

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA




1.0

9:00 a.m. being the time set for Probation: Workshop on AB 109 Criminal Justice Alignment.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on August 15, 2011 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: August 15, 2011
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

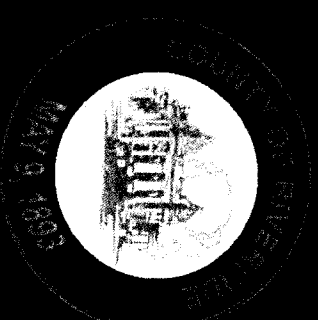
By:  Deputy

AGENDA NO.
1.0

xc: Probation

**Riverside County Community
Corrections Partnership
Executive Committee**

**August 15, 2011
Board of Supervisors
2011 Public Safety Realignment
Workshop**



2011 Public Safety Realignment

- AB 109: Signed into law April 4, 2011
- AB 117: Clean-up legislation to AB 109 signed into law June 30, 2011 and implementation effective October 1, 2011
- AB 118: Funded legislation to establish the Community Corrections Grant Program

Coleman/Plata Supreme Court Decision

- Applicable only to 33 State Prison Facilities
- CDCR Total Population (Fire Camps, Public/Private Facilities, Out of State) 162,096 (5/31/2010)
- May 23, 2011 population = 143,435 (33 Prisons)
- Caps State Prison Population at 137.5% of capacity 80,000 good beds, designed capacity
- Prisons only population = 109,805
- Two-year plan started May 23, 2011
- No mandatory releases

AB 109/117 Components

- Defines local custody for non-violent, non-serious, non-high risk sex offenders (N3) Examples (but not limited to): Possession of controlled substance; transport/import controlled substance; transport/sales of controlled substance; second degree burglary; petty theft with prior; vehicle theft with prior; receiving stolen property; felon in possession of firearm;
- Makes changes to State Parole and creates local Post-release Community Supervision Program (PCS)

Non-Serious, Non-Violent, Non-High Risk Sex Offender Population (N3)

- Re-defines the punishment for specific lower-level felony offenses as punishable with local sentencing options
- Does not change length of sentences
- N3 sentencing options include:
 - Felony Probation
 - Jail for Entire Sentence
 - Split Sentence to include Jail and Mandatory Probation
 - Alternative Custody (see pages 6-7)

Local Custody Options

- Once sentenced to jail by the court local options available to the Sheriff's Department, based on criteria to be developed and funding to be determined, include the following:
 - Electronic Monitoring and Home Detention (sentenced and non-sentenced inmates)
 - Work Release/Weekend Work Program

Local Custody Options

- Contract for Beds
 - California Department of Corrections and Rehabilitation (CDCR) Hard Beds
 - CDCR Fire Camps
 - Public/Private Community Corrections Facilities (CCF)

Post-release Community Supervision Population (PCS)

- On October 1, 2011, any state prison inmate released upon completing a sentence for a N3 offense will be placed on local PCS supervision
- Sanction options for violations include flash incarceration for up to 10 days
- PCS violations will be served locally with 180-day cap and day-for-day credit
- Contracting back with CDCR for housing is not an option for PCS violations

Remaining State Parole Population

- Inmates convicted of a violent, serious, or high risk sex offense requiring registration will remain the responsibility of State Parole
- Parole revocations (except those with life term) will serve local custody with 180-day cap and day-for-day credit effective July 2013
- Upon release from local custody remaining parole time is completed under State Parole
- Contracting back with CDCR for housing is not an option for parole violations

Projected Release of PCS to Riverside County

| | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | TOTAL |
|--------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| 2011 | - | - | - | - | - | - | - | - | - | 236 | 237 | 228 | 701 |
| 2012 | 235 | 172 | 157 | 164 | 127 | 132 | 148 | 114 | 121 | 121 | 118 | 103 | 1712 |
| 2013 | 104 | 112 | 116 | 115 | 92 | 100 | - | - | - | - | - | - | 639 |
| Total | | | | | | | | | | | | | 5052 |

Data Submitted by CDCR

Riverside County PCS Population

- Total defendants sentenced to state prison in 2010 = 3,550
 - Meets criteria for PCS population = 2,517 (70%)
 - Violent/Serious High Risk Population = 1,033 (30%)

PCS and Current Local Populations

| Population | Property Offenses | Drug Offenses | Other Offenses | Total |
|---|---------------------|---------------------|--------------------|----------------------|
| Local Felony Probation PCS Qualified | 4,184 (37%) | 5,165 (46%) | 1,876 (17%) | 11,225 (100%) |
| Current Local Populations | 11,000 (45%) | 11,015 (86%) | 4,720 (19%) | 26,735 (100%) |
| Total | | | | 13,742 |

Community Corrections Partnership Executive Committee

- Committee is chaired by the Chief Probation Officer
- Membership:
 - Chief Probation Officer
 - Presiding Superior Court Judge or Designee
 - Sheriff
 - District Attorney
 - Public Defender
 - A Police Chief
 - Director, Department of Mental Health (appointed by the Board of Supervisors on July 26, 2011)

Community Corrections Partnership Executive Committee

- Recommend a local plan to the County Board of Supervisors for implementation of the 2011 Public Safety Realignment
- The Executive Committee shall approve the comprehensive plan to be submitted to the Board of Supervisors for approval
- The plan is accepted by the Board of Supervisors unless rejected by a vote of four-fifths

Riverside County Funding Allocation

- FY 2011/12 estimated for 9 months: \$21,074,467
- Additional Implementation Funding (one-time) = \$1,487,050 (all CCP members eligible)
 - Hiring, retention, training, data improvements, contracting costs, and capacity planning
- Additional Grant for CCP Planning = \$200,000
- Separate Funding for District Attorney/Public Defender Activities = \$755,421
- Separate Funding for Riverside County Superior Courts = TBD

Probation Department Supervision Plan for PCS and N3

- Evidenced Based Supervision of PCS and N3 Populations
 - Supervision Intake Unit
 - Risk/Needs Assessment Unit
 - Pre-sentence Investigations
 - Victim Services
 - Restitution Services
 - Multi-level Supervision Unit
 - High-Armed, High, Medium, and Low Risk Caseloads
 - Caseload caps: High Armed/High=50; Medium=100; and Low=300

Probation Department Supervision Plan for PCS and N3 (Continued)

- Case Management-includes sanctions and incentives including option of flash incarceration up to 10 days for violations
- Mental Health Services
- Alcohol and Drug Services
- Cognitive Behavior Facilitation
- Contract Services
- Educational/Vocational Services
- Employment Services

Probation Department Supervision Plan Budget for PCS and N3

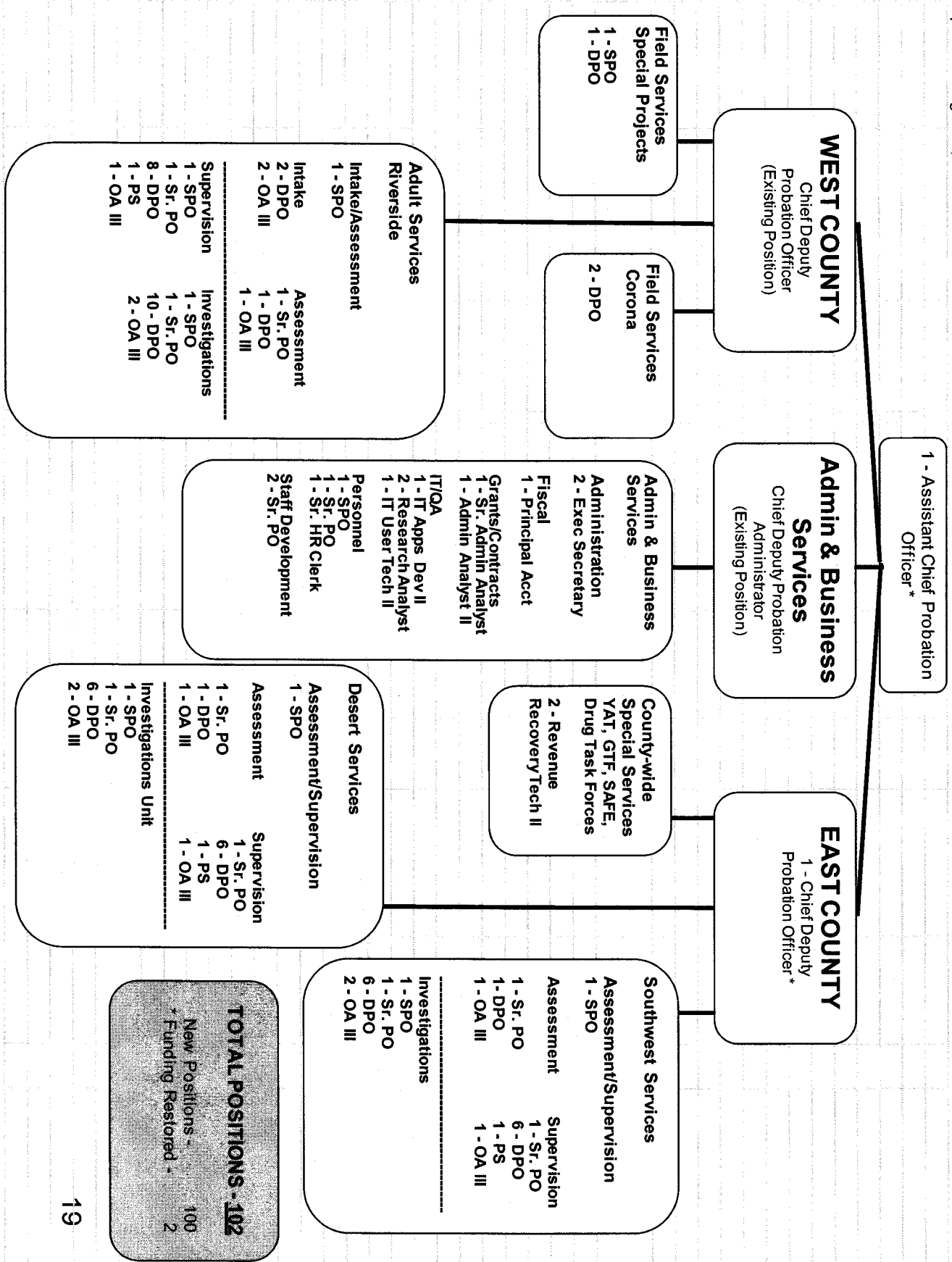
| Description | FY 2011/12 Budget | On-Going Actual Costs |
|-----------------------|-----------------------|--------------------------|
| Salaries and Benefits | \$4.2 M | \$8.3 M |
| Services and Supplies | \$1.3 M | \$1.0 M |
| Lease Costs | \$1.0 M | \$0.3 M |
| Total Costs | <u>\$6.5 M</u> | <u>\$9.6 M</u> |

- FY 2011/12 Budget includes 6 months Salary and Benefits, and one-time start up costs, i.e. equipment, tenant improvements, etc.
- Adds 100 Sworn and Non-Sworn new positions.
- Funds 2 authorized positions currently unfunded due to budget reductions.
- See attached updated Organizational Chart AB 109.
- Contract Services and MOU costs to be determined.

Riverside County Probation Department

Organizational Chart AB 109

Updated: August 5, 2011



Collaborations

- The following Community Corrections Partnership members are currently working on individual and/or joint plans to meet the needs of the Comprehensive Plan.
 - Superior Court Judge
 - Sheriff
 - District Attorney
 - Public Defender
 - Police Chief-Law Enforcement
 - Director-Mental Health/Substance Abuse