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

446

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

SUBMITTAL DATE: 10/12/11

SUBJECT: Approval for the utilization of AB 118 Local Revenue 2011 funding during the remainder of FY 11/12 for implementation of AB 109 mitigation measures as approved by the Community Corrections Partnership Executive Committee on October 11, 2011, and Amend Ordinance No. 440 pursuant to Resolution 440-8870 submitted herewith.

RECOMMENDED MOTION: Move that the Board of Supervisors:

1. Approve the utilization of $ 10,044,948 of AB 118 Local Revenue 2011 funding during the remainder of FY 11/12 for the implementation of AB 109 mitigation measures as approved by the Community Corrections Partnership Executive Committee.

2. Approve and direct the Auditor-Controller to make the budget adjustments as outlined in the attached Schedule A for FY 11/12.

3. Amend Ordinance No. 440 pursuant to Resolution 440-8870 submitted herewith.

(Continued on Page 2)

Stanley L. Sniff Jr., Sheriff-Coroner-PA
Will Taylor, Director of Administration

FINANCIAL DATA				
Current F.Y. Total Cost:	$10,044,948	In Current Year Budget:	No
Current F.Y. Net County Cost:	$0	Budget Adjustment:	Yes
Annual Net County Cost:	$0	For Fiscal Year:	FY 2011-12

SOURCE OF FUNDS: State
BR 12-034

Positions To Be Deleted Per A-30	☒
Requires 4/5 Vote	☒

C.E.O. RECOMMENDATION:

APPROVE

BY: Robert Tremaine

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Resolution 440-8870 is adopted as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: October 18, 2011
xc: HR, Sheriff, EO, Auditor(2)

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

3.42

Prev. Agn. Ref.: 08/16/11 3.70 | **District: All** | **Agenda Number:**

FISCAL PROCEDURES APPROVED
PAUL ANGULO, CPA, AUDITOR-CONTROLLER
BY SAMUEL WONG 10/11/11

Shawn Ain
Assistant Human Resources Director

☒ Policy ☒ Policy
☒ Consent ☐ Consent
Per Exec. Ofc.:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

BACKGROUND: The implementation of AB 109 will result in a significant increase in Riverside County Jail population and a reduction in available bed-space for inmates of all classes, further taxing the Sheriff's already over-burdened system. The Sheriff's Department projection is that our jails will be at maximum capacity within two to three months of the implementation of the realignment (approximately January 2012). In our Response Plan, we established a funding request that is phased to account for the initial 9 months (FY 11/12 – Phase I) impact, as well as, the following year's (FY12/13 – Phase II) annual impact.

On September 26, 2011, the Sheriff's Department presented the attached AB 109 Response Plan to the Community Corrections Partnership Executive Committee (CCPEC). On October 11, 2011, CCPEC voted to approve funding to cover the initial phase of AB109 (FY 11/12) impact totaling $ 10,044,948. This amount accounts for the first 6 months cost associated with staffing, services, and supplies. Also inclusive in this amount is one-time funding of $ 684,448 for associated one-time cost such as hiring, training and retention.

The initial funding does not account for the potential need to contract for inmate beds with CDCR. As of this writing, the contracting rate from CDCR has not been finalized. However, the contracting for inmate beds has the potential of costing millions of dollars because of the compounding effect of the inmate overflow occurring month after month.

The attached resolution details the requested positions to be added to the Sheriff's Department to accomplish the programs and mitigation measures detailed in the AB 109 Response Plan.

Schedule A

Riverside County Sheriff Department
AB 109 Criminal Justice Alignment
Fiscal Year 2011/12

Increase Appropriations:

10000-2500400000-510040	Regular Salaries	4,730,644
10000-2500400000-510100	Field Training Pay	36,120
10000-2500400000-510520	Bilingual Pay	30,620
10000-2500400000-518100	Budgeted Benefits	2,213,776
10000-2500400000-520100	Institutional Clothing	52,670
10000-2500400000-520115	Uniforms/Replacement Clothing	25,750
10000-2500400000-520220	800 MHZ Radios/System	305,912
10000-2500400000-520320	Telephone Service	27,405
10000-2500400000-520705	Food	464,193
10000-2500400000-520810	Bedding and Linen	33,222
10000-2500400000-520815	Cleaning Supplies	100,034
10000-2500400000-523640	Computer Equipment - Non Fixed Asset (<$5,000)	97,800
10000-2500400000-523660	Computer Supplies	12,987
10000-2500400000-523680	Office Equip - Non Fixed Asset (<$5,000)	99,600
10000-2500400000-523700	Office Supplies	10,629
10000-2500400000-523840	Computer Equipment - Software	55,900
10000-2500400000-525060	Medical Examinations/Physicals	82,000
10000-2500400000-525220	Pre-Employment Services	128,000
10000-2500400000-526940	Locks, Keys	9,330
10000-2500400000-528140	Conference, Registration, Tuition	254,084
10000-2500400000-528920	Car Pool Expense	315,066
10000-2500400000-529540	Utilities	791,766
10000-2500400000-546080	Equipment - Computer	40,000
10000-2500400000-546160	Equipment - Other	67,440
10000-2500400000-546280	Equipment - Software	60,000
		10,044,948

Increase Estimated Revenue:

10000-2500400000-755680	CA - Other Operating Grants	$ 10,044,948

RESOLUTION NO. 440-8870

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on October 18, 2011, 2011, that pursuant to Section 4(a)(ii) of Ordinance No. 440, the Sheriff-Coroner-PA is authorized to make the following listed change(s), operative on the date of approval, as follows:

Job Code	+/-	Department ID	Class Title
15913	+1	2500400000	Senior Accounting Assistant
52211	+26	2500400000	Correctional Deputy II
52212	+1	2500400000	Correctional Corporal
52213	+3	2500400000	Correctional Sergeant
74113	+1	2500400000	Administrative Services Manager II
79731	+4	2500400000	Correctional Counselor
79735	+1	2500400000	Chaplain

ROLL CALL:

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley

Nays: None

Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By: _____
Deputy

/vn
10/12/2011
440 Resolutions\VN

RIVERSIDE COUNTY SHERIFF'S DEPARTMENT: AB109 Response Plan FY 11/12

PURPOSE

The purpose of this paper is to provide a coordinated response plan for the creation of the Sheriff's Department's Coordinated Custody Management unit with the goal of mitigating jail overcrowding and custody management issues created by the implementation of AB109. This paper is being presented for review by the Executive Committee of the Riverside Community Corrections Partnership.

HISTORY

California State Legislation AB109 was passed in 2011 and is scheduled to be implemented on October 01, 2011. This legislation will shift the responsibility for the incarceration and monitoring of certain classes of convicted felons and parolees who were previously housed in state prisons and monitored by state parole to the Riverside Sheriff's Department and the Riverside County Probation Department. The implementation of AB 109 has been projected to result in a significant increase in Riverside County Jail populations and a reduction in available bed-space for inmates of all classes, further taxing the Sheriff's already over-burdened system.

The 2011 implementation of AB 109 is expected to significantly increase the average daily population in all 5 facilities. Historically, county jails operate on the model of "short term incarceration" for inmates awaiting the adjudication of their pending court cases and the housing of inmates convicted of misdemeanor crimes and sentenced to less than 1 year in county jail. AB 109 will change this model to "long term incarceration" for inmates convicted of specific felonies and violation of parole while still handling its original "short term incarceration" responsibilities. This change will eventually result in the implementation of "Fed Kick" early releases to ensure compliance with the 1993 Federal court order.

CUSTODY - FLOOR OPERATIONS

The first priority of our Corrections Division is to provide the safe and secure incarceration of inmates. Additional personnel will be required to provide the services and oversight needed to manage this new type of jail population, maintain a safe and secure environment for the staff and inmates, and meet the requirements of AB109. Additional floor personnel will be required at 3 jails to support the projected increase in parole/probation revocation hearings that will be held within the RSO jails as imposed by AB109. Thousands of additional hearings will need to be staffed for the security of the non-RSO personnel conducting the hearings and any witnesses. The movement and monitoring of the inmates involved in each hearing will also require additional staffing.

Currently, the RSO jails are not filled to capacity due to the aggressive work of the Courts to clear the backlog of cases and due to the additional expansion of the Larry D. Smith Correctional Facility (LSCF) in FY 10/11. This has allowed the Sheriff's

Department to reduce its staffing levels in accordance with the reduced number of inmates being housed and to meet the Sheriff's agreed to savings to avoid staff layoffs. The new class of inmate coming into the RSO jails will result in all jails being at maximum capacity within a very short time. Each jail is currently operating at their critical staffing levels for the current inmate population level. The staffing at each jail will need to be brought back to previously approved staffing levels for a fully occupied jail system as a necessary step to respond to the expanded corrections work load.

It is anticipated that the Corrections Division will continue to experience its normal attrition of 5 correctional deputies every month. The Corrections Division will need to maintain full staffing in each of its facilities to supervise the jails while they are at maximum capacity.

The Corrections Division will immediately require an additional 38 correctional deputies to meet the floor staffing needs created by AB109 and maintain critical staffing levels for the increased inmate population. It is anticipated that during the fiscal year, the Corrections Division will need to add 22 additional correctional deputies that are lost through normal attrition for a total staffing of 60 correctional deputies.

The 60 correctional deputies required to fill existing vacancies and lost through attrition this fiscal year will cost approximately $6 million.

CONTRACTING BEDS

AB109 created new laws allowing counties to contract with CDCR or other public agencies (cities or counties) for the housing of inmates. It did not create any law specifically allowing counties to contract with private companies to provide inmate housing services. During the summer of 2011 the Riverside Sheriff's Department sought formal legal guidance from attorneys specifically in this arena before precipitous changes were considered.

HISTORY

The Sheriff's Corrections Division currently maintains 3,904 inmate beds in 5 different facilities. The Residential Substance Abuse Training (RSAT) program at LSCF utilizes 150 beds for inmates enrolled in the program leaving approximately 3,754 beds available for general inmate housing. Due to the 1993 Federal Court ruling, this capacity cannot be increased through any other options other than the building of additional new housing units.

In response to the Federal injunction, the Sheriff's Department has been forced to either release (Fed Kick) inmates prior to them completing their full sentence (no further custody obligation) or release inmates Post Arraignment/Pre Trial with a citation to return to court when our facilities reach 90% capacity. In both cases the inmates eligible for Fed Kick are determined based on the assessment of the severity of crime and then by their length of stay. This has been one of the only relief valves available to reduce jail overcrowding.

The Corrections Division projects the realignment will impact the jail's capacity by an additional 2,257 new felony commitments for three years or less and 3,483 parole violators during fiscal year 2011-2012. This equates to approximately 5,740 inmates who were formerly sent to state prison, but who will now be remaining in RSD custody to serve their terms of confinement, which averaged over twelve months. This equates to an approximate average of 478 additional inmates per month for RSD to house in its jails. At this rate, RSD projects its jails will be at maximum capacity within two to three months of the implementation of the realignment (approximately January 2012).

These additional 478 inmates over our monthly bed capacity will result in the utilization of 3 options to manage the "overflow" – alternative sentencing, contract housing or early release "Fed kicks." It is anticipated that 320 inmates per month can be routed to alternative sentencing programs. The remaining 158 will need to be housed or 158 other inmates will need to be released early to make room for them. It is projected that the cost to house these inmates with CDCR would be approximately $2,919,840 (158 inmates X 240 days X $77 per day). It should be noted that this contracting cost compounds each month as the new "overflow" is added to the total and contracted out. This is projected to cost approximately $26 million for the first 9 months of the realignment and then $35 million each following year.

In response to this over-crowding population, the RSO Corrections Division has conducted a review of the potential option of contracting with public or privately operated correctional facilities for the housing of inmates sentenced to the Sheriff's custody by our Courts. However, the long term solution for Riverside County is the expansion of jail bed space and capacity. The designing and building of local detention facilities is govern by California Title 24 Minimum Standards for Local Detention Facilities. The construction of a correctional facility, regardless if it is a Type I-IV, is regulated and monitored by the Corrections Standards Authority (CSA).

Before any correctional facility is built or remodeled, the construction plans and schematic design must be approved by CSA. Nearly every aspect of a correctional facility has a specific design requirement. These requirements range from the height and width of an inmate bunk to how high a toilet needs to be off the ground. These requirements are strictly followed and often times during construction, CSA will conducts compliance checks to ensure these construction standards are maintained.

Lack of adequate bed space will now force Riverside County to pay others for the housing of our local inmates, subsidizing other operations of State after transfer of responsibility.

POTENTIAL CANDIDATES

The management of available bed space within the RSO Corrections Division reveals that only a certain type of inmate could be a potential candidate for incarceration in non-RSO contract facilities.

- Long Term Sentenced Inmates – these inmates would be serving a minimum of 30 days in custody with no need to return to court for additional hearings. These inmates would be primarily newly convicted/sentenced felons.

- Based on inmate population statistics from 2010, it is projected that approximately 1,894 inmates would have met these requirements in 2010.

It should be noted that inmates sent to CDCR and CAL-FIRE contract facilities would need to meet certain health and physical strength standards before acceptance into those systems. Additionally, parole violators cannot be housed on CDCR facilities.

LEGALITY

New Penal Code section 2057 provides new authority to the County to contract with the California Department of Corrections and Rehabilitation (CDCR) for the purposes of housing felony offenders.

Current Penal Code section 4007, while limited, authorizes the transfer of inmates to "the jail of a contiguous County", if the court finds that the jail has become "unfit or unsafe". Overcrowding could possibly be argued as an unfit nature but then Riverside County would have to 1) obtain a court order and 2) obtain consent from one of our contiguous counties to receive our inmates. A recent survey of our contiguous counties has determined that none of them will have any available bed space due to the impact of AB109 upon their Corrections Operations as well.

New Penal Code section 4115.55 provides the authority to the County to contract with other public agencies for the housing of our inmates in "community correctional facilities", however what type of facility qualifies as "community correctional facilities" is statutorily unclear. This new law authorizes transfer *only* to these facilities and not simply to any public jail. This new authority expires January 1, 2015.

There is nothing in the law which allows the County to contract directly with private agencies to house our inmates. Penal Code section 6256 authorizes the CDCR –and only the CDCR- to contract with appropriate public or private agencies, to provide housing, sustenance, and supervision.

CONTRACTING OPTIONS

1. Other County Sheriff's Departments (LASO, OCSO, SBSO, SDSO). A survey of Sheriff's Departments in southern and central California revealed the following:
    - There are no available beds in the surveyed departments
    - None of the surveyed agencies will be contracting to other sheriff's departments
    - All agencies project that they will be at maximum capacity and unable to provide any beds for other agencies

2. State Agencies
    - CDCR - $77 per-day-per-inmate (large number of open beds available)
    - CAL-FIRE (via CDCR) - $46 per-day-per-inmate (approximately 1,500 open beds available)
    - Both rates noted above are "PROJECTED RATES" only and have yet to be confirmed.

- There is also no guarantee that once confirmed that these rates will be secured, which may allow them to escalate each year.
- We are obligated to conduct and pay for medical screenings for these inmates prior to acceptance into the CDCR/CAL-FIRE systems
- Sliding scale cost applies to inmates sent to CAL-FIRE via CDCR (while at CDCR awaiting assignment to a fire camp, we are charged $77 per day. Upon arrival at fire camp, we are charged $46 per day).
- Transportation costs to and from the facilities/camps are paid by the County and are projected to be ***$582***[1] to make one transport run to the nearest fire camp in Norco (cost would be reduced if transporting multiple inmates)
- State required medical screenings for inmates destined for state fire camps cost approximately ***$200***[2] per inmate candidate and are paid for by the County
- County covers the medical costs of inmates injured while performing state work
- CDCR has a poor record reference the accurate tracking and billing of costs to outside agencies

3. Private Community Correctional Facilities (CCF)
    - Private facilities do not assume full liability for inmates in their custody and don't fully indemnify the County
    - There is nothing in the law which allows the County to contract directly with private CCF to house our inmates.
    - The estimates price-per-day-per-inmate costs for private facilities ranges from $56 (incarceration only, no programs, minimal medical services) to $67 (some medical services, limited availability of programs)

4. Public Jails (Palm Springs and Corona)
    - Type 1 facilities – can only hold inmates up to 96 hours (4 days)
    - Possible option for direct relationship with Probation reference their "flash" incarceration needs
    - Palm Springs Police Department – 20 beds (currently closed)
    - Corona Police Department – 10 beds (no contracting at this time)

Projected cost scenarios for the above listed contracting options are listed on ATTACHMENT II. These costs for 158 inmates range from a low of $1.7 million to a high of $2.9 million and this figure will be compounded monthly.

COORDINATED RESPONSE

Over the past 5 years, the RSO Corrections Division has implemented several programs with the goal of managing our jail population more efficiently. Additionally, the Corrections Division has also worked on increasing the quantity of rehabilitation services offered to inmates to impact recidivism for misdemeanants in Riverside

[1] Per A&F, 2 deputies X $70.76 per hour for 4 hours (total of 8 man-hours) and 19 miles one-way at .85 per mile.
[2] Medical screening cost obtained from Detention Health Services and based upon the current MediCal rate.

County. These efforts have been successful for the Sheriff's Department in providing better management of the jail population and increasing rehabilitation services to inmates (GED classes, vocational training {construction, printing, computers, etc.} and drug/alcohol/domestic violence classes).

A review of the anticipated impacts of AB109 on the RSO jail population has revealed that the current system will not be able to handle both the increase in jail population and the rehabilitative service needs of this different class of sentenced inmate pursuant to AB109. A reorganization and expansion of the current system specifically focusing on a coordinated response should alleviate many of the anticipated problems presented by AB109 and assist the Corrections Division's response to this significant change in inmate numbers and type.

CURRENT SYSTEM

The RSO Corrections Division currently utilizes 3 different programs to manage the inmate population and provide rehabilitation services:

- **Headcount Management Unit (HMU)** – Provides daily oversight of the inmate population and coordinates the efficient utilization of available jail beds through bed space analysis and the physical transfer of inmates from one facility to another as part of inmate cross-leveling.
- **Riverside Alternative Sentencing Program (RASP)** – Operating currently as the Secure Electronic Confinement Program (SECP) and Work Release Program (WRP), this unit helps to control the jail population by providing sentencing alternatives other than incarceration. These alternatives include serving time by completing work projects in the community (WRP) or "home confinement" through the monitoring of electronic ankle bracelets (SECP).
- **Programs (Sheriff's Inmate Training and Education Bureau - SITE-B)** – Provides a multitude of rehabilitation services including drug addiction treatment, educational classes, anger management counseling and vocational work training courses.

Currently, each of these units operates independently of the other but have been successful in completing their assigned missions. This success has been based upon the current type of inmates involved (short term, short sentence) which has allowed our previous population mitigation efforts to be effective. These programs could currently be even more effective, but have been limited to the number of inmates they can serve by the current limited amount of staff serving them.

While these programs have worked well to this point despite working independently, they will need to work in a coordinated fashion if they are to be of any effect in mitigating the new inmate population issues created by AB109. Currently, the RASP does not consult with HMU or SITE-B prior to admitting sentenced inmates to their alternative sentencing programs. SITE-B does consult with HMU or RASP before admitting inmates to their rehabilitation programs. HMU does not consult with RASP or SITE-B prior to assigning inmates to open jail beds.

The RSO jail system has recently been able to meet the current inmate need with a minimal use of early release "Fed kicks." This was due to the implementation of the Headcount Management Unit in 2007 and the opening of the Smith Correctional Facility expansion in 2010. Currently HMU conducts the review of inmate records to determine which inmates meet the criteria for early releases (when required pursuant to our Federal court order), but does not consult with RASP or SITE-B.

Under the conditions created by AB109, each of these 3 programs will be unable to provide the level of service needed to meet the increased demands within their own areas of operation and this will negatively impact the Corrections Division and the Riverside County criminal justice system as a whole.

COORDINATED CUSTODY MANAGEMENT

In order to meet the new demands placed upon the Corrections Division, the above listed programs will need to work in a coordinated manner that will maximize each of their capabilities. This coordinated effort will reduce the negative impacts of AB109 on the Corrections Division as a whole and benefit the entire Riverside County criminal justice system. In effect, the coordination of these units would result in the creation of a "virtual jail" where the assessment of inmates is more complete and inmates who would normally be released as a "Fed kick" with no monitoring actually experience some type of confinement through electronic monitoring.

Deeper and more effective assessment, leading to better inmate management in the areas of population and rehabilitation, can occur with the expansion of the alternative sentencing program, the SITE-B rehabilitation programs and the Headcount Management Unit. This expansion can only be accomplished through the addition of more staff and resources in order to address the increased demands on the entire Riverside County criminal justice system created by AB109.

Expansion of Programs (SITE-B) and RASP provide the additional benefit of increased cost recovery through the collection of fees and the utilization of Inmate Welfare Funds. Participants in the RASP programs can be charged set fees which help to off-set the cost of the program. As more people enroll in RASP, more fees are collected. Inmate Welfare Funds can be utilized to off-set the cost of programs offered through SITE-B. As more inmates participate in these programs, the cost increases and Inmate Welfare Funds can be utilized in proportion to help cover the increased cost of these programs.

The goals and mission of this coordinated "virtual jail" effort will be the following:

- The provision of better inmate assessment leading to the proper placement of the inmate (incarceration, rehabilitation programs or alternative sentencing) in the program that will have the best chance of reducing the inmate's potential to re-offend.
- The provision of better "risk" assessment for each inmate reducing the risk to the community from inmates we are forced to release early.
- Expanded electronic monitoring capabilities of inmates who we cannot keep incarcerated in a jail cell but should be monitored for the protection of the community.

- The reduction of recidivism through the expanded implementation of rehabilitation programs aimed at those inmates who have the highest potential for successful completion.

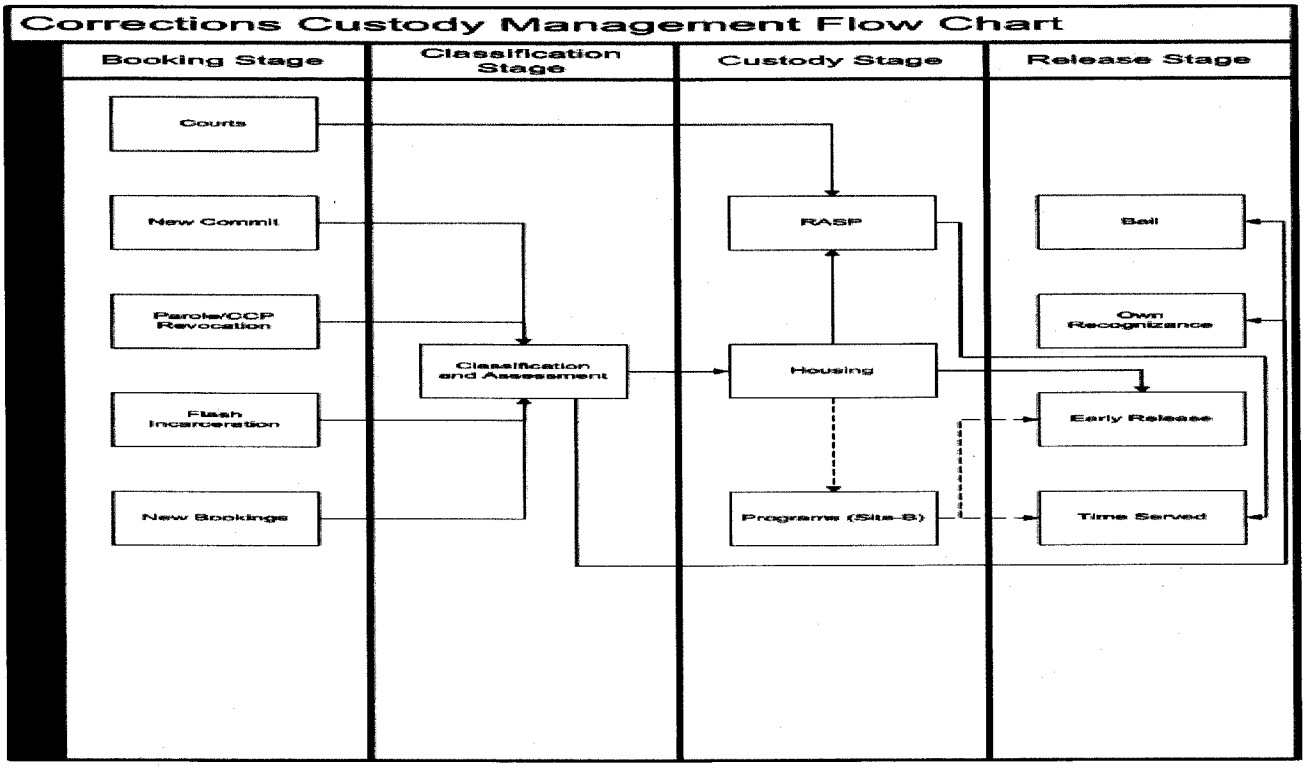
OPERATIONAL METHODS

The 3 programs, working under a coordinated command structure, would increase their efficiency, accuracy and effectiveness in the proper placement and treatment of inmates. Examples are:

- Through the use of a joint assessment tool, RASP and SITE-B are able to identify inmates who are the best candidates for the successfully completion of their programs. These candidates are identified to HMU, who may then house them properly to receive SITE-B services or arrange to release them to RASP and open jail space for inmates requiring full incarceration.
- HMU identifies that all jail beds are full. This is communicated to RASP and SITE-B. RASP and SITE-B then advise HMU which inmates are the least risk to the community if released early from incarceration and which early release inmates should be placed on electronic monitoring.
- The Courts are advised of the expanded availability of RASP and SITE-B. The sentencing judges are now provided with more alternative sentencing options which results in less reliance by the courts on the incarceration option.
- HMU works with RASP to identify and allocate a sufficient number of jail beds to accommodate and support the "flash incarceration" need of the Probation Department for those inmates who fail to comply with the terms of their Community Corrections Program or SECP participation.

Based upon this model, the 3 different operations work together to alleviate the increased utilization of housing slots by AB109 inmates and reduce both the number of early release "Fed kicks" and the negative impact to the community created by inmates not serving their time. In this model, HMU serves as the primary organizer and manager of the inmate population. HMU utilizes information from the assessment tool and funnels inmates to both RASP and SITE-B helping to maximize the number of jail beds needed for those inmates who would not qualify for these programs.

The flow chart model below reflects the inter-connected missions of the 3 programs and how they would work together in a coordinated effort to minimize the early release of inmates and maximize the time in custody for sentenced inmates. The utilization of RASP and "Fed kick" early releases to manage in-custody inmate population levels would only occur after all other options have been exhausted:



Our current system relies upon a "reactive" philosophy of placing inmates in whatever open bed is available, with SITE-B identifying which inmates qualify for their programs and enrolling them and SECP standing by until an inmate is assigned by the court. The implementation of a coordinated custody management system creates a "proactive" philosophy that actively works in collaboration with Probation to move inmates in and out of custody based upon the needs of the entire Riverside County criminal justice system.

RASP becomes the "safety valve" for the Corrections Division by serving as a release point for inmates who qualify while still providing these inmates with some oversight through electronic monitoring or reporting in for work assignments. When the jails reach full capacity, those inmates (already identified as being qualified for the program through the assessment tool and additional screening by SITE-B) can be removed from jail housing and released to either SECP or WRP for continued monitoring, thus opening jail beds for new inmates.

In this model SITE-B serves as an additional screening resource while helping to prepare inmates for release and a successful reintegration into the community. RASP can seek input from SITE-B reference recommended inmates for monitored release back into the community. SITE-B programs would also help to prepare inmates who did not initially qualify for SECP monitored release to attain that qualification through counseling and training, thus increasing the number of inmates available for the RASP programs based upon their successful and improved performance in the SITE-B programs.

Coordinated custody management will enhance the ability of the Corrections Division to conduct and implement future strategic planning. Currently, each program conducts its own planning related to its own scope of responsibility. A broadening of that focus to

cover the 3 programs in the same strategic plan will allow each individual program to better identify its role in the overall mission of the Corrections Division and the Department.

PARTNERSHIP WITH PROBATION

The combining of these programs in a coordinated effort will also assist in the monitoring of these inmates by Probation. AB 109 requires a strong partnership with Probation and the Courts to ensure the proper placement of sentenced inmates and those who are released early under the Community Corrections Program (formerly parole). The creation of a "virtual jail" by combining the efforts of the above listed programs provides Probation with a variety of options for inmate placement and/or treatment. In addition, it provides Probation with a single point of contact with the Corrections Division, rather than working through 3 separate points of contact for each of the 3 different programs. This provides the Corrections Division with more control over the placement of inmates into the jails by the Probation Department.

The utilization of the same assessment tool by Probation, SITE-B and RASP will help to ensure a more productive working relationship and keep everyone on the same page. With Probation and/or RSO personnel completing the assessment, we will be able to ensure that inmates are placed in the appropriate setting (incarceration, rehabilitation programs, etc.) and improve the potential for these inmates to successfully complete the in-custody and/or out-of-custody programs. The assessment tool has already been identified by Probation and is the same tool that our SITE-B was preparing to implement later this year.

CURRENT ORGANIZATION

Currently, RASP, HMU and Programs (SITE-B) operate within the Corrections Support/Planning Division and in conjunction with the Corrections Planning Unit. The 3 programs do not fall under a unified command structure with a single commander providing the same direction and ensuring that the programs are coordinating their efforts. Placing the 3 programs under a unified command would increase communication and coordination, and make the process more proactive to deal with the greatly increased challenges of AB109 implementation.

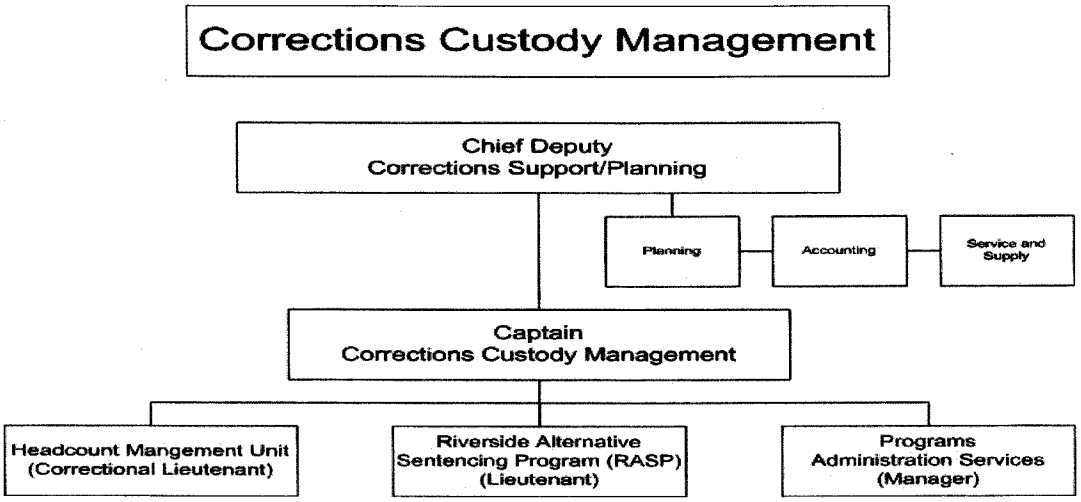
REORGANIZATION – Corrections Custody Management

The influx of AB109 inmates will create a more complex jail population requiring nimble management and oversight. This type of inmate population, coupled with longer sentences, creates an entirely new set of population management problems. These new problems will create additional workloads for HMU, RASP and Programs, above the current level of work needed to manage the current population.

The Corrections Division will require the tasking of a Sheriff's Captain to develop and supervise the efforts of the 3 critical programs under a single command. A Sheriff's Lieutenant to supervise the RASP program will also be required. This additional supervision will ensure that the 3 programs are working together in a proactive and collaborative manner with the Probation Department and the Courts. This coordinated

partnership will result in the more efficient and effective management and rehabilitation of the greatly increased volume inmates brought into the Riverside County criminal justice system.

The combining of the 3 programs under one command would create a Coordinated Custody Management Unit organized and supervised in the following structure:



RESTRUCTURING – Coordinated Custody Management

Each of the 3 programs will be restructured based upon the change in their mission and the inclusion of the additional staffing required to implement that change (see Attachment I for placement of existing, redirected, new and vacant/filled positions):

Headcount Management Unit (HMU)

HMU currently has a staffing of 5 correctional deputies and 2 correctional corporals. As part of their duties, this unit is also responsible for the coordination of the transportation of inmates throughout the county for attendance at court hearings. HMU will need two (2) more correctional deputies to handle the increase in inmate bed management created by these extended sentence inmates and the increased inmate transportation created by the large increase in parole and probation revocation hearings that will be held at RSO jails.

The annual operations budget for HMU is $1.2 million. The 2 correctional deputies will fill previously approved positions that are currently vacant. The additional cost for these positions will be $200,000 for a total cost of $1.4 million.

Programs (Sheriff's Inmate Training and Education Bureau / SITE-B)

SITE-B provides educational, vocational and rehabilitative programs to qualifying inmates. These programs include GED classes, vocational training (construction, printing, computers, etc.) and drug/alcohol/domestic violence classes. The new class of county jail inmates created by AB109, specifically felony offenders and parole/CCP violators serving extended sentences, will be given the opportunity to attend these

programs in an effort to modify their criminal behavior and/or its underlying cause. If successfully implemented, these programs can and do reduce recidivism, thus reducing crime in our communities and reducing the strain on not just our jails, but the entire criminal justice system including the Courts and Probation.

The increased need for the expansion of these existing services will require an increase in the staffing available to provide them. SITE-B will require 22 additional staff members, including counselors, technicians and correctional personnel, to meet the increased programs service needs created by AB109.

The annual operations budget for SITE-B is $2.1million. The 21 positions will be newly created positions with a cost of $2.1 million for a total of $4.2 million.

Riverside Alternative Sentencing Program (RASP)

RASP would provide alternative sentencing options for the Courts and create alternative sanctioning options for Probation. Utilization of RASP by the Courts would divert inmates from "in-custody" beds to "virtual jail" oversight. Additionally, RASP could identify inmates who would qualify as RASP candidates, remove them from "in-custody" beds and release them with monitoring under the RASP program. A snapshot of the current RSO jail population revealed that on that one day, 892 inmates qualified to be screened for participation in RASP.

California Penal Code section 4024.3 allows us to force qualified candidates to utilize alternative sentencing programs such as RASP in lieu of serving their time in custody. The law requires that we cover the cost of the inmate's participation in the program. This cost is currently $10 per day. Our earlier projection of an overflow of approximately 158 inmates every month would result in a daily cost to the County of $1,580 per day for placement in the electronic confinement program. Projected over the average sentence of 240 days, the total cost for the overflow inmates for one month would be $379,200 or $4.5 million annually.

In comparison, contracting with CDCR for inmate housing over the same periods would cost our County $35 million annually.

The anticipated reliance upon RASP to provide alternative sentencing options for the Courts and "virtual housing" options for Probation and the Corrections Division will require additional personnel to meet the expanded monitoring and supervision requirements of the program. The new captain and lieutenant assigned to oversee the Corrections Custody Management unit would be drawn from existing positions within the Corrections Division and their compensation covered by AB109 funding, thus removing them from the net county cost.

In addition to the Captain and Lieutenant, RASP will require 16 additional personnel to cover the expanded need to monitor inmates deferred from jail beds into the SECP and WRP programs. The additional personnel will also help to support Probation's monitoring of CCP participants placed on electronic monitoring as a condition of their CCP release.

The annual operations budget for RASP is $3.7 million. The 14 new positions and 2 redirected positions will have a cost of $1.6 million annually in addition to the projected additional annual cost of $4.5 million to place the overflow inmate on electronic confinement. AB109 impact will bring the total RASP operations budget to $9.8 million.

POSITIONS and COSTS

RSO Operational Impact Costs (Annual)

Custody/Floor Operations (60 vacant/filled/attrition positions) -		$6 million
HMU Operations Budget -		$1.2 million
HMU (2 vacant/filled positions) –		$200,000
HMU Sub Total -	$1.4 Million	
Programs/SITE-B Operations Budget -		$2.1 million
Programs/SITE-B (21 new positions) -		$2.1 million
Programs Sub Total -	$4.2 million	
RASP Operations Budget -		$3.7 million
RASP (2 redirected and 14 new positions) –		$1.7 million
RASP Electronic Monitoring – Overflow -		$4.5 million
RASP Sub Total -	$9.8 million	

Total AB109 Impact Costs = **$21.4 million annually**

Law Enforcement Compliance Unit Proposal **$3.2 million** **(year 1)**

Total Contracting Costs (Annual)

CDCR Housing (Annual) -	$35 million
Transportation (1 trip per month X 12 months) -	$6,984
Medical Screenings (est. 100 inmates for fire camps) -	$20,000

Total Projected Contracting Costs = **$35 million annually**

Total Operational Impact Costs + Contracting Costs + LE Proposal = **$59.6 million**

CONCLUSIONS

The goal of the Corrections Division is to ensure that persons sentenced to serve time in the County of Riverside will serve that time in jail. Current conditions in conjunction with the new requirements placed upon the Corrections Division by AB109 will prevent the Corrections Division from meeting this goal and force us to utilize use options other than in-custody housing within our facilities.

The Corrections Division has 4 operational options available for implementation with corresponding levels of inmate control:

Options	*Level of Inmate Control*
1. Maintain inmates in our custody	Full
2. Contracting beds	Full
3. Alternative sentencing	Moderate
4. "Fed kick" early releases	None

The creation and implementation of the Coordinated Custody Management unit will help to minimize the negative impacts on our communities as a result of early releases. The coordinated actions of the 3 programs working in collaboration with Probation and the Courts will ensure that each operation runs more efficiently and effectively. This will reduce the number of potential early releases while helping to ensure that those inmates released early will be the least likely to commit new crimes. Additionally, the increased utilization of rehabilitation programs at SITE-B (which has a documented success rate of 78% of those that complete our programs) is expected to provide a reduction in the number of inmates committing new crimes, thus reducing crime in our communities and additional future strains on the jail system.

RECOMMENDATION

The implementation of AB 109 will result in a significant increase in Riverside County Jail population and a reduction in available bed-space for inmates of all classes, further taxing the Sheriff's already over-burdened system. The Sheriff's Department projection is that our jails will be at maximum capacity within two to three months of the implementation of the realignment (approximately January 2012). We have established a funding request that is phased to account for the initial partial year (FY 11/12 – Phase I) impact as well as the following year's (FY12/13 – Phase II) annual impact.

The phased funding request is based upon the priority of impact that we expect to incur within our corrections division. The initial impact will be within our Headcount Management Unit (HMU). HMU provides daily oversight of the inmate population and coordinates the efficient utilization of available jail beds through bed space analysis and the physical transfer of inmates from one facility to another as part of inmate cross-leveling. This function will be impacted immediately and is crucial to inmate bed space analysis planning to accommodate the projected increase and eventual overflow of our inmate population. HMU will need to be enhanced as soon as funding is secured. This proposal will account for an initial request for AB109 funding for the initial 9 months of Phase I for a total of $1.1 million.

The next priority for the Sheriff's Corrections Division will be to bring staffing at each jail back to previously approved staffing levels for a fully occupied jail system as a necessary step to respond to the expanded corrections work load. It is anticipated that the Corrections Division will continue to experience its normal attrition of 5 correctional deputies every month. The Corrections Division will need to maintain full staffing in each of its facilities to supervise the jails while they are at maximum capacity.

The initial correctional deputies required to fill existing vacancies and loss through attrition will take about a month to bring on board therefore the requested staffing cost for Phase I will be for first 7 months for a total request of $3.5 million.

The remaining portion of the Sheriff's Corrections Division funding request will be for the impact to our Programs (SITE-B) and RASP. Through the use of a joint assessment tool, RASP and SITE-B are able to identify inmates who are the best candidates for the successful completion of their programs. These candidates are identified to HMU, who may then house them properly to receive SITE-B services or arrange to release them to RASP and open jail space for inmates requiring full incarceration. These functions become an integral part of the Coordinated Custody Management strategy and will be needed after the first two priorities are established. The Phase I staffing request for SITE-B for the initial 6 months is $2.1 million and the initial 6 months for RASP is $4.9 for a total of $7 million.

The Sheriff's Department therefore request AB109 funding to cover the impact of the initial Phase I (FY 11/12) totaling $11.6 million.

ATTACHMENTS

I. RSO Phasing AB 109 Funding Request
II. Contracting Cost Projections
III. Coordinated Custody Management Org Chart with Added Personnel

ATTACHMENT I

Riverside Sheriff's Department AB109 Impact Funding Request

	Phase I - FY 11/12		Phase II - FY 12/13	
	Term	Millions	Term	Millions
Floor Operations	7 mths	$3.5	Annual	$6.0
HMU	9 mths	$1.1	Annual	$1.4
Programs SITE-B	6 mths	$2.1	Annual	$4.2
RASP	6 mths	$4.9	Annual	$9.8
RSO Phase I Total Request		**$11.6**	**Phase II Total**	**$21.4**
LE Compliance Unit	Annual	**$3.2**	Annual	**$3.2**
Contract Beds	6 mths	**$17.0**	Annual	**$35.0**

Total Operational Impact + LE Compliance + Contract beds

Phase I **$31.8** Annual **Phase II** **$59.6**

ATTACHMENT II

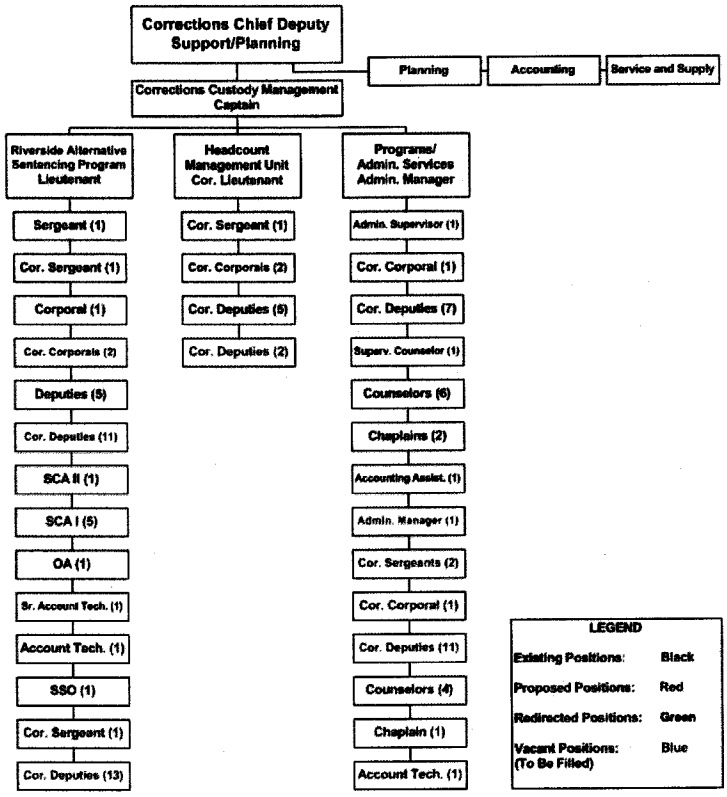
CONTRACTING COSTS

- CDCR
  $77 per day X 1 inmate X 180 days (6 months) =$13,860
  $77 per day X 1 inmate X 365 days (1 year) = $28,105
  180 days X 100 inmates = $1,386,000
  365 days X 100 inmates = $2,810,500
  240 days X 158 inmates = $2,919,840
  180 days X 1,894 inmates = $26,250,840
  365 days X 1,894 inmates = $53,230,870

- CAL-FIRE
  $46 per day X 1 inmate X 180 days (6 months) = $8,280
  $46 per day X 1 inmate X 365 days (1 year) = $16,790
  180 days X 100 inmates = $828,000
  365 days X 100 inmates = $1,679,000
  240 days X 158 inmates = $1,744,320
  180 days X 1,894 inmates = $15,682,320
  365 days X 1,894 inmates = $31,800,260

- Private (low)
  $56 per day X 1 inmate X 180 days (6 months) = $10,080
  $56 per day X 1 inmate X 365 days (1 year) = $20,440
  180 days X 100 inmates =. $1,008,000
  365 days X 100 inmates = $2,044,000
  240 days X 158 inmates = $2,123,520
  180 days X 1,894 inmates = $19,091,520
  365 days X 1,894 inmates = $38,713,360

- Private (high)
  $67 per day X 1 inmate X 180 days (6 months) = $12,060
  $67 per day X 1 inmate X 365 days (1 year) = $24,455
  180 days X 100 inmates = $1,206,000
  365 days X 100 inmates = $2,445,500
  240 days X 158 inmates = $2,540,640
  180 days X 1,894 inmates = $22,841,640
  365 days X 1,894 inmates = $46,317,770

ATTACHMENT III

Corrections Custody Management Positions