake  
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 13/14

<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*  
Elizabeth J. Olson

**County Executive Office Signature**

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

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

August 8, 2013  
Page 2

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 Court received an opinion from the Administrative Office of the Courts General Counsel stating that the Judiciary should not participate in CCPEC budget decisions that may affect any department funds due to a potential conflict of interest. Since then, the Presiding Judge of the Superior Court's designee has attended CCPEC meetings but refrained from participating in budget discussion or voting on budget action items.

The CCPEC continues to meet regularly to discuss matters relating to the county's Realignment implementation. The 2013 scheduled meeting dates are as follows:

January 8, 2013	May 7, 2013	September 10, 2013
February 5, 2013	June 4, 2013	October 1, 2013
March 5, 2013	June 11, 2013*	November 5, 2013
April 2, 2013	July 9, 2013	December 3, 2013

\*Special Meeting

On March 12, 2013, the Board of Supervisors approved the update to the Local Community Corrections Partnership Public Safety Realignment and Post-Release Community Supervision Comprehensive Plan for Implementation of AB109 Criminal Justice Alignment. The Comprehensive Plan update incorporated all the previously approved CCPEC agency plans along with the impact on and/or response to realignment by the CCPEC partners and how they are dealing with the financial and programmatic challenges since February 28, 2012. It is anticipated that the CCPEC will return to the Board of Supervisors with its annual update to the comprehensive plan in late 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 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.

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

August 8, 2013  
Page 3

Fiscal Year 2013/14 Funding:

In fiscal year 2013/14, Riverside County will receive three separate funding allocations: the Criminal Justice Alignment/Local Community Corrections Account program allocation which is designated for custody, supervision and treatment services (\$51,243,570); the Community Corrections Growth fund allocation which is an offset to counties for unanticipated financial impacts related to realignment experienced at the county level (estimated at \$2,145,185, final amount determination and distribution is pending State Department of Finance approval); and the Criminal Justice Alignment one-time Community Corrections Partnership planning allocation funds (\$200,000). As in previous years, the Superior Court and the District Attorney and Public Defender received their separate accounts. The District Attorney and Public Defender will share \$1,173,338 (including \$175,125 growth allocation) this fiscal year and the Court amount is unavailable at the time of this Board item. In addition, the city police departments are expected to receive approximately \$1.7 million in state grant funding. The city police departments have elected to utilize these funds in support and partnership with the CCPEC through the addition of three fully functional Post-release Accountability and Compliance Teams (PACT).

On July 9, 2013, the CCPEC approved the fiscal year 2013/14 budget allocations as listed below:

<b>CCPEC Member Agency</b>	<b>Rollover Funds FY 2013/14</b>	<b>Other Funds FY 2013/14</b>	<b>Approved Annual Operating Budgets FY 2013/14</b>	<b>Total Budgets FY 2013/14</b>
Probation	\$ 3,401,045	N/A	\$ 12,398,955	\$ 15,800,000
Sheriff	\$ 2,542,767	N/A	\$ 24,257,233	\$ 26,800,000
District Attorney	\$ 494,650	\$ 586,669	\$ 989,165	\$ 2,070,484
Public Defender	\$ 55,063	\$ 586,669	\$ 974,633	\$ 1,616,365
Health and Human Services	\$ 3,501,346	N/A	\$ 9,768,846	\$ 13,270,192
Police	\$ 70,927	N/A	\$ 1,329,073	\$ 1,400,000
Superior Court	N/A	Unavailable	N/A	Unavailable
Contingency	\$ 3,073,862	\$ 2,145,185	\$ 1,525,665	\$ 6,744,712
<b>Total</b>	<b>\$ 13,139,660</b>	<b>\$ 3,318,523</b>	<b>\$ 51,243,570</b>	<b>\$ 67,701,753</b>

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

August 8, 2013

Page 4

The allocations for the Probation Department, Sheriff, District Attorney, Public Defender, and Police Agencies are budgeted at the full 12-month request of the member agencies' fiscal year 2013/14 budget requests. Health and Human Services is budgeted at the annualized amount of the fiscal year 2012/13 allocation. It is anticipated that Health and Human Services will return at a future meeting of the CCPEC to request adjustments to their fiscal year 2013/14 approved budget allocations.

The CCPEC member agencies will utilize the AB 109 funding for on-going costs and expanded services. No additional net county cost will be required at this time 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**

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

August 8, 2013  
Page 5

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

*Colleen Walker* <sup>0/5</sup>  
For Stanley L. Sniff, Jr., Sheriff-Coroner-PA

*[Signature]* <sup>FOR</sup>  
Paul E. Zellerbach, District Attorney

*Steven L. Harmon*  
Steven L. Harmon, Public Defender

*Jerry A. Wengerd*  
Jerry A. Wengerd, Director  
Department of Mental Health

Adriaan Ayers, Superior Court Designee

*[Signature]*  
Frank Coe, Chief of Police, Beaumont