

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

669



FROM: Probation Department

SUBMITTAL DATE:
March 4, 2013

SUBJECT: Approval of the local Community Corrections Partnership Public Safety Realignment and Post-release Community Supervision Implementation Plan Update of AB 109, Criminal Justice Alignment.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the local Community Corrections Partnership Public Safety Realignment and Post-release Community Supervision Implementation Plan Update pursuant to AB 109, Criminal Justice Alignment Act, AB 117, the Criminal Justice Realignment and AB 118, the Local Revenue Fund.

BACKGROUND: In an effort to address overcrowding in California's prisons and assist in alleviating the state's financial crisis, the Public Safety Realignment Act (Assembly Bill 109) was signed into law on April 4, 2011. Realignment changed the definition of a felony as it relates to sentencing, and transferred responsibility for supervising specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to the counties. Additionally, the locally supervised offenders would serve their custodial sanctions in the local jails instead of prison. Implementation of the Public Safety Realignment Act took effect on October 1, 2011.
(continued on Page 2)

FORM APPROVED COUNTY COUNSEL
BY DAVID H.K. HUFF
DATE 3/5/2013
Departmental Concurrence

Mark A. Hake

Mark A. Hake
Interim Chief Probation Officer

FINANCIAL DATA	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

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

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Elizabeth J. Olson
Elizabeth J. Olson

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: March 12, 2013
xc: Probation

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

Dept's Recomm.:
Per Exec. Ofc.:

Policy
 Policy
 Consent
 Consent

3-32

SUBJECT: Approval of the local Community Corrections Partnership Public Safety Realignment and Post-release Community Supervision Implementation Plan Update for AB 109, Criminal Justice Alignment.

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Additionally, Section 1230.1 (a) of the California Penal Code requires that each county Community Corrections Partnership (CCP) Executive Committee shall recommend a local plan to the County Board of Supervisors for implementation of the 2011 public safety realignment.

The Community Corrections Partnership Executive Committee (CCPEC), chaired by the Chief Probation Officer, developed a local plan for the implementation of the 2011 Public Safety Realignment. On February 28, 2012, the Board of Supervisors approved the Public Safety Realignment and Post-release Community Supervision final implementation plan (agenda item 3.42). The CCPEC and various sub-work groups continue to meet regularly to discuss matters relating to the county's realignment implementation. On November 6, 2012, the Board of Supervisors received and filed the update from the local Community Corrections Partnership for the implementation of AB 109, Criminal Justice Alignment (agenda item 3.67). Additionally, on January 15, 2013, all CCPEC agencies presented individual departmental overviews and updates at a workshop for the Board of Supervisors.

Each member of the CCPEC has reviewed and signed the attached Public Safety Realignment and Post-release Community Supervision Implementation Plan Update. This document incorporates all the previously approved CCPEC agency updates into one comprehensive plan that includes statistical and program information since the first implementation plan approved by the Board of Supervisors on February 28, 2012.


The attached implementation plan update provides the impact on and/or response to realignment by the CCPEC partners and how they are dealing with the financial and programmatic challenges. In addition to the sweeping changes to the entire adult justice system because of realignment, there are two significant issues which have complicated an already challenging paradigm shift which has affected all CCPEC partners. First is the inadequate forecasting by CDCR of the number of PRCS offenders who will be released to Riverside County; thus providing inadequate funding and impeding planning for adequate community services and supervision. Second is the misnomer the PRCS offenders would be low risk, non-violence, non-serious, and non-sex offenders. Approximately 67% score as high risk to recidivate, and many have serious, violent, sex-related criminal histories. Each participating partner has responded collaboratively and individually to not only realignment, but the additional unanticipated challenges.

Signatures on next page

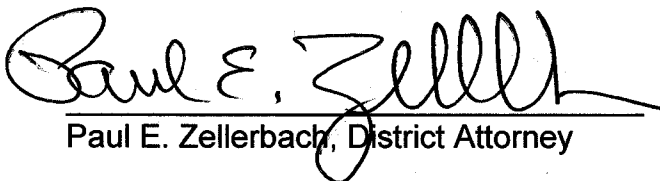
SUBJECT: Approval of the local Community Corrections Partnership Public Safety Realignment and Post-release Community Supervision Implementation Plan Update for AB 109, Criminal Justice Alignment.

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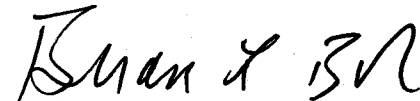
Community Corrections Partnership Executive Committee (CCPEC)



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



Paul E. Zellerbach, District Attorney



Brian Boles, Interim Public Defender



for Jerry A. Wengerd, Director
Department of Mental Health

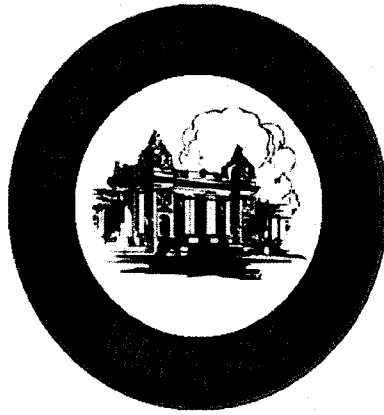


Sherri Carter, Superior Court Designee



Dave Brown, Chief of Police, Hemet

FRANK COE



County of Riverside
Public Safety Realignment
&
Post-release Community Supervision

Implementation Plan Update
March 12, 2013

Executive Committee of the Community Corrections Partnership

Mark A. Hake, Interim Chief Probation Officer, Chair

Mark A. Cope, Presiding Judge

Paul Zellerbach, District Attorney

Brian Boles, Interim Public Defender

Stanley Sniff, Sheriff

Jerry Wengerd, Director, Department of Mental Health

Dave Brown, Chief, Hemet Police Department

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Executive Summary

In addition to the sweeping changes to the entire adult justice system because of realignment, there are two significant issues which have complicated an already challenging paradigm shift which has affected all Community Corrections Partnership Executive Committee (CCPEC) entities. First is the inadequate forecasting by the California Department of Corrections and Rehabilitation (CDCR) of the number of Post-release Community Supervision (PRCS) offenders who will be released to Riverside County; thus impeding planning for adequate community services and supervision. Second is the misnomer the PRCS offenders would be low risk, non-violent, non-serious, and non-high risk sex offenders. Approximately 67% score as high risk to recidivate, and many have serious, violent, sex-related criminal histories. Each participating partner has responded collaboratively and individually to not only realignment, but the additional unanticipated challenges. The following is a synopsis of the impact on and/or response to realignment by the CCPEC partners:

Probation: Although the projections of PRCS offenders to be released to Riverside County Probation for supervision services has been greatly underestimated, the Probation Department has responded to this challenge by implementing Intake and Assessment teams to assess the appropriate level of supervision and services for each PRCS and Mandatory Supervision (MS) offender. Further, the Probation Department has implemented housing options, a Day Reporting Center, data sharing, and other evidence-based re-entry services through collaborative partnerships and expansion of existing programs.

Court: Regarding the Court and impact on their processes, their role under criminal realignment has been to handle only the final revocation hearing process for offenders who violate the terms or conditions of PRCS or state parole supervision. Although the number of PRCS petitions filed is significantly higher than originally projected by CDCR, the Court's funding for FY 2012/13 was decreased to \$344,651. The Administrative Office of the Courts (AOC) has defined detailed data elements and developed a report for all courts to submit common realignment statistics in accordance with Penal Code Section 13155. It is anticipated future funding for the trial courts will be based on the data reported to the AOC.

District Attorney: The District Attorney's office has also been impacted in that per Marsy's Law, they are now required to notify crime victims of the release dates of the realigned offender population. Additionally, this office is now required to conduct violation hearings for the MS population.

Public Defender: As to the impact on the Law Offices of the Public Defender, during this reporting period this agency was responsible for handling both PRCS cases and cases adjudicated under Penal Code section 1170(h). One attorney and two back-up attorneys were assigned to handle the PRCS cases. During the reported time period, there were 601 PRCS cases handled by the office. Cases filed under Penal Code Section 1170(h) involve both "executed" and "split sentences". They are assigned to felony attorneys in the Riverside, Southwest, and Indio offices. During this reporting period, they handled a total of 738 "split sentences". Deputy Public Defenders made 1,719 appearances on the latter type cases.

Sheriff: The Sheriff's Department has been most significantly impacted by the increased demands on our county jails following Realignment. Jail overcrowding resulted in the early release of 6,990 inmates in the 2012 calendar year pursuant to Federal Court Order. On January 1, 2013, over 900 inmates, representing almost 25% of the total jail population, were occupying local jail beds instead of state prison beds due to changes made by Realignment. 215 of these inmates were serving sentences of three years or more. Beyond overcrowding, these inmates proportionately require higher security and additional medical, mental health, and therapeutic programming levels than the previous norm. To address the added impacts, the Sheriff's Department is working to add temporary capacity by exploring the use of fire camp and other contract beds while building additional permanent local jail beds. Existing jail facilities are being hardened and additional security staff added as warranted. Simultaneously, the Department is expanding the Riverside Alternative Sentencing Program, which includes work release and electronic monitoring programs. The Sheriff's Department is also drastically redesigning inmate programs and delivery systems to assess individual needs and provide meaningful programming for successful re-entry.

Mental Health: As to the impact on the Department of Mental Health, they are expanding services to treat individuals who have substance abuse and/or mental health problems to support successful integration into the community and to prevent recidivism. Providing the appropriate level of care to this target population is essential to risk reduction. Services will be provided in specific geographic sites in the County, and a range of services will be available. The Department of Mental Health will provide assessment, care coordination, treatment, and housing, as needed, through existing and new programs.

Police: As to the role of the local law enforcement agencies, the primary mission of Post-release Accountability Compliance Team (PACT) is for municipal Police Departments to work with the Riverside County Probation Department to immediately focus on "high risk" and "at large" PRCS offenders that pose the most risk to public safety. The PACT will be dedicated to identifying and investigating "non-compliant" PRCS offenders, locating and apprehending "at-large" and "high risk" PRCS offenders and performing probation sweeps. Through sustained, proactive, and coordinated investigations the PACT will be able to share information, serve warrants, locate and apprehend non-compliant offenders. The PACT will proactively search for the "at large" PRCS offenders and reduce the number of absconded PRCS offenders. The support of the PACT allows the County Probation Department more time and resources to focus on case management and compliance checks. As a result of Proposition 30, \$24 million dollars in statewide funding for AB 109 impacts on police departments has become available. \$1.5 million will be allocated to the Riverside Police Department. A subcommittee will determine the use of these funds.

Fiscal Information:

In fiscal year 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:

CCPEC Member Agency	Rollover Funds FY 2011/12	Contingency Funds FY 2011/12	Other Funds FY 2012/13	9 Month Approved Budgets FY 2012/13	Total Budgets FY 2012/13*
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
Total	\$ 8,808,627	\$ 737,606	\$1,197,413	\$ 43,183,181	\$ 53,926,827

*The Total Budgets FY2012/13 includes the Rollover Funds from FY2011/12, the Contingency Funds from FY2011/12, the Other Funds from FY2012/13, and the 9 Month Approved Budgets from FY2012/13.

The allocations for the Probation, Sheriff, District Attorney, and Mental Health departments are at 9 months of the member agency's original FY 2012/13 budget requests. The Public Defender received no additional funding from the FY 2012/13 AB 109 Operating Funds, and the Police agencies received funding at 9 months of their FY 2011/12 allocation. It is anticipated that the Public Defender will return at a future meeting of the CCPEC to request adjustments to their FY 2012/13 approved budget allocations. The CCPEC member agencies will utilize the AB 109 funding for on-going costs and new programs as reflected in the revised Implementation Plan. No additional net county cost will be required and there is no county match requirement.

Conclusion:

The Community Corrections Partnership Executive Committee is cautious about speculating the outcome of realignment because of the significant concerns on the types of offenders, the number of offenders, budgetary issues affecting county departments, and the potential for an increased crime rate. Despite these concerns, the Community Corrections Partnership Executive Committee has developed the best possible realignment plan for Riverside County. The policy initiatives and intervention strategies articulated in this report are intended to improve success rates of offenders under supervision, resulting in less victimization and increased community safety. Accomplishing this in the most cost efficient manner and employing proven correctional and justice system practices are the primary strategic goal of the initiative. At this juncture, we are cautiously optimistic that our cumulative efforts are having positive results.

Section I

OVERVIEW OF 2011 PUBLIC SAFETY REALIGNMENT ACT

On May 31, 2011, the United States (US) Supreme Court rendered a decision on two federal lawsuits, Coleman and Plata, requiring the state of California to reduce the state prison population by 33,000 inmates within two years of the decision. The US Supreme Court found prison overcrowding and inmate/staff ratios contributed to inadequate services. It upheld a previous decision by the Federal Court of Appeals, which found the CDCR violated the 8th Amendment to the US Constitution: i.e. cruel and unusual punishment.

In an effort to address overcrowding in California's prisons and assist in alleviating the state's financial crisis, the Public Safety Realignment Act, Assembly Bill 109 (AB109) was signed into law on April 4, 2011. AB 109 transferred responsibility for supervising specified lower level inmates and parolees from the CDCR to the counties. Implementation of the Public Safety Realignment Act took effect on October 1, 2011.

Additionally, Section 1230.1 (a) of the California Penal Code was amended to require that:

- Each county Community Corrections Partnership (CCP) shall recommend a local plan to the County Board of Supervisors for implementation of the 2011 public safety realignment;
- The plan shall be voted on by an executive committee of the CCP to be chaired by the Chief Probation Officer and consisting of a Chief of Police, the Sheriff, the District Attorney, the Public Defender, presiding Judge or his or her designee, and the department representative designated by the Board of Supervisors;
- The plan shall be deemed accepted by the Board of Supervisors unless rejected by a vote of 4/5ths in which case the plan goes back to the CCP executive committee for further consideration; and
- Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs, including, but not limited to, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs.

In response to this new legislation, the Riverside County CCP established an executive committee and developed an implementation plan which was adopted by the Board of Supervisors on February 20, 2012. Through a collaborative effort, the plan was implemented acknowledging Riverside County has a long history of providing innovative alternatives to incarceration, problem solving courts, progressive prosecutorial programs, holistic indigent defense, rehabilitative in-custody programming, evidence-based supervision and post-release services. This document serves to provide an update as to the progress of the processes and programs created to address the diverse needs of this new population of offenders.

KEY ELEMENTS OF AB 109:

- **Post-release Community Supervision:** Effective October 1, 2011, the PRCS population, released from prison to community supervision, became the responsibility of local probation departments, or agency as designated by the county Board of Supervisors. This population is inclusive of non-violent, non-serious, non-high risk sex offenders. The premise regarding state prisoners released on PRCS, as non-violent or non-serious, is significant to note, as it is misleading. Many of these offenders have a prior history of committing violent, serious or sex related crimes but because their current crime is a non-violent, non-serious, or non-high risk sex related offense they qualify for PRCS supervision.

The California Department of Finance, to establish the funding formula, estimated Riverside County's "average daily population" (ADP) of PRCS offenders at 1,601. The ADP means this will be Riverside County's average population of PRCS offenders on any given day.

Prior to October 1, 2011, CDCR projected that 1,688 offenders would be released on PRCS to Riverside County Probation during the balance of the first fiscal year (10/01/11-6/30/12), requiring the full range of supervision, sanctions and service resources available through the probation department. In December of 2011, CDCR recalculated these projections to 1,971 offenders in the first year. The reality is 2,057 offenders were released during this time frame to Riverside County, a difference of 369 offenders (+22%) from CDCR's original projections of 1,688.

CDCR acknowledged their projections were underestimations with a greater number of offenders being released to the counties than anticipated, which severely impacted the county's ability to effectively plan and fund implementation. Many other counties also reported receiving a higher number of offenders than what was projected.

As to length of community supervision, offenders released from state prison on or after October 1, 2011, who have served a sentence for an eligible offense shall be subject to a period of supervision not to exceed 3 years. These offenders may be released from PRCS as early as 6 months if they are compliant with their conditions of supervision and sustain no new law violations or custodial sanctions. The law also mandates their release from PRCS after 1 year if they sustain no custodial sanctions.

As of February 7, 2013, Riverside County Probation Department had 2,092 active PRCS offenders under supervision.

- **Mandatory Supervision:** Riverside County is responsible for the MS offenders who no longer can be sentenced to state prison if convicted of certain felonies. The population who will serve their custodial sentences locally includes the non-violent, non-serious, non-high risk sex offender group. As of February 7, 2013, Riverside County Probation had 1,101 active MS offenders under supervision.

Pursuant to Penal Code Section 1170(h)(5), there are now two ways an offender may be sentenced to local custody instead of state prison. The first is under subsection (A),

wherein an offender is sentenced to serve their entire custodial term with no community supervision upon release. Under this new sentencing option from October 2011 through October 2012, the Riverside Superior Court has given the full custodial term to 1,068 offenders. The second is under subsection (B), wherein an offender is sentenced to jail for a portion of the total custodial term. Upon release, the offender will be supervised by Riverside County Probation in the community for the balance of the term. Sentencing under this subsection is referred to as a "split sentence". From October 2011 through October 2012, the Riverside Superior Court has given this "split sentence" to 2,213 offenders.

- **Redefining Felony Punishments:** The definition of a felony was revised to include certain crimes now punishable in county jail for 16 months, 2 years, or 3 years, rather than state prison. Many offenses, including serious, violent and certain sex-offenses, are excluded and offenders who are convicted of those crimes will continue to serve their sentence in state prison. And, upon their release from state prison, they will continue to be supervised by parole officers.
- **Jurisdiction of Post-release Community Supervision and State Parole Revocations:** PRCS, MS, and parole revocations which result in a custodial sanction will be served in local jails. From October 1, 2011 through January 31, 2013, 7,490 offenders have been booked into county jail for PRCS or parole violations. The Courts assumed jurisdiction over revocations of PRCS and MS offenders effective October 1, 2011. Meanwhile the Board of Parole Hearings will continue to hear state parole violation hearings until this responsibility is transferred to the Courts on July 1, 2013. Penal Code Section 1203.2 was modified on June 28, 2012, to provide consistency in court proceedings for revocations of probation, parole, PRCS and MS offenders, to maintain compliance with statutory and due process rights.
- **Alternative Custodial Options:** Penal Code Section 1203.018 authorizes electronic monitoring for inmates being held in the county jail in lieu of bail. Eligible inmates charged with felonies must first be held in custody for 60 days post-arraignment, or 30 days for those charged with misdemeanor offenses. Effective January 1, 2013, the law also allows inclusion if a determination is made the inmate's participation would be consistent with the public safety interests of the community. The Sheriff's Department is developing and implementing a program which utilizes electronic monitoring as an alternative to custody as authorized by this section and plans to present it for approval in the coming months.
- **Community-Based Punishment and Intermediate Sanctions:** Counties are authorized to use a range of community-based punishments and intermediate sanctions other than jail incarceration alone or traditional routine probation supervision. Options include, but are not limited to, flash incarceration (up to 10 days), electronic monitoring/house arrest, community service, in-patient and out-patient substance abuse programs, and counseling programs.

Section II

LOCAL PLANNING AND OVERSIGHT

COMMUNITY CORRECTIONS PARTNERSHIP:

In the last three years, there have been statewide efforts to expand the use of evidence-based practices in sentencing and probation practices, and to reduce the state prison population. Senate Bill 678 (SB678) (2009) established a CCP in each county, chaired by the Chief Probation Officer, charged with advising on the implementation of SB 678 funded initiatives. Realignment established a CCP Executive Committee (CCPEC) charged with development of a Realignment Implementation Plan that was approved by the Board of Supervisors on February 20, 2012 (agenda item 3.42).

Chaired by the Chief Probation Officer, the CCPEC oversees the realignment process and advises the Board of Supervisors in determining funding and programming for the various components of the plan. The members of the Executive Committee include the: Chief Probation Officer (chairperson); Presiding Judge or designee appointed by the Presiding Judge; District Attorney; Public Defender; County Sheriff; Chief of Police; and Director Mental Health (as by the Board of Supervisors on July 26, 2011).

Community Corrections Partnership Executive Committee Work Group: Chaired by the Assistant Chief Probation Officer, this group was established to discuss funding methodology, policies and programming necessary to implement the realignment strategy plan. The following sub-work groups were established to address specific issues related to realignment. The following is an update of their accomplishments:

- **Fiscal Sub-Work Group:** Chaired by a representative of the Probation Department, this group comprises senior executive staff and fiscal managers from each CCPEC agency. The key focus is to review and discuss fiscal accounting procedures/reports and related issues surrounding AB 109 Public Safety Realignment funding.
- **Operational Effectiveness Sub-Work Group:** Chaired by a representative of the Sheriff's Department, this group comprises representatives from the Sheriff and the Probation Department, including representatives from each department's Information Technology (IT) units. The key focus was to create interfaces in each department's computer systems for the sharing of offender information which included the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessment instrument, Probation's client management system-Juvenile and Adult Management System (JAMS) and the Sheriff's offender management system-Jail Information Management System (JIMS). This group has successfully achieved the goal of mutual information sharing, thereby avoiding duplication of processes. This group continues to meet as needed.
- **Court Sub-Work Group:** Chaired by a representative of the Court, this group comprises representatives from the Probation Department, the Court, the District Attorney's Office, the Public Defender's Office and the Sheriff's Department. This group collaboratively focused on the development of court protocols and procedures for the violation processes for the

PRCS and MS offenders, including development of forms used by the Sheriff and Probation. These protocols and procedures have been successfully integrated into the violation processes for the PRCS and MS populations. This group continues to meet as needed to update forms or address any court related issues.

- **Health and Human Services Sub-Work Group:** Chaired by a representative of the Department of Mental Health, this group comprises representatives from the Probation Department, the Public Defender's Office, Riverside County Public Health, the Departments of Social Services and Mental Health (which include Substance Abuse Services), the Riverside County Regional Medical Center (RCRMC), and RCRMC Detention Health Services. This group is collaboratively working on meeting the medical and mental health needs of the PRCS and MS populations, including addressing issues related to housing. Short term re-entry housing (1 to 30 days) and long term transitional housing (1 month up to 6 months) have been part of the focus of this group. Providers for re-entry housing have been selected via the Request for Proposal (RFP) process; protocols for implementation are being developed. It is anticipated this housing type will be available in early 2013. As to transitional housing, the RFP process is ongoing. It is anticipated this housing type will be available in mid to late 2013. This group continues to meet on a regular, monthly basis.
- **Post-release Accountability and Compliance Team:** Chaired by a designated Chief of Police, this group comprises police chiefs from 11 police departments in Riverside County. Their focus has been development of the PACT to assist with sweeps coordinated by Probation, apprehend high risk PRCS offenders on warrant status and at-large in the community, and assist probation officers with compliance checks.
- **Day Reporting Center (DRC) Sub-Work Group:** Chaired by a representative from Probation, this group comprises representatives from the Probation Department, the Court, the Public Defender's Office, the Sheriff's Department, Mental Health (including Substance Abuse Services), Riverside County Office of Education, Workforce Development, Department of Public Social Services, Department of Public Health, Child Support Services, and Veterans' Support Services. This group was formed to develop regionally located DRCs in Riverside County. The first DRC opened on October 15, 2012, in Central Riverside, and provides a one-stop-shop offering a variety of services for the PRCS and MS populations. Development of future DRCs is an ongoing project.
- **Measurable Goals Sub-Work Group:** Chaired by a Chief Deputy Probation Officer, this group comprises representatives from the Probation Department, the Court, the District Attorney's Office, the Public Defender's Office, the Sheriff's Department, the Department of Mental Health, and Police. The purpose of this group is to develop a defined set of measurable goals and outcomes allowing the CCPEC to gauge the effectiveness of the county's response to realignment. This group will develop a monthly progress reporting form for the CCPEC.

The CCPEC has undertaken its planning and oversight role collaboratively, with input from all stakeholders, consistent with the realignment objectives of ensuring public safety, reducing recidivism, and promoting community-based alternatives to incarceration. The CCPEC is

committed to realignment's stated intent of increasing public safety by reducing recidivism of the adult offender through reinvestment in community-based corrections programs, and utilization of evidence-based strategies that increase public safety while holding the offender accountable.

The CCPEC has sought input from the broader array of community-based providers and interest groups that will be critical to ensuring the successful implementation of the realignment initiative. Community meetings have been regularly scheduled and have been attended by representatives from various organizations that may provide direct services to the realigned population. These public meetings have provided the CCPEC with an opportunity to hear directly and regularly from key non-county partners and concerned members of the community.

The CCPEC will continue to meet to identify needed additions and/or modifications to the plan as determined by individual departments. Thus, the realignment plan should be viewed as a living document, which will be appended on an ongoing basis, as the CCPEC institutionalizes the framework delineated in the plan through the development of operational protocols, procedures and guidelines; assurance of stable and adequate funding; and accumulation of measurable data and information based on multiple years of realignment implementation.

Section III **FISCAL INFORMATION**

Year 1 (2011/12) Allocation Principles:

The Average Daily Population (ADP) was established by the California Department of Finance, based on information from CDCR, to determine the funding formula. CDCR initially projected that in the first fiscal year (October 1, 2011-June 30, 2012) Riverside County would receive 1,601 PRCS offenders. Prior to October 1, 2011, CDCR adjusted this projection to 1,688 PRCS offenders, and in December 2011, this projection was readjusted to 1,971. The actual number of PRCS offenders released was 2,057. The Department of Finance underestimated the ADP based on erroneous data from CDCR.

The level of local funding available through realignment is based on a weighted formula containing three elements:

- 60% based on estimated average daily population (ADP) of offenders meeting realignment eligibility criteria;
- 30% based on U.S. Census Data pertaining to the total population of adults (18-64) in the County as a percentage of the statewide population; and
- 10% based on the SB 678 distribution formula.

Year 2 and 3 (2012/13 and 2013/14) Allocation Principles:

The estimated statewide funding level more than doubled from Year 1 to Year 2 (\$354.3M to \$842.9M), and from Year 2 to Year 3 (\$842.9M to \$998.9M) an additional 20% is projected. The State Funding Committee developed a temporary formula for two years (2012/13 and 2013/14). Each county would receive the best result of three options:

- Population (ages 18 – 64)
- Status quo (60/30/10)
- Adjusted ADP

Each county is ensured a minimum base of estimated Year 1 dollar allocation doubled and the formula-derived percentage share for each county remains constant for two fiscal years; funding level increases year-over-year by approximately 20% in 2013/14.

Based on this formula Riverside County is projected to receive \$43,183,181 for FY 2012/13: This funding includes:

Post -release Community Supervision/local incarceration	\$ 43,183,181
AB 109 Planning grant	\$ 200,000
TOTAL	\$43,383,181

In addition, the District Attorney/Public Defender received a separate funding allocation of \$852,762, to be shared equally, and the Superior Court operations received \$344,651. These amounts are separately managed by these agencies and do not fall under the CCPEC’s purview.

On October 18, 2012, the CCPEC approved the FY 2012/13 budget allocations. Since this allocation is based on the original formula using an erroneous ADP calculation in Year 1, the allocation for Riverside County falls short of what each agency needs for a full-year implementation. The allocations for the Probation, Sheriff, District Attorney, and Mental Health departments are at 9 months of the member agency’s original FY 2012/13 budget requests. The Public Defender received no additional funding from the FY 2012/13 AB 109 Operating Funds, and the Police agencies received funding at 9 months of their FY 2011/12 allocation. It is anticipated that the Public Defender will return at a future meeting of the CCPEC to request adjustments to their FY 2012/13 approved budget allocations.

The CCPEC member agencies will utilize the realignment funding plus their share of rollover and contingency funds from Year 1 to fund on-going costs for existing programs and new or expanded programs.

The budget developed and approved by the CCPEC on October 18, 2012, provides a conservative approach along with a contingency fund of \$3,073,862 because of the numerous variables and unknown factors each agency is managing during the implementation of realignment.

Justice Reinvestment:

PC 3450(b) (7), as added by AB 109, states that “fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county.” AB 109 defines justice reinvestment as “a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety.” Riverside County

has utilized and will continue to expand the use of evidence-based practices and make use of alternative custody options.

Section IV **IMPLEMENTATION STRATEGY UPDATE**

1. PROBATION DEPARTMENT

Overview:

With the passage of SB 678 Community Corrections Partnership Incentive Act in 2009, the Riverside County Probation Department incorporated utilizing evidence-based practices and services within the probation population, to reduce revocations of probation which result in a prison commitment and recidivism. The evidence-based practices employed include using effective supervision intervention strategies, validated risk/needs assessment tools, motivational interviewing techniques, Cognitive Behavior Therapy (CBT), the services of other county agencies, and community based organizations.

These same evidence-based practices form the foundation for the implementation of public safety realignment beginning October 1, 2011. Given the many challenges to address the needs of this new population of offenders, Riverside County Probation developed and implemented a comprehensive plan to assess their risks and needs, created comprehensive case plans, identified community resources, and worked collaboratively with other county agencies to help reintegrate these offenders into the community.

Processing Offenders and Supervision Strategies:

Intake and Assessment:

Prior to the release of the PRCS offender from state prison, CDCR provides a pre-release packet case file with individual release plan documents for each offender to the Intake Unit of the Riverside County Probation Department. Staff assigned to the Intake Unit create a supervision file, review each offender's case materials, determine additional specific conditions of release, verify residence in Riverside County and determine the probation office the offender will report to upon release. This information is returned to CDCR to be included in the Notice and Conditions of Post-Release Community Supervision form, which is provided to the offender.

All PRCS offenders are required to report to their designated probation office following release from prison for assessment and caseload assignment. The assessment staff is located in each region of the county and is responsible for the initial office contact with each PRCS offender. Conditions of release are reviewed and the COMPAS assessment is administered on all PRCS offenders. Following the assessment, the PRCS offenders are assigned to a specific caseload based upon risk/needs assessment results.

For the MS population, case management mirrors what is provided to the PRCS population.

PRCS and MS offenders assigned to low or medium risk supervision who experience difficulties will be reassessed and assigned to a higher level of supervision.

Supervision Plan:

The Riverside County Probation Department has implemented realignment with an evidence-based supervision model. Further, the Riverside County Probation Department has established a case management process, with procedures designed to incorporate evidence-based principles for effective interventions with the goal to reduce recidivism. These same principles have been applied to the PRCS and MS offenders. To effectively manage the PRCS and MS populations; the Riverside County Probation Department has designed a three tiered system focusing on the appropriate supervision level, based on the level of risk and intervention strategies as determined by the COMPAS assessment tool. Offenders have been categorized as low, medium, or high risk and assigned to a corresponding caseload. On a case by case basis, staff may request an over-ride, or under-ride for a risk level, with supervisory approval. In addition, cases are procedurally re-assessed every 6 months to ensure they are being supervised at the appropriate risk level.

The following risk levels are determined by administering the COMPAS assessment instrument:

- **Low Risk:** Offenders who score low on the COMPAS general recidivism scale and the violence component are assigned to low risk, banked caseloads and are required to report any changes of circumstances via a Kiosk system.
- **Medium Risk:** Offenders who score medium on the COMPAS general recidivism scale are placed on medium risk caseloads.
- **High Risk:** There are two types of high risk caseloads, conventional and armed. Offenders who score high on the COMPAS general recidivism scale are placed on the conventional, high risk caseloads. Offenders who score high on the COMPAS violence component are placed on an armed caseload for officer safety.

After completion of the COMPAS assessment, each offender who is assessed as medium or high risk will have a case plan developed to target criminogenic factors through referrals to evidence-based services offered within the community. COMPAS also identifies the need for participation in the Courage to Change Interactive Journaling System (CBT based) facilitated by Deputy Probation Officers. Low risk offenders are not provided these services unless a problem develops warranting intervention during their period of supervision.

The PRCS and MS populations receive services consistent with evidence-based supervision practices including the following:

- Supervision Intake;
- COMPAS Risk/Needs assessment;
- Assignment to a supervision level based upon assessment results;
- Development of a supervision case plan;
- Utilization of Motivational Interviewing techniques;

- Courage to Change (CBT) curriculum;
- Referrals to services according to criminogenic factors: e.g., CBT counseling, mental health, substance abuse, education, employment, housing, etc.;
- Use of graduated sanctions and incentives to promote rehabilitation;
- Day Reporting Center (DRC).

Program Data Collection:

The following Probation Department statistics present a picture of the PRCS population received as of February 7, 2013. The Riverside County Probation Department has received 3,871 pre-release packets on PRCS offenders from CDCR. Of these, 296 were rejected because they were ineligible for PRCS supervision and belonged to parole, were deceased, or were sent to Riverside County in error; 269 were transferred to other counties. Of the remaining 3,306 packets received, the offenders are being supervised in the community, are pending transfer or awaiting acceptance of transfer to other counties or states, or have terminated from supervision.

A query of offense types was conducted on the pre-release PRCS packets received from CDCR. Utilizing the Universal Crime Reporting Categories, the following is a breakdown of the percentages of offenders released to Riverside County and their commitment offense:

- Property Offenses 38%
- Drug Offenses 29%
- Violent Offenses 23%
- Other 9%
- Sex Offenses 1%

Recent analysis of the PRCS population being supervised by Probation reflects the number of offenders being assessed at high risk via the COMPAS assessment is higher than anticipated. It was initially estimated, based on the probation population, approximately 40% would assess at high risk, 31% at medium risk and 29% at low risk. The number of PRCS offenders who score as high risk score will require an upward adjustment in the number of high risk caseloads then initially projected. The following is a breakdown of risk levels for 1,837 PRCS assessment completed:

- High Risk 67% (1,230)
- Medium Risk 15% (279)
- Low Risk 18% (328)

As of February 7, 2013, probation records reflect the following:

- 1,101 MS offenders and 2,092 PRCS offenders were supervised in the community.
- There were 216 outstanding warrants for PRCS offenders. The warrants were primarily issued for failing to report after release from custody, absconding from supervision, or sustaining a new arrest.

- The Probation Department has utilized flash incarceration for 404 PRCS offenders as an intermediate sanction for violations. Exploring the use of graduated sanctions is considered prior to imposing flash incarceration (up to ten days).
- Approximately 10% of the PRCS population is homeless. This is a key area being addressed by the CCPEC Health and Human Services Sub-Work Group and other county agencies dealing with homeless issues.
- Approximately 76% of the PRCS population self-reported having a substance abuse problem, with either alcohol or drugs, or a combination of both.
- Approximately 15% of the PRCS population reported having mental health issues from mild to severe.
- Approximately 32% of the PRCS population is either an identified gang member or affiliated with gangs.
- As to education level, 59% of the PRCS have some high school credits, 22% have a high school diploma, 13% have a GED, and 6% have taken some college courses.

Community Based Treatment Services:

Many offenders released into the community lack positive support or stable housing. In an effort to remove roadblocks and pave the way to success, the Riverside County Probation Department utilizes the following community based resources:

- **Day Reporting Center:** The DRC is a collaborative multiagency program which uses county and community resources to support the realignment population. The DRC opened on October 15, 2012. To date, the DRC has received 186 referrals and completed 108 orientations. Offenders at the DRC receive services related to substance abuse, anger management, positive parenting, physical and mental health, welfare assistance, general education, job readiness, peer support and CBT counseling. The DRC's goal is to lay the foundation for self-sufficiency and success in an effort to reduce recidivism and integrate realignment offenders back to the community. Contracted treatment providers are required to utilize evidence-based practices and treatment models throughout the continuum of services.
- **Re-entry and Transitional Housing:** In collaboration with Riverside County Mental Health Department, probation is currently establishing re-entry and transitional housing for the realignment population. Stable housing will ensure a safe, habitable and sober living environment.
- **Domestic Violence and Child Abuse Counseling Services:** Probation continues to work with domestic violence and child abuse batterer's treatment providers throughout the county to assist in becoming evidence-based providers. Through current standards set by

Probation these providers are mandated to utilize assessment tools and pre and post testing to determine offender progress.

- **Educational and Vocational Services:** Education, vocational, and job readiness services are provided by contractors who will be required to administer educational assessments, vocational readiness and skills assessments. Referrals to adult education classes, community college, vocational training or employment will be part of their case plans.

Budget and Personnel Information:

Budget Narrative:

In FY 2011/12, the CCPEC and the Board of Supervisors approved a six-month funding allocation including 100 positions for the Probation Department to implement realignment. The department developed and implemented evidence-based programs for PRCS and MS, effective October 1, 2011. Initial focus was on administrative infrastructure positions, staffing of Intake and Assessment units and a first phase of supervision staff. Since then, the department experienced a major shift upwards in the numbers of PRCS offenders than originally projected by the CDCR, and in the complexity and array of services they need based on the higher percentage which assessed at a high rate of risk posed to the community. For FY 2012/13, on November 6, 2012, the Board of Supervisors authorized 37 additional positions for the Probation Department. Each agency has added positions to meet the needs of realignment. A revised summary is attached.¹

The total FY 2012/13 Probation Department budget approved for realignment implementation is \$12,372,106, including \$8,677,168 for salaries and benefits, \$2,627,168 for services and supplies, and \$1,067,770 for estimated leased space and contract agencies.

2. SUPERIOR COURT

The Criminal Justice Realignment Act made significant changes to felony sentencing laws, awarding of custody credits, and assigned courts a new and significant role in the revocation process for offenders released from state prison that violate their terms or conditions of PRCS or parole.

Under Assembly Bill 117, a budget trailer bill accompanying the Budget Act of 2011, the Court's role under criminal realignment previously outlined under AB 109 has been substantially narrowed to handle only the final revocation process for offenders who violate the terms or conditions of PRCS or state parole supervision.

Before a petition for revocation of post-release supervision may be filed with the Court, Probation has an affirmative duty under criminal justice realignment to assess and determine whether intermediate sanctions not requiring court involvement is appropriate. Probation has significant authority to respond to violations of supervision with a variety of intermediate sanctions, including but not limited to "flash incarceration" in the county jail for up to 10 days, without court

¹ FY 2012/13 AB109 Positions Summary-Revised – Attachment A

involvement. The Court has no jurisdiction or required role until a Petition for Revocation of Community Supervision has been filed by Probation.

Effective October 1, 2011, petitions for revocation of post-release community supervision may be filed by Probation in the Superior Court in the jurisdiction in which the violator is being supervised. The Court, in collaboration with other CCPEC agencies, has established an effective workflow² to assume responsibility for the PRCS revocation proceedings in accordance with specific rules of court³ and a mandatory petition form the Judicial Council has adopted to establish uniform statewide revocation procedures.

The CCPEC agencies have agreed to file all petitions and hold all revocation hearings centrally at the Riverside Hall of Justice. As the caseload volume increases, a regional model may be contemplated in the future. Until then, a single Revocation Hearing Officer has been designated to handle this new caseload and hearings related to PRCS revocation proceedings.

Upon receipt of a *Petition for Revocation of Community Supervision*⁴ from Probation, the Court will file the petition and, within 5 court days, conduct a probable cause review based on information contained in the petition and the written report of Probation. The Court will prescribe the date and time of the revocation hearing, within 45 days of filing of the petition, unless time is waived or the Court finds good cause to continue the matter. At any time before a formal revocation hearing the supervised person may waive the hearing, admit a violation and accept sanctions. Absent a waiver, the Court will provide a hearing officer, courtroom facility, interpreter services and the means to produce a record for all formal revocation hearings.

Because the criminal justice realignment act transfers an Executive Branch function to the Judicial Branch, and because it provides a great deal of implementation flexibility to counties, it is very difficult to predict petition caseload with precision. However, based on CDCR caseload experience during 2010, the rough estimate of the number of petitions for revocation of supervision Riverside Superior Court may receive is 266. Based on this estimate, the state budget appropriated funds for the Judicial Branch to undertake this new function and the AOC allocated \$671,942 in operating funds to Riverside Superior Court for FY 2011/12.

The projected number of PRCS petitions for FY 2011/12 was under-estimated at 266. More than double that number, 584 petitions for revocation of PRCS, was filed by Probation during the 10 months of FY 2011/12, and a total of 1,075 PRCS petitions were filed during the first full year (12 months) of realignment.

Although the number of PRCS petitions filed is significantly higher than originally projected by CDCR, the Court's funding for FY 2012/13 was decreased to \$344,651. The AOC has defined detailed data elements and developed a report for all courts to submit common realignment statistics in accordance with Penal Code Section 13155. It is anticipated future funding for the trial courts will be based on the data reported to the AOC.

² Post-release Community Supervision Flowchart – Attachment B

³ California Rule of Court 4.540 and 4.541 – Attachment C

⁴ Petition for Revocation of Community Supervision Form (CR-300) – Attachment D

Beginning July 1, 2013, petitions for revocation of parole supervision will be filed in the Superior Court. These petitions will be filed by the state parole agency and a similar workflow will need to be developed between the Court and the State. These matters will not be supervised by Probation but remain with state parole. Until July 1, 2013, all state parole revocation proceedings will continue under the jurisdiction of the Board of Parole Hearings.

3. DISTRICT ATTORNEY

To successfully handle PRCS matters in FY 2011/12, the District Attorney's Office developed a plan in July of 2011 that involved assigning three senior prosecutors, supported by one senior investigator, one investigative technician, one paralegal, and three legal support assistants. These employees would be tasked with the following duties:

- **Three (3) Experienced Prosecutors:** were to be assigned to represent the People of the State of California in prosecuting violations of PRCS. The District Attorney planned to reassign experienced prosecutors to address this need, and has hired new prosecutors to back-fill those positions.
- **One (1) Senior Investigator:** was to be assigned to offer investigative support to the attorneys assigned to prosecute the PRCS violations as needed. Specifically, this investigator would be tasked with supplementing the investigations performed by the Probation Department, and help the attorneys prepare the cases in anticipation of conducting the violation hearings.
- **One (1) Investigative Technician:** was to be assigned to offer more technical investigative assistance to the attorneys and the investigator. Specifically, the investigative technician would be tasked with serving subpoenas as needed to secure the presence of witnesses at the violation hearings, as well as retrieving physical evidence (audio/video recordings, photographs, etc.) and documentary evidence (certified copies of prior convictions and/or inmate files from the California Department of Corrections and Rehabilitation) from a variety of sources.
- **One (1) Paralegal:** was to be assigned to support all of the attorneys handling hearings on violations of PRCS. Specifically, the paralegal would support the attorneys with legal research and case organization.
- **Three (3) Legal Support Assistants:** were to be assigned as support to handle the PRCS files from creation until completion. These clerical positions would receive notification from the Court of the filing of PRCS violations, and would be responsible for inputting the case in our case management system, creating and building the physical file, and tracking the file throughout the Office after each court appearance.

In addition to the PRCS cases, AB 109 brought additional consequences and challenges, both anticipated and unanticipated.

One of the expected consequences of Realignment was the flooding of our local jail system with inmates. While the Sheriff has taken extraordinary steps to maximize the capacity of our current county jails, and was successful in partnering with the Economic Development Agency to secure funding for additional jail beds in Indio, the simple fact remains that there is simply not enough space to house all of the inmates. This has resulted in the unfortunate early release of thousands of prisoners. This has caused an extra burden to be borne by all of the justice partners, but for the District Attorney's Office, it triggers constitutionally mandated duties.

Victims of crime in the State of California are entitled to numerous constitutional rights as the result of the enactment of Marsy's Law. Included in these rights are several provisions specifically governing the release of information to crime victims disclosing a defendant's incarceration status. Additionally, Marsy's Law requires victims of crime be provided with the opportunity, upon request, to be involved with post-conviction proceedings. These rights include, but are not limited to, the right:

- To reasonable notice of all public proceedings upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings;
- To be heard, upon request, at any proceeding, including any post-conviction release decision, or any proceeding in which a right of the victim is at issue;
- To be informed, upon request, of the scheduled release date of the defendant, and the release of or escape by the defendant from custody;
- To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole offender, and to be notified, upon request, of the parole or other release of the offender; and
- To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.

As a result of these rights, the District Attorney's Office must notify victims of crime of any change in a defendant's custody status, and give them the opportunity to comment and appear at each step in the post-conviction process, including hearings on violations of Post-Release Community Supervision and hearings on violations of Supervised Release.

An additional consequence of Realignment relates to the revenue from the State; specifically, the need to accurately track how the money is being spent and the accompanying efficacy of the programs developed. While the legislature has provided funding calculations to the counties for FY 2012/13 and FY 2013/14, they have determined that future funding decisions will be based on an as yet to be determined matrix to be designed to fund only those programs that are "succeeding." In addition to the scrutiny from the State, the County of Riverside has expressed an interest in taking a "closer look" at how funds distributed by the Community Correction Partnership are being spent to maximize resources. In fact, on the Board of Supervisor's agenda for their regular meeting on July 31, 2012, was Agenda Item 03.79, entitled "Report to the Board on

Options for Realignment Implementation.” This item specifically asked the Board to recommend that the Community Corrections Partnership develop performance measures, and regularly report the results of the analysis to the Board. Further, each County department receiving funds from the Community Corrections Partnership will be tasked with reporting their specific Realignment plans. Although this item was continued at the request of the Chief Probation Officer, the intent is clear.

As a result of these reporting obligations, the District Attorney’s Office must be able to keep timely and accurate statistics to prove the success of the Realignment efforts taken by the office.

A final realized consequence of Realignment is the creation of “split sentences” and the resulting “Supervised Release” of convicted felons. Prior to the passage of AB 109, as previously described, defendants convicted and sentenced to state prison served their time in state prison. Upon their release, these convicted felons would be on parole and supervised by the California Department of Corrections and Rehabilitation. If they violated the terms of their parole, the hearing was handled by the Parole Board and the convicted felon would be returned to state prison. However, due to Realignment, those individuals who commit one of the three nons are sentenced to serve their custody time in our local jails. Further, their sentence can be “split,” either by the court or through a negotiated disposition with the District Attorney’s Office, into a period of custody time and a period of time during which they will be supervised by the Probation Department. This is referred to as “Supervised Release.” If one of these convicted felons violates the terms of their Supervised Release, the hearing is handled in the Superior Court and prosecuted by the District Attorney’s Office. This type of violation hearing is a creation of Realignment, and the prosecution of these violations is a new duty imposed on the District Attorney. Riverside County has become one of the leaders in the State of California on the use of split sentences. As you can imagine, with more and more split sentences being imposed, we are seeing a proliferation of these types of violations.

As a result of these new hearings, clerical staff must now manage files for each violation.

To successfully address each of the consequences discussed above, and in addition to the employees previously discussed, the District Attorney planned to assign one victim services advocate, one paralegal, and one legal support assistant. These employees will be tasked with the following duties:

- **One (1) Victim Services Advocate:** will be assigned to coordinate notification of victims of crime as to the early release of inmates and issues related to post-conviction hearings, as constitutionally mandated.
- **One (1) Paralegal:** will be assigned to keep accurate statistics related to all Realignment efforts undertaken by the District Attorney, as well as track any increase in the volume of cases generally that can be linked to Realignment, and be prepared to make regular reports.
- **One (1) Legal Support Assistant:** will be assigned as support to handle the Supervised Release files from creation until completion. These clerical positions will receive notification

from our prosecutors and the Probation Department of the filing of Supervised Release violations, and will be responsible for inputting the case in our case management system, creating and building the physical file, and tracking the file throughout the Office after each court appearance.

The District Attorney remains committed to protecting the public and will work to meet whatever demand is placed on his office as a result of Realignment, the need for increased staffing, and the accompanying need for additional funding, is a matter that will be continue to be discussed in future planning cycles. The continuing ramifications of these new laws, and the impact on the citizens of Riverside County, remain difficult to predict. It is the District Attorney's intention to continue to make every effort to enforce the law as written, and work with statewide legislators to improve the law whenever and wherever possible.

4. PUBLIC DEFENDER

The realignment work done by the Law Offices of the Public Defender occurs both in and out of the courtroom. In the courtroom, the Law Offices of the Public Defender is responsible for representing cases falling under Penal Code Section 1170(h). The Public Defender is also a member of the CCPEC and is involved with the implementation of realignment. A Supervising Deputy Public Defender is assigned to assist with this duty and is also responsible for training and the implementation of procedures involving Penal Code Section 1170(h) cases.

During this reporting period, the assigned Supervising Deputy Public Defender, or a designated representative, attended and participated in the following CCPEC work groups: CCPEC, Probation- Pretrial Services, Probation-Day Reporting Center, Court Working Group, Health and Human Services, and the AB109 Interagency Task Force. The Supervisor duties within the Public Defender's Office included training, file review, review of statistical data, and updating office policy and procedures to comply with realignment statistical requirements. Additionally, the Supervisor managed and assisted attorneys assigned to handle Penal Code Section 1170(h) and PRCS cases.

The Law Offices of the Public Defender during this reporting period was responsible for handling both PRCS cases and cases adjudicated under Penal Code section 1170(h). One attorney and two back-up attorneys were assigned to handle the PRCS cases. During the reported time period, there were 601 PRCS cases handled by the office.

Cases filed under Penal Code Section 1170(h) involve both "executed" and "split sentences". They are assigned to felony attorneys in our Riverside, Southwest, and Indio offices. During this reporting period, we handled a total of 738 "split sentences". Deputy Public Defenders made 1,719 appearances on the latter type cases.

5. SHERIFF'S DEPARTMENT

REALIGNMENT:

AB 109, the California State Public Safety Realignment Act, was implemented on October 1, 2011. Under realignment, non-violent, non-serious, and non-high risk sex offenders are

sentenced to serve their custody time within county jails, as opposed to state prison. Parole violators also serve any revocation sentences within the county jails. In addition, convicted felons released from state prison may be required to serve a period of time under the supervision of probation as PRCS offenders, and serve any subsequent revocation sentences in county jail. As a result of realignment, four new classes of inmates beyond the traditional county jail inmate are now housed in Riverside County Jails; county jail felons (convicted under Penal Code Section 1170(h)), parolees, flash incarcerations and PRCS.

Realignment has already radically altered the California criminal justice system, and will continue to significantly impact this system for the foreseeable future. The major impacts of realignment for the Riverside County Sheriff's Department include increased jail overcrowding, continued funding challenges, the need for massive inmate program expansion, inconsistencies in the law with respect to physical custody, out-of-custody programs and other alternatives, and increased future liabilities and uncertainties.

The Riverside County Sheriff's Department Corrections Division operates five jails strategically placed throughout the county. Total housing capacity of the five jails is a maximum of 3,906 inmate beds. All five jails were designed to house short-term, pre-trial detainees and sentenced misdemeanants. Due to an already undersized jail system in Riverside County, one of the most visible major impacts of realignment has been the increased inmate population within the county. The County of Riverside continues to have one of the fastest growing populations within the State of California, but construction of jail beds has not kept pace. For comparison, while the Riverside County population is slightly larger than the population of neighboring San Bernardino County, Riverside County currently possesses only 65% of San Bernardino County's jail bed capacity.

Riverside County has experienced overcrowding in the past, but the County was able to effectively manage overcrowding through improved headcount management and building strong partnerships with allied criminal justice departments. With realignment the flood of inmates with lengthy sentences has overpowered these efforts. The increase has not just been inmate population numbers, but also an increase in the higher classification level of inmates based on their possessing greater levels of criminal sophistication and more violent histories. This has provided an increased immediate critical need for jail construction as well as a continued retrofitting of existing facilities to provide increased security. The need for additional trained staff members has also risen to safely manage the changing jail population.

Although counties receive state funding for realignment, the need would greatly surpass these approved funding levels if all of the actual costs were counted. Due to the circumstances created by overcrowding, the Riverside County Jails currently operate at maximum capacity and must be fully staffed to ensure the safety of both inmates and personnel. The large portion of realignment funding provided to Riverside County is earmarked for corrections staffing and facility improvements, however additional funding will be needed as the burden on the jails continues to increase, alternatives to jail are expanded, and necessary inmate programs are brought online.

Historically, inmate programs within the Riverside County Jails were designed for low-level inmates with shorter sentences. Due to realignment, programs are undergoing radical redesign and expansion to align with the increased level of inmate classification, while taking into account

the fact that inmates will be incarcerated for longer periods of time. Previously most of our in-depth inmate programming was conducted at Smith Correctional Facility in Banning; however, realignment has dramatically increased the need for inmate programs at all five Riverside County Jails.

Another impact of realignment has proven to be poorly crafted legislation. In the rush to implement change, the California Legislature failed to address many of the impacts brought about by realignment. Although several amendments have taken place since initial passage, and others are being reviewed, current law still needs significant revision. Legislation directed toward revising current rules involving sentence length, good-time credits, involuntary work release, electronic monitoring, and use of outside jail facilities and camps all continue to be needed to enhance County efforts to properly manage realignment.

Realignment has placed an enormous burden on counties and caused greater future uncertainty. Counties have been tasked to care for the long-term inmate population, many of which are older, more criminally sophisticated, and in need of greater therapeutic programming than those inmates traditionally housed in county jails. As such, medical and mental health costs which were once liabilities of the state are now passed to the counties. Many programs specifically designed to ease overcrowding also remain unavailable or impractical due to unanswered liability concerns. These new responsibilities require trained staff and sophisticated facilities, which will be costly and difficult to produce in the near term. Although the future is not clear, early indicators are pointing to additional difficult times ahead.

IMPACT:

Immediately prior to realignment taking effect, Riverside County Jails operated at 83% capacity. This was well below the 1993 Federal Court Order threshold of 90%, after which the Riverside Sheriff's Department is to begin early releases to manage the inmate population. Immediately following the implementation of realignment, the inmate population increased sharply. Three months following the implementation of realignment, Riverside County Jails reached maximum capacity. On January 6, 2012, pursuant to the Federal Court Order, the Sheriff's Department was forced to begin early releases. Although improvements enabled the Sheriff's Department to routinely manage inmate population at a level above 90% capacity, early releases continue to be a necessity. As of December 31, 2012, Riverside County has been forced to release 6,990 inmates early under the Federal Court Order.

Impact statistics as of January 1, 2013, showed 9,712 realignment-related inmates had served time in our local Riverside County Jails since implementation, with 932 of those still physically remaining in jail on January 1, 2013. This change meant that 932 beds that would have been used in the past to hold the type of inmates traditionally held in our county jails before realignment were effectively unavailable. This represents approximately 25% of all the current jail beds in Riverside County. 2,132 of these inmates were sentenced under the new state law wherein certain state prison inmates now serve their sentences in county jail per Penal Code Section 1170(h), with 215 of them remaining in jail still serving out sentences of three years or more. This growing population of long-term sentenced inmates has clogged the normal in-out flow of inmates, leading to the need to release 6,990 shorter-term inmates early just to make room. While

preliminary attempts to utilize other alternatives to jail custody are beginning to make a dent, the early release cycle continues and the jail system remains in crisis.

2012 RESPONSE PLAN:

To manage the continual growth of the Riverside County inmate population during the first year of realignment, the Sheriff's Department implemented a response plan for realignment that included the formation of the Coordinated Custody Management Unit (CCMU). This command includes oversight of the Headcount Management Unit (HMU), Riverside Alternative Sentencing Programs (RASP), and the Sheriff's Inmate Training and Education Bureau (SITE-B).

- **Headcount Management Unit (HMU):** The HMU tracks countywide and facility-specific headcounts daily. HMU works closely with each facility to maximize the effective use of available beds. This has included reconfiguring individual dayroom classification to accommodate changing prevailing systemic classification needs. HMU continues to be the primary unit responsible for developing solutions to maintain a manageable headcount level.

In 2012, the Sheriff's Department expanded the HMU in an effort to centralize inmate housing decisions and inmate transportation. Four additional staff members were added to HMU to successfully manage the new inmate population increases caused by realignment. In addition to coordinating and managing housing decisions, HMU evaluates and manages transportation requirements for an average of more than 400 inmates each weekday being moved around the County for court appearances, medical appointments, and other required movements.

The most staff and time intensive assignment tasked HMU is the constant analysis of the existing jail population to be prepared for Federal Court Order releases when they become necessary. HMU personnel review inmate data files daily, searching the information against criteria with which to rank candidates for possible release under the Federal Court Order. For each inmate, staff must review current charges, criminal history, court minutes, probable cause statements, reports, and a myriad of other data sources to complete this monumental task, often having to conduct additional research to help reach the difficult decision of who to recommend for release.

- **Riverside Alternative Sentencing Program (RASP):** RASP operates and manages the Work Release Program (WRP) and the Supervised Electronic Confinement Program (SECP). Both programs are centered in Banning with satellite offices at the jails in Riverside, French Valley and Indio. One strategy employed by the Sheriff's Department in 2012 to handle the impacts of realignment was the expansion of both programs.

WRP provides the courts with an out-of-custody sentencing option where participants are assigned to perform manual labor in lieu of jail time by improving and maintaining streets, parks, and other public facilities for both local governments and selected community nonprofit organizations, removing graffiti, weeds and rubbish, and performing yard and repair work for senior citizens. In 2012, more than 4,800 participants were sentenced to

WRP, serving an average of 40 days each. In addition, for efficiency and management control, the Sheriff's Labor Program was merged with WRP in December of 2012, providing an additional 1,200 participants.

SECP began as an extension of WRP. Under this program participants agree to house-arrest with only limited times away from home to work, look for work, attend school or other directed training, or take care of other specific personal needs. Participants wear an electronic ankle bracelet to monitor their compliance with the program and agree to a number of terms while on the program, including allowing their premises to be routinely searched for contraband or evidence of crimes. SECP manages both part-time and full-time participants through the use of case managers and a compliance team made up of sworn, armed deputy sheriffs. Participants sentenced to WRP may opt to participate in SECP; these are identified as part-time participants. Participants are charged a fee to pay for the costs of the program when able on a sliding scale.

In addition, RASP personnel review inmate files daily, searching for physical jail inmates who qualify to participate in SECP with additional restrictions; these participants are identified as full-time participants. Qualified inmates sentenced on low level crimes are removed from the Riverside County Jails and placed on SECP. These participants are monitored on a Global Positioning System (GPS) and receive weekly compliance checks from sworn deputies at their residence or place of work. In 2012, the SECP Full-timer Program resulted in vacating 18,215 daily jail bed spaces.

The welfare of the community is paramount and the first priority of the Sheriff's Department. The SECP Compliance Team logged in excess of 92,000 miles in 2012 while working to ensure the safety of the community was maintained through providing strict oversight of program participants. Participants found to be in violation of program rules are returned to the Riverside County Jail to serve the remainder of their sentence.

- **Sheriff's Inmate Training and Education Bureau (SITE-B):** SITE-B provides specialized training, education and counseling services to inmates in the county jails. These programs include vocational training (construction, janitorial, printing, etc.), behavioral counseling (drug addiction, anger management, domestic violence, etc.), and formal education (GED). SITE-B focuses on assisting inmates with the development of life skills to provide enhanced opportunities to succeed in society, as opposed to recidivism.

Prior to realignment, SITE-B had a limited number of participants as many inmates housed in the Riverside County Jails were not sentenced long enough to complete the offered programs. Under realignment, sentences have increased, providing a larger pool of inmates; however, the type of inmate is also drastically changing. This will have a major impact in future programming, as the typical inmate's rehabilitation needs will change as well.

The Residence Substance Abuse Treatment (RSAT) Program continues to be a model program throughout the state. This program has experienced a 75% success rate for

inmate graduates. The RSAT program is funded with grant and Inmate Welfare Fund monies.

2013 RESPONSE PLAN:

Jail overcrowding continues to be the primary impact on Riverside County Jails. The Sheriff's Department continues to pursue construction of jail facilities suitable to house the kinds of inmates we are now keeping in our local jails, while continuing efforts to maximize efficient use of existing beds through enhanced headcount management. In addition to adding staff for the safe operation of all five jails, the Sheriff's Department will continue to address overcrowding through alternative sentencing initiatives, enhanced inmate programming, and Federal Court Order releases when needed as a last resort.

- **HMU:**HMU has maximized bed space throughout the five jails and the efficiency of transportation operations within Sheriff's Corrections. Due to realignment, the Riverside County Jails have not only experienced an increase in inmate population, but inmate classification levels as well. Although planning continues for construction of additional jail beds, an actual increase in the number of physical jail beds in Riverside County will not be realized for several years.

In 2013, numerous jail enhancement projects will be accomplished. These projects are specific to necessary improvements to increase the security and efficient use of the current housing stock, but none of these projects will increase bed capacity. In fact, during each project period, the Sheriff's Department will temporarily lose overall bed capacity while housing units are taken off-line for rehabilitation. This will significantly impact the ability of the Sheriff's Department to operate at a maximum-capacity level in all the jails for a large portion of the year. HMU will be tasked with manipulating housing unit classifications and identifying early releases where necessary to accommodate these projects.

Since the implementation of realignment, HMU has been tasked with obtaining data and tracking all inmates related to realignment changes. Population data collection is critical to evaluating the implementation of realignment, as well as meeting future funding requirements. Since the original state projections on the impact of realignment on county jails have already been found to be in error, the collection and analysis of critical data on the county-level will continue to be vitally necessary to illustrate the actual impacts of realignment to Riverside County.

One important component in building an evidence-based method to measure the impacts of the increased jail population due to realignment has been to secure a suitable tool to assess risk and programmatic needs. COMPAS is one such tool. Riverside County Probation purchased licenses for the use of the COMPAS in December of 2010, and the Sheriff's Department has joined with Probation in the use of this tool. COMPAS is an evidence-based tool to address risk assessment, recidivism probability, and programming needs. The Sheriff's Department plan is to utilize COMPAS to identify risk and recidivism probabilities for the planned expansion of SECP to include a Post-Arrestment Program and also identify programmatic needs for sentenced offenders.

In its simplest outline, HMU will be tasked with providing an initial identification of possible candidates for early release by booking charges. For qualified candidates, HMU will complete the criminal history section of COMPAS. Upon completing the criminal history, HMU will forward qualified inmates for electronic monitoring to RASP. Two staff members will be added to HMU this year with a goal to complete the inmate criminal history section of COMPAS within 48 hours of booking.

- **RASP:** Realignment has significantly changed the historical approach to housing county jail inmates. As an alternative to releasing inmates early due to overcrowding per Federal Court Order, the Sheriff's Department has developed a strategy to implement a virtual jail. The virtual jail is managed by RASP.

In addition to work release, RASP manages electronic monitoring of both part-time and full-time participants through SECP. In 2013, RASP plans to add the Post-Arrestment Program, placing qualified inmates on supervised electronic monitoring following arraignment. Inmates who would have been released early into the community with no oversight will instead be transferred to RASP and placed on home detention with GPS electronic monitoring. In addition, weekly visits will be performed by RASP sworn deputy sheriff personnel to ensure compliance with the program. Inmates who fail to complete the program will be returned to custody within the Riverside County Jails.

RASP will utilize COMPAS to identify qualified inmates for electronic monitoring. Each inmate who meets the criteria will be interviewed. The COMPAS risk assessment will be completed to further screen candidates for the Post-Arrestment Program. To complete this task, two additional staff members will be assigned to RASP specifically to complete the interview portion of the COMPAS risk assessment within 72 hours of booking. Inmates meeting the criteria for the program will be placed on GPS electronic monitoring pending their next court date.

In addition to electronic monitoring, compliance checks will be completed at the candidate's residence and place of business. One sworn sergeant and eight sworn deputies will be added to the RASP Compliance Team. This additional staffing will enable RASP to monitor virtual jail inmates, seven days a week.

RASP is currently researching the plausibility of adding an alcohol monitoring program to include breath sample analysis, GPS electronic monitoring, and an alcohol education/abuse-prevention program administered through SITE-B for low-level alcohol offenders. This program is designed for the courts to sentence low-level offenders directly to the program, with the offender paying for the services when practical, as opposed to incarceration without addressing the inmate's underlying programming needs.

- **SITE-B:** SITE-B is currently researching additional programming options with an emphasis on transitional programming. The Sheriff's Department is building partnerships with the Economic Development Agency, Mental Health, Office of Education, Probation, and select community organizations to provide evidenced-based programs and services that target the needs of an inmate transitioning into the community. SITE-B intervention programs such

as Guidance Opportunities to Achieve Lifelong Success (GOALS) and Residential Substance Abuse Treatment (RSAT) will continue to focus on therapeutic, educational, vocational, and substance abuse counseling and assistance with plans to expand where needed.

In addition, SITE-B will enhance programming at all five Riverside County Jails. The enhanced programs will focus on education, vocation, and substance abuse. SITE-B will be responsible for seeking possible grant monies for current and future programming needs whenever possible.

SITE-B will be tasked with completing the COMPAS needs assessment portion. Inmates who remain in-custody of the Riverside County Jails after two weeks will undergo a full needs assessment. Five additional staff members will be assigned to SITE-B to expand programming throughout the five facilities and to complete the COMPAS assessment. This lengthy interview process will identify programming needs specific to the inmate. This process will be completed at all five jails.

COLLABORATION:

Historically, Riverside County has provided innovative and valued alternatives to incarceration and offered remarkable rehabilitative in-custody programming. The Sheriff's Department will continue to build upon successful models with local partners to implement additional promising new practices specifically targeted upon the results of evidence-based risk and needs assessments for inmates, while ensuring public safety remains paramount.

Partnerships have been formed with local criminal justice departments to avoid duplication of processes. This includes the development of forms, streamlining procedures, information sharing, coordinating programming and alternative sentencing, recognizing and reducing liabilities, and integrating inmate population management. Collectively, these partnerships remain consistent with the objectives of realignment; ensuring public safety, reducing recidivism, and promoting community-based alternatives to incarceration.

RASP will continue to work in conjunction with SITE-B and the Probation Department to provide education, training and counseling services to inmates while they are in the custody and under the supervision of the Sheriff's Department. The intent of this collaboration continues to be the reduction of recidivism within the Riverside County inmate population; thus, reducing crime in the community and decreasing the number of persons returning to the Riverside County Jails. Any reduction in returning inmates assists to reduce the negative impact of realignment.

In an effort to increase efficiency and eliminate redundancy of programs, RASP and SITE-B will continue to work in partnership with Probation and the courts to coordinate the delivery of these services and programs. Foreseeable service enhancements include increased use of information technology, DRCs, and expanded electronic monitoring.

The Sheriff's Department and Probation has developed joint database systems that will reduce labor and information technology costs in the future. The Sheriff's Department is sharing the Jail

Information Management System with Probation. In addition, Sheriff's Department has an agreement with Probation to share the COMPAS assessment tool on a common database structure. The Sheriff's Department is committed to utilize evidence-based practices where possible and make full use of appropriate alternative custody options.

Probation has begun developing their permanent DRC, located on Iowa Avenue in Riverside. The Sheriff's Department plans to provide a counselor as needed for the Day Reporting Center in addition to staffing for a relocated Riverside satellite office for WRP. The Riverside DRC is projected to open in August of 2013, with similar centers to follow in the Southwest and Indio areas.

The Sheriff's Department and probation are developing an agreement for electronic monitoring of PRCS violators. RASP will manage this program for probation from enrollment through the entire monitoring period. The plan is for GPS electronic monitoring to be utilized as a sanction for violating probation terms and conditions whenever appropriate in lieu of physical jail custody.

SITE-B will continue to strengthen relationships/partnerships within the criminal justice system and with community-based organizations as well to ensure inmate programming needs are met. Additional modifications to current programs may be needed as a direct result of the new classification of realignment inmates.

COSTS:

The Sheriff's Department received \$10.4 million dollars from the State of California as allocated by the local CCP to support the anticipated affects attributed to realignment for FY 2011/12. The funding was directed toward additional staffing, operational needs, and support services. More than one hundred additional staff members, including deputy sheriffs, correctional deputies, and support staff members were added, or are in the process of being hired, to address the needs related to realignment. The funding also supported the anticipated need for additional supplies and services brought on due to realignment as individual jail facilities were forced to run consistently at full capacity, as well as for additional programs and facility improvement costs. Funds not expended in the past year were moved into the current year to cover additional and on-going expenses.

The Sheriff's Department received an additional \$18.75 million dollars to support the anticipated affects attributed to realignment for the FY 2012/13. Coupled with the funds moved from FY 2011/12, total realignment funding for FY 2012/13 is \$21.8 million. This funding will continue to be used to support necessary staffing needs and additional expenditures specific to realignment. Currently, Riverside County Jails, although operating at maximum capacity, are not at full staffing levels. A main focus of realignment monies will be dedicated toward necessary staffing augmentation and facility improvements where needed most.

Staffing and hiring costs encompass the greatest expense for managing realignment, and remains one of the Sheriff Department's top priorities. We have begun the process of bringing our Corrections system to the necessary level, but our current system will be stretched to handle the burdens of realignment in the interim. The Department continues to make critical staffing

adjustments to manage the burgeoning population of criminally sophisticated inmates. Many of these inmates come to us with histories of violence, extensive medical and mental health issues, and deeply entrenched sociopathic behaviors requiring staff-intensive special handling. This class of inmates is occupying a steadily increasing percentage of our jail beds. The lag time between identifying the need for additional personnel and being able to hire and train them has been a real challenge. As a result, the use of overtime to temporarily maintain the required elevated staffing levels and address immediate needs has become increasingly necessary. Throughout this effort, officer and inmate safety remain top priorities. We expect a heavy dependence on overtime to persist during the upcoming staffing cycle and as the true impacts of Realignment continue to unfold.

Realignment has also resulted in a crisis for maintaining State Fire Camps. Inmates who historically filled the CDCR fire camp beds are now sentenced to county jails. The Sheriff's Department is currently negotiating a contract with CDCR to return suitable inmates back to CDCR to fill this critical need; however, counties must agree to pay a daily bed rate for each inmate returned, plus screening and transportation costs. It is anticipated Fire Camps will be one of our on-going programs for the near future, although it has a number of limitations and continued funding will be needed.

The Sheriff's Department is also researching the feasibility of contracting beds through other law enforcement agencies. Although costs vary, the average rate being quoted is around \$68 per bed per day. This cost does not include non-routine medical care, transportation costs, additional technology needs, and oversight costs. Most of these beds are in facilities located in northern or central California. Most of the facilities are now closed and additional opening costs with long-term contract requirements are anticipated. Most of these beds are also classified as lower security and not suitable for a large portion of our current jail population. However, as our local need continues to become more critical, outside contracting may need to be part of our mixed solution.

CONCLUSION:

Although the impacts of realignment have been severe and considerable progress has been made in the initial response, the continued ramp up of new initiatives and programs should continue to clarify just what Realignment truly means for the Riverside County Jails and better define the ongoing support needs. This year, the Sheriff's Department will continue to make progress on a variety of fronts; better jail facilities, enhanced staffing, expanded alternatives to physical jail, enriched inmate programming, and increased contract bed options. While no one initiative will begin to address the total need, by moving forward on all fronts we are confident considerable progress will be made.

6. MENTAL HEALTH (Health and Human Services Work Group)

Ongoing Planning Efforts:

Riverside County Public Health, Department of Public Social Services, Department of Mental Health (which includes Substance Abuse Services), Workforce Development and Riverside

County Health System (RCHS), inclusive of the Riverside County Regional Medical Center and the Ambulatory Care Division, have developed a Health and Human Services (HHS) work group that continues to plan for addressing the needs of the PRCS population. The agencies recognize the challenges in serving this population and the opportunity to truly address needs which can assist in reducing criminal activity. This work group meets every four weeks with probation to plan and implement services geared toward this population.

Health:

A staff position has been identified by the RCHS Ambulatory Care Division as liaison for assistance with urgent health services and problem solving of individual's specialized physical health problems. Outpatient services are provided within existing community based clinics and will be tracked to identify need and cost to the county. RCRMC provides medical and/or psychiatric emergency services, primary and specialty outpatient services, and acute hospitalization services.

It is anticipated that many PRCS individuals will have physical health issues in addition to mental health and/or substance abuse issues that will need to be addressed. RCHS, RCRMC and Ambulatory Care, and the Department of Public Health will provide information to probation staff to distribute to PRCS individuals about the availability of county health care services, including clinic and hospital site locations, hours of operation, list of services, and other important information.

Probation Officers based at Probation Department's primary receiving centers are conducting a brief health screening and provide appropriate referrals on PRCS individuals to identify any health-related issues. Those with primary physical health issues are referred to one of the RCHS Ambulatory Care Centers, RCRMC's primary care clinics or other appropriate medical clinics. RCRMC's Arlington campus provides 24 hour psychiatric Emergency Treatment Services (ETS), including evaluation, crisis intervention, and referrals for acute psychiatric hospitalization at its Inpatient Treatment Facility (ITF).

Mental Health/Substance Abuse:

- **Residential and Hospital Treatment:** Information from CDCR originally was that 5% of the released population would have severe mental health problems and up to 80% have substance abuse problems. Since the inception of PRCS, the Department of Mental Health has seen approximately 1,000 individuals. Of those 1,000, approximately half have followed through and have been provided direct services. Of the approximate 500 individuals, a little more than half have received mental health services, 40% have received Outpatient services and 60% have received Inpatient/Emergency services. Three (3) individuals have been placed on conservatorship and placed into Institutions for Mental Disease (IMD's), of which one still remains receiving services. 83% of the Mental Health consumers still remain open, receiving services while 17% of the cases were closed. There have been approximately 15 individuals who have been diagnosed as gravely disabled and were transported by the prison directly to a local psychiatric hospital for evaluation.

A little less than the 500 have received substance abuse services, 55% have received Outpatient Substance Abuse services and 36% have received residential substance abuse services. This population requires a strong collaboration of agencies and services. The Department of Mental Health has developed three County-wide regional Outpatient clinics with staffing to provide services. Mental Health is developing forensic mental health services through the Full Service Partnership (FSP) in order to provide intensive mental health services for those individuals who need additional mental health services, including housing, in order to remain stable. As there are more ongoing mandatory supervision cases, additional Detention Mental Health Services staff will be necessary to provide services for the realignment population.

- **Outpatient Treatment:** Since the inception of realignment, Mental Health has developed three County-wide regional realignment Outpatient clinics: Riverside, Hemet, and Cathedral City. Each clinic has two Clinical Therapists, one Behavioral Health Specialist III, and one Mental Health Peer Support Specialist. The Clinical Therapists provide onsite screenings and referrals at the three regional Probation offices and by referral in Blythe. Consumers are provided evidence-based substance abuse and mental health treatment services. Psychiatric services are also being provided with medications prescribed. Medications are provided through a network of pharmacies. Full Service Partnership (FSP), Older Adult services, Long Term Care services, and Crisis Residential Treatment (CRT) services, as well as the Emergency Treatment Services (ETS) and Inpatient Treatment Facility Services (ITF) are also available for the PRCS population.
- **Jail Services:** Staff is continuing to be hired to provide expanded and timely services, including assessment crisis support and discharge planning for the jail population. Staff provides medication services and group treatment of mental health and substance abuse problems for those needing ongoing treatment while sentenced to the jail for long term stays.

The HHS workgroup continues to work on a means to track the service needs and issues surfacing in the PRCS population. Mental Health is now utilizing the California Department of Corrections and Rehabilitation (CDCR) Release of Information form and is, therefore, receiving information from the prisons more timely, though sometimes incomplete. One of the current challenges is appropriately identifying the PRCS consumer during incarceration and then providing an array of services and pre-planning for release/transition to the community. Detention Mental Health Services staff now completes an assessment on every PRCS consumer identified. Once the individual accepts services, Detention Mental Health will provide group and individual therapeutic services, as needed. Coordinating release plans with the PRCS outpatient clinics provides a seamless transition back to the community. Each department within the HHS group collects documented information that can be used to track an individual through the various service providers. Appropriate outcome data is also being collected. There are initial data systems put into place and the HHS group is continuing to look at ways to improve the data collection. This information is useful in quantifying the amounts, types, and costs of services this population requires. This aids in continuing to develop services and create better access and coordination of services for this population.

Social Services:

Information is being provided to Probation staff about the services and benefits application process available through the Department of Public Social Services (DPSS). Services, such as CalWORKs (cash aid), CalFresh (previously known as Food Stamps), Medi-Cal, and General Relief assistance, are currently provided through the existing community based DPSS district offices to eligible PRCS individuals as part of the general applicant population. A mechanism for tracking services specifically provided to the PRCS population is under development.

DPSS will continue to accept and process all applications for assistance received from PRCS individuals at any of the DPSS district office locations throughout the county. Once the DRCs are established, DPSS will provide designated staff on site to provide direct service information to PRCS individuals and their families. Applications for services can also be submitted electronically via C4yourself.com. Additionally, DPSS has four Family Resource Centers in the cities of Desert Hot Springs, Mecca, Perris and Riverside that can be used to refer clients and their families for other supportive services. The Family Resource Centers work collaboratively with community partners to provide an array of services and activities that are integrated, comprehensive, flexible, and responsive to community identified needs. The following are core services provided:

- **Parenting Skills:** Acquiring knowledge and developing skills to become an effective parent.
- **Self-Sufficiency:** Job and career development for adults and youth, how to conduct a job search, how to obtain job training.
- **Community Action:** Community development, human services advocacy, farm worker services.
- **Child Abuse Prevention Services:** Awareness of what constitutes abuse, how to report, where to get help, sharing responsibility for child safety, permanency, child and family well-being. Delivered services may include: differential response; anger management; individual group and family counseling; domestic violence intervention; in-home demonstration services; kinship support services, public health, and alcohol or other drug treatment.
- **Resource Development, Information & Referral Services:** Learning where support resources exist, linkage to professional services, how to get help for themselves and for family members, senior services, how to locate transitional housing, legal aid services.
- **Education and Literacy:** Reading and writing skills, English as a Second Language, educational services.
- **Life Skills:** Home management skills, budgeting, how to shop, driver's education.

DPSS has requested and received a data extract that would help us match any potential PRCS offenders with open Child Protective Services cases and/or foster homes. The plan is to use this data extract of addresses of the current PRCS offenders to identify any potential risk to children and the need to obtain further information from the Probation office on these individuals. DPSS is also concerned about cases where individuals formerly charged with domestic violence may be returning to the home where the violence occurred. A mechanism or tool for identifying these situations will need to be developed.

Tracking Costs and Services Provided:

Each agency is continuing to refine mechanisms to track the cost of services provided since one difficulty is accurately identifying the impact of realignment on the county and to identify the cost of additional needed services and the funding required to provide it. This information can demonstrate the impact of realignment on Riverside County resources.

Training and Resource Materials:

The agencies have provided staff training for the Probation and Sheriffs' Department regarding services that currently can be accessed through the Departments. Therefore, staff has a better understanding of the services available and eligibility criteria. Written resource information in easily understandable format has been developed for use by staff including benefits application information.

Client Services:

Realignment funds have been allocated this fiscal year to provide health and human services and it has been budgeted within the Mental Health Department's budget. Efforts to create service access are ongoing and staffing has been requested to provide mental health and substance abuse services on site at Probation to identify needs of individuals newly out of prison under realignment. Social Services and the health agencies are in the process of determining the services that will be required from them.

The Departments have provided specific points of contact to assist probation staff with new releases who have urgent health or mental health needs and to problem solve unique problems of individuals as they are identified. As the DRCs are further developed there will be opportunity for Public Health, Social Services and Mental Health to have staff on site to serve individuals and families. MISP (Medically Indigent Services Program) staff will also be available on site. A DRC in Riverside opened in October 2012 by Probation and the agencies collaborating together to provide a "one stop shop" to engage these individuals into services.

The Department of Mental Health has hired Clinical Therapists, Behavioral Health Specialist III's, and Mental Health Peer Support Specialists to work with those individuals identified by Probation who have mental health and/or substance abuse needs. The Clinical Therapists work on-site at the County-wide Regional Probation offices to screen and refer those individuals who need mental health and/or substance abuse services. The Health and Human Services Committee has developed a screening tool to identify those individuals who have health needs, including urgent

health needs. These individuals can then, be referred directly to the county-wide Ambulatory Outpatient Health clinics. These clinics, along with Department of Public Social Services, can help those individuals apply for Riverside County Health Care (RCHC), Medi-Cal, and Medically Indigent Services Program (MISP).

Housing:

A housing sub work group was established to identify housing needs, explore possible housing models and to develop program recommendations. The sub group included representatives from Probation, Mental Health Department, EDA Housing Authority, EDA Workforce Development and DPSS. The sub group presented the Steering Committee with recommendation to establish two types of housing resources. The first was short term emergency or "re-entry" housing. The goal of "re-entry" housing is to prevent PRCS eligible persons from returning to the streets by providing short term housing for inmates released with no identifiable residence. The anticipated length of stay would be 1 to 30 days. While program participants are in re-entry housing, the focus of case management services is to assist the individual in accessing resources (e.g. financial assistance, employment, reconnect with family) that will enable them to establish housing. The work group established a capacity need of approximately 40 beds. A Request for Qualifications (RFQ) was released March 2012 and closed June 2012. RFQ response resulted in a maximum of 32 beds in three locations. Referral, admission and administrative protocols are being completed. Vendor training was completed on February 13, 2013. The housing sub work group also recommended transitional housing. The goal of transitional housing is to provide support and housing for individuals that need assistance beyond re-entry housing as they work toward community re-integration. The focus of support is reconnecting with family and other social supports, establishing income through employment/vocational, and other individualized support. The length of transitional housing is 1-6 months. The projected bed need was identified as 70 beds in Western Region and 30 beds in Eastern/Desert Region. A Request for Proposals (RFP) was released 9/2012. Proposal evaluations are in their final stages. The proposals included a total maximum of 79 possible beds, the majority located in Eastern/Desert Region. Proposals are in their final stages of evaluation.

Challenges and Opportunities:

One of the on-going challenges facing all service providers in working with the PRCS population has been engagement in available services. While initial challenges of identifying needs of the population were addressed available services are not being accessed at expected rates. These services include mental health, substance abuse, and health care services. It is anticipated DRCs will facilitate engagement in necessary health and human services. The departments involved will continue to track and monitor service utilization.

An obstacle to engagement in services is the lack of transportation. While service availability is expanding geographically, services are spread out and often not easily accessed without reliable transportation resources. Use of public transportation or personal transportation is encouraged. Another challenge the health and human services partners have faced is effective communication and collaboration between the agencies. Overall, the collaboration has been enthusiastic and creative in trying to identify and meet the needs of the PRCS population. Procedural, technological and fiscal issues have at times created barriers to a seamless system. Technology, for example,

has slowed the ability to process benefit applications at the DRCs as the different technological needs of the involved agencies have to be met. Also challenging has been identifying the AB 109 population when they drop in for services. The agencies continue to refine how to identify PRCS people in a timely manner to ensure proper tracking and accurate cost accounting.

Housing continues to present challenges as there is not a full range of options available and even current housing resources are inadequate to meet the needs of the population. Certainly, recent efforts have increased the number of housing options available to the PRCS population, but this will be a continued focus for the County. Those released under realignment who have a history of violence, arson, or sex offenses are especially difficult to place in housing as most housing programs exclude people with these offenses.

The Health and Human Services Workgroup is an asset to the planning process of realignment in the County of Riverside. Membership is strong and the ideas for moving forward on these challenges are creative and robust. In the past year the Workgroup has completed a standardized screening tool that addresses the health and human services needs of the PRCS consumer, initiated a collaborative effort to address the housing needs and contributed to the successful opening of the first DRC. The workgroup will continue to seek opportunities to address the current challenges and ones that arise in the future.

7. LOCAL LAW ENFORCEMENT

Post-release Accountability and Compliance Team (PACT)

Background:

On August 30, 2011 the CCPEC voted unanimously for the need of a county-wide law enforcement component. The implementation of realignment resulted in convicted felons and parolees who were previously monitored by state parole be supervised by county probation.

Partnership with Probation:

The PACT will be a collaborative effort with county probation, the District Attorney's Office, Sheriff's Department and local police departments.

Recommendation:

The primary mission of PACT is for municipal Police Departments to work with the Riverside County Probation Department to immediately focus on "high risk" and "at large" PRCS offenders that pose the most risk to public safety. The PACT will be dedicated to identifying and investigating "non-compliant" PRCS offenders, locating and apprehending "at-large" and "high risk" PRCS offenders and performing probation sweeps.⁵ Through sustained, proactive, and coordinated investigations the PACT will be able to share information, serve warrants, locate and apprehend non-compliant offenders. The PACT will proactively search for the "at large" PRCS offenders and reduce the number of absconded PRCS offenders. The support of the PACT

⁵ 2012 Activity Report – Attachment E

allows the County Probation Department more time and resources to focus on case management and compliance checks.

While we recognize the concerns raised by the Sheriff and the burden realignment has placed on the cities and county infrastructures, we all have an obligation to our communities for law enforcement to be highly visible and to hold those individuals accountable that break the law, regardless of the offense (low, middle and high level offenses). The PACT is a specific deterrent to PRCS offenders at risk of reoffending.

The eleven (11) city Police Chiefs have been working diligently to build the infrastructure to support this type of critical enforcement. The PACT must be a priority in order to adequately respond to those "high risk" PRCS offenders that pose the most risk to public safety in our communities.

PACT has been established as a county-wide multi-jurisdictional team; West County (Riverside PD, Corona PD, County Probation, ATF and Parole), Southwest County (Murrieta PD and County Probation) and East County (Beaumont PD, Cathedral City PD, Desert Hot Springs PD, Hemet PD, Palm Springs PD, County Probation and the District Attorney's Office). The Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS) is the PACT oversight committee. On a quarterly basis, ARCCOPS receives a written report and presentation from the PACT Commander on the Team's accomplishments that includes statistics, data, demographics, expenditures (on-going and one-time funds) and budget status. There are Memorandums of Understanding (MOU) between County Probation and the participating municipal police agencies (Beaumont PD, Cathedral City PD, Corona PD, Desert Hot Springs PD, Hemet PD and Palm Springs PD) for monetary reimbursement from realignment. County Probation is the fiscal agent as it relates to realignment reimbursement from the county.

PACT operates in a task force model similar to the county's successful regional gang task force teams and that of the countywide S.A.F.E. team. PACT works closely with county probation and the District Attorney's Office. Beaumont Police Department provides office space for the East County unit, Riverside PD provides office space for the West County unit and Murrieta PD provides office space for the Southwest unit.

Fiscal Impact:

Request AB109 funding for FY 2012/13 in the amount of \$1,419,940.

Section V
OUTCOMES

Performance measures and a mechanism for the reporting of outcomes have been developed based on the vision and goals stated above for public safety realignment. The outcome measures include process analyses, implementation and change analyses, and cost/benefit analyses. As noted, the shifting of responsibility for supervising and housing offenders from the state to the county mandates a re-tooling of the county's criminal justice system to effectively leverage available resources for all criminal offenders.

The county has measured the effects of realignment implementation on five populations, with the following data reported below:

- **Felony Probationers-Statistical snapshot data for December 31, 2012:**

Active Probation Cases 12,318

- **PRCS Offenders-Statistical data from October 1, 2011 through February 7, 2013:**

Warrants:

PRCS Warrants Issued			979
• Outstanding PRCS Warrants:	216	22%	
• Cleared PRCS Warrants:	763	78%	
Number of Offenders:	658		

Revocations:

PRCS Revocation Petitions:			1467
• New Offenses Only:	493	33%	
○ Number of Offenders:	429		
• Technical Only:	993	67%	
○ Number of Offenders:	661		
Flash Incarcerations - No Petition Filed	520		
○ Number of Offenders:	404		

Terminations:

PRCS Terminations			1224
• Successful: (Early termination)	426	35%	
• Unsuccessful:	169	14%	
• Expired: (served full term)	64	5%	
• Other:	296	24%	
▪ Deceased: (11)			
▪ Closed at Intake: (285)			
• Jurisdictional Transfer to Another County:	269	22%	

- **Felons Sentenced to Split Sentences Pursuant to Penal Code Section 1170(h)(5)(B)-
Statistical data from October 1, 2011 through February 7, 2013:**

Warrants:

Mandatory Supervision Warrants			1111
• Outstanding Warrants:	191	17%	
• Cleared Warrants:	920	83%	
Number of Offenders:	543		

Revocations:

Mandatory Supervision Revocation Petitions Filed			841
• New Offenses Only:	217	26%	
○ Number of Offenders:	143		
• Technical Only:	624	74%	
○ Number of Offenders:	395		

Terminations:

Mandatory Supervision Terminations			288
• Successful: (early termination)			
• Unsuccessful:	134	46%	
• Expired: (served full term)	100	35%	
• Other:	6	2%	
▪ Deceased: (6)			
▪ Closed at Intake: (0)			
• Jurisdictional Transfer to Another County:	48	17%	

- **Felons Sentenced to State Prison:** Pursuant to the Superior Court records, there were 4,092 offenders sentenced to determinate terms in state prison for the time period of October 2011 through October of 2012. 203 offenders were sentenced to indeterminate terms (Life with/without the Possibility of Parole) in state prison.
- **Felons Sentenced to Full Penal Code Section 1170(h)(5)(A) Terms of Confinement:** Pursuant to the Superior Court records for the time frame of October 2011 through October 2012, of the 3,191 offenders sentenced under this law, 1,068 were given straight custodial sentences, with no community supervision.

Other Outcomes and Accomplishments

- **Efficient use of jail capacity:** Since the enactment of realignment, 8,295 offenders were booked or sentenced to county jail because of realignment. As of January 31, 2013, the total number of offenders in custody due to realignment was 853, or approximately 23% of the total jail population. The County will measure the use of custody to determine how effectively we are using custody and for what purpose. Alternatives to custody will also be studied. In this manner, the County can capture the percentage of jail space that is utilized

for pre-trial detention, long term sentences, and revocations. This measure will assist the county in determining how much additional jail space will become necessary in the future due to realignment and what features these new facilities should contain. Moreover, capturing information about use of custody and alternatives to custody and their effects on recidivism will help the County determine what works and what does not work to improve processes in the future.

- **Incorporate reentry principles into in-custody programming:** The County has implemented systems that effectively utilize alternatives to pre-trial and post-conviction incarceration where appropriate. The County will measure the use of in-custody programming to determine its effects on recidivism. The types of programming offered to each of the groups will be documented, as well as, the transitions to community treatment, and the effects on recidivism. The County will use this information to ensure funding remains available for programming showing positive results, and to modify or cut programs that are not having positive outcomes This will result in more effective use of limited resources.
- **Incorporate evidence-based practices into sentencing, supervision and case management:** The County will implement a system that protects public safety and utilizes best practices in reducing recidivism. The County will measure the use of risk and needs assessments in sentencing, supervision and case management. The County will measure the types and lengths of services, use of collaborative courts, alternative sanctions, custodial sanctions, level of supervision and the effects on recidivism. The County will measure the number of court hearings for all populations and whether this is increased or decreased based on strategies implemented for each population. This will help to determine whether these strategies are cost-effective and how resources should be allocated in the future. Recidivism rates for non-violent, non-serious, non-high risk sex offenders and parolees now under the County supervision will be tracked.
- **Implementation of a streamlined and efficient system in the County of Riverside to manage our additional responsibilities under realignment:** The County has implemented a system where the exchange of information between agencies is seamless. Probation and the Sheriff's Department are in the final stages of creating an interface between their client management systems allowing for the exchange of information and avoidance of duplication of process. Both departments are currently able to share information regarding the COMPAS risk/needs assessment by utilizing the same hosting site.

The CCP partner feedback on the effectiveness of the mechanisms in place is imperative to collaboratively address realignment issues as they arise. Potential measures continue to be discussed and developed among the CCP partners since the October 1, 2011, beginning date of realignment.

Section VI

FUTURE PROJECTS AND PLANS

Future projects and plans include:

- Continue sub-work group committees;
- Develop plans for two additional Day Reporting Centers;
- Fully implement re-entry and transitional housing options;
- Explore, develop and implement alternatives to custody;
- Develop and implement incentives for compliant PRCS and MS offenders;
- Continue using evidence-based practices and programming;
- Evaluate performance measurements to ensure meaningful data collection;
- Continue quality assurance efforts and refresher training for staff to ensure fidelity to evidenced based practices (such as Courage to Change, Motivational Interviewing and COMPAS assessment tool).

Section VII

CONCLUSION

The Public Safety Realignment Act, mandated the most sweeping changes to the state's correctional system in a generation. It presented significant challenges to local jurisdictions that can only be resolved through a dynamic expansion of services on the part of the Probation Department, Sheriff's Department, and other county agencies.

The concept that the offenders being directed to our local jurisdictions are non-violent, non-serious, and non-high risk sex offenders is misleading. As previously discussed, CDCR classification of these offenders is based solely upon current convictions and offenses. It is common for persons committed to state prison for a less serious offense to have significant, lengthy criminal histories that may encompass more serious or violent crimes; and to have a history of habitual non-compliant conduct and be resistive to community corrections interventions. The Riverside County criminal justice system will remain vigilant to potential increases in crime rates or incidents of criminal conduct that are committed by the offenders who were re-introduced into our communities.

Riverside County has an advantage toward success with the PRCS and MS populations. The Probation Department has an evidence-based supervision program in place to address probationers. The Probation Department's supervision systems and rehabilitative programming have been expanded and modified for this new, unique population of offender. Prior to realignment, the Sheriff's Department developed the Riverside Alternative Sentencing Program (RASP) for custody options for their general jail population which will be used for the PRCS and MS populations.

Realignment is a countywide challenge that requires a countywide response. Since implementation, county agencies have been working collaboratively to address the issues and

challenges of the PRCS and MS populations. The level of involvement, commitment, and cooperation among agencies is commendable.

Riverside County's plan for development of a supervision, custodial, and court accountability system for realignment was based upon statistical data only available from CDCR. CDCR has acknowledged that their predictions were underestimated statewide. Probation, the Sheriff's Department and other departments providing services to this population believe in our ability to effectively monitor and provide services to this criminal population, but that is predicated on the accuracy of those statistics. It may be necessary to make changes to the PRCS implementation plan as we progress.

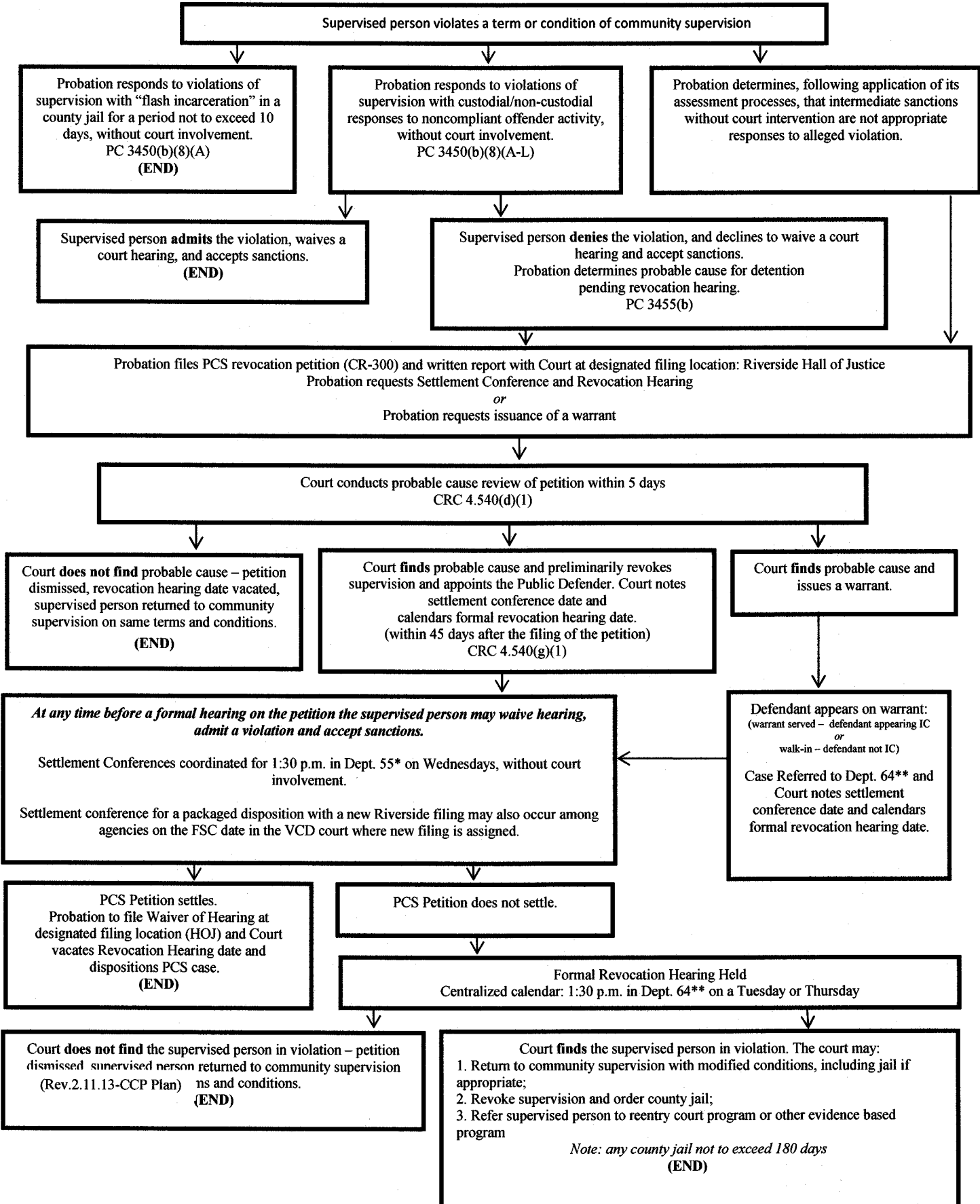
The Community Corrections Partnership Executive Committee is cautious about speculating the outcome of realignment because of the significant concerns on the types of offenders, the number of offenders, budgetary issues affecting county departments, and the potential for an increased crime rate. Despite these concerns, the Community Corrections Partnership Executive Committee has developed the best possible realignment plan for Riverside County.

The policy initiatives and intervention strategies articulated in this report are intended to improve success rates of offenders under supervision, resulting in less victimization and increased community safety. Accomplishing this in the most cost efficient manner and employing proven correctional and justice system practices are the primary strategic goal of the initiative. At this juncture, we are cautiously optimistic that our cumulative efforts are having positive results.

**AB 109 Community Corrections Partnership Executive Committee
 FY 2012/13 AB 109 Positions Summary - Revised
 As of January 31, 2013**

<u>CCPEC Agency</u>	<u>Auth Pos</u>	<u>Vacant</u>	<u>Filled</u>	<u>Form 11 Approp Adjust Salary/Benefits</u>	<u>Annualized Salary/Benefits</u>
Probation Department	137	75	62	\$ 8,677,168	\$ 11,569,558
Sheriff's Department	99	66	33	\$ 7,011,160	\$ 9,356,081
District Attorney	3	0	3	\$ 886,914	\$ 1,182,552
Public Defender	9	8	1	\$ 813,627	\$ 1,103,947
Mental Health	74	39	35	\$ 0	\$ 5,278,476
Total	322	188	134	\$ 17,388,869	\$ 28,490,614

Criminal Justice Realignment
Post-release Community Supervision (PCS) Flowchart



Chapter 2. Postrelease

Title 4, Criminal Rules—Division 6, Postconviction, Postrelease, and Writs —Chapter 2, Postrelease; adopted effective October 28, 2011.

Rule 4.540. Revocation of postrelease community supervision [Repealed]

Rule 4.541. Supervising agency reports

Rule 4.540. Revocation of postrelease community supervision [Repealed]

Rule 4.540 repealed effective November 1, 2012; adopted effective October 28, 2011.

Rule 4.541. Minimum contents of supervising agency reports

(a) Application

This rule applies to supervising agency petitions for revocation of formal probation, mandatory supervision under Penal Code section 1170(h)(5)(B), and postrelease community supervision under Penal Code section 3455.

(Subd (a) amended effective November 1, 2012.)

(b) Definitions

As used in this rule:

(1) “Supervised person” means any person subject to formal probation, mandatory supervision under Penal Code section 1170(h)(5)(B), or community supervision under Penal Code section 3451.

(2) “Formal probation” means the suspension of the imposition or execution of a sentence and the order of conditional and revocable release in the community under the supervision of a probation officer.

(3) “Court” includes any hearing officer appointed by a superior court and authorized to conduct revocation proceedings under Government Code section 71622.5.

(4) “Supervising agency” includes the county agency designated by the board of supervisors under Penal Code section 3451.

(Subd (b) amended effective November 1, 2012.)

(c) Minimum contents

Except as provided in (d), a petition for revocation of supervision must include a written report that contains at least the following information:

(1) Information about the supervised person, including:

(A) Personal identifying information, including name and date of birth;

- (B) Custody status and the date and circumstances of arrest;
- (C) Any pending cases and case numbers;
- (D) The history and background of the supervised person, including a summary of the supervised person's record of prior criminal conduct; and
- (E) Any available information requested by the court regarding the supervised person's risk of recidivism, including any validated risk-needs assessments;

(2) All relevant terms and conditions of supervision and the circumstances of the alleged violations, including a summary of any statement made by the supervised person, and any victim information, including statements and type and amount of loss;

(3) A summary of any previous violations and sanctions; and

(4) Any recommended sanctions.

(Subd (c) adopted effective November 1, 2012; based on previous subd (b).)

(d) Subsequent reports

If a written report was submitted as part of the original sentencing proceeding or with an earlier revocation petition, a subsequent report need only update the information required by (c). A subsequent report must include a copy of the original report if the original report is not contained in the court file.

(Subd (d) relettered and amended effective November 1, 2012; adopted as subd (c).)

(e) Postrelease Community Supervision Reports

In addition to the minimum contents described in (c), a report filed by the supervising agency in conjunction with a petition to revoke postrelease community supervision under Penal Code section 3455 must include the reasons for that agency's determination that intermediate sanctions without court intervention as authorized by Penal Code section 3454(b) are inappropriate responses to the alleged violations.

(Subd (e) adopted effective November 1, 2012.)

Rule 4.541 amended effective November 1, 2012; adopted effective October 28, 2011.

Advisory Committee Comment

Subdivision (c). This subdivision prescribes minimum contents for supervising agency reports. Courts may require additional contents in light of local customs and needs.

Subdivision (c)(1)(D). The history and background of the supervised person may include the supervised person's social history, including family, education, employment, income, military, medical, psychological, and substance abuse information.

Subdivision (c)(1)(E). Penal Code section 3451(a) requires postrelease community supervision to be consistent with evidence-based practices, including supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among supervised persons. "Evidence-based practices" refers to "supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or postrelease supervision." (Pen. Code, § 3450(b)(9).)

Subdivision (e). Penal Code section 3454(b) authorizes supervising agencies to impose appropriate responses to alleged violations of postrelease community supervision under Penal Code section 3455 without court intervention, including referral to a reentry court under Penal Code section 3015 or flash incarceration in a county jail. Penal Code section 3455(a) requires the supervising agency to determine that the intermediate sanctions authorized by section 3454(b) are inappropriate responses to the alleged violation *before* filing a petition to revoke postrelease community supervision under Penal Code section 3455.


CR-300							
SUPERVISING AGENCY <i>(Name and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY CDCR NUMBER, IF ANY: COURT/CASE NUMBER:						
IN THE MATTER OF <i>(name of supervised person):</i> _____ Date of birth: _____							
PETITION FOR REVOCATION <input type="checkbox"/> PAROLE <i>(Pen. Code, § 3000.08)</i> <input type="checkbox"/> PRCS <i>(Pen. Code, § 3455)</i>							
<p style="text-align: center;">INSTRUCTIONS</p> <ul style="list-style-type: none"> • Before filing this form, petitioner should consult local rules and court staff to schedule the hearing in item 1. • Petitioner must note whether the petition applies to a parole (beginning July 1, 2013) or postrelease community supervision matter by marking the appropriate check box above. 							
1. HEARING INFORMATION: A hearing on this petition for revocation has been scheduled as follows:							
<table style="width: 100%; border: 1px solid black;"> <tr> <td style="width: 30%;">Date:</td> <td style="width: 30%;">Time:</td> <td style="width: 40%;">Dept.:</td> </tr> <tr> <td colspan="3">Location <i>(if different than court address above):</i></td> </tr> </table>		Date:	Time:	Dept.:	Location <i>(if different than court address above):</i>		
Date:	Time:	Dept.:					
Location <i>(if different than court address above):</i>							
If an interpreter is needed, please specify the language: _____							
2. CUSTODY STATUS (Select one): <input type="checkbox"/> not in custody <input type="checkbox"/> in custody <i>(specify location):</i> Booking number <i>(if any):</i> _____							
3. CONVICTION INFORMATION: The supervised person was originally convicted of the following offenses:							
<table style="width: 100%;"> <tr> <td style="width: 40%;">on <i>(date):</i></td> <td style="width: 60%;">in case numbers <i>(specify):</i></td> </tr> <tr> <td>in county of <i>(specify):</i></td> <td>in case numbers <i>(specify):</i></td> </tr> </table>		on <i>(date):</i>	in case numbers <i>(specify):</i>	in county of <i>(specify):</i>	in case numbers <i>(specify):</i>		
on <i>(date):</i>	in case numbers <i>(specify):</i>						
in county of <i>(specify):</i>	in case numbers <i>(specify):</i>						
4. SUPERVISION INFORMATION: The supervised person was released on supervision on <i>(specify date):</i> Name of current supervising agent or officer: _____ Supervision is scheduled to expire on (i.e., the controlling discharge date is) <i>(date):</i> _____							
5. SPECIFIC TERMS AND CONDITIONS: Petitioner alleges that the supervised person has violated the following terms and conditions of supervision <i>(if more space is needed, please use Attachment to Judicial Council Form (MC-025)):</i> _____							
6. SUMMARY: The supervising agency established probable cause for the alleged violation on <i>(date):</i> The circumstances of the alleged violation are <i>(if more space is needed, please use Attachment to Judicial Council Form (MC-025)):</i> _____							
7. SPECIAL PAROLE STATUS <i>(check this box only if the supervised person is subject to parole under Penal Code section 3000.1):</i> <input type="checkbox"/> The supervised person is on parole under Penal Code section 3000.1. If the court determines that the person has violated parole, the court is required to remand the person to the custody of CDCR for future parole consideration. (Pen. Code, § 3000.08(h).)							
I declare under penalty of perjury and to the best of my information and belief that the foregoing is true and correct.							
Date: _____	By _____						
NAME AND TITLE OF PETITIONER	SIGNATURE OF PETITIONER						
PETITION FOR REVOCATION (Pen. Code, §§ 1203.2, 3000.08, and 3455)							
<small>Form Approved for Optional Use Judicial Council of California CR-300 (Rev. November 1, 2012)</small>	<small>Page 1 of 1 www.courts.ca.gov</small>						


2012 Activity Report

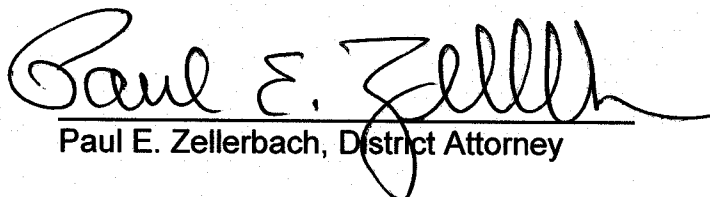
2012	Compliance Checks	Bad Address	Arrests	PRCS Arrests	AOD
March	89	29	25	9	4
April	59	12	25	19	2
May	62	12	19	18	3
June	109	41	29	19	2
July	56	13	30	20	5
August	76	13	31	20	3
September	77	25	35	23	0
October	51	8	23	18	3
November	83	11	40	16	5
December	59	16	27	11	4
TOTALS	721	150	284	157	31

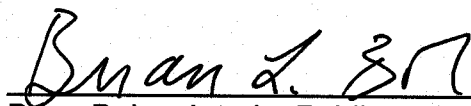
IMPLEMENTATION PLAN UPDATE


COMMUNITY CORRECTIONS PARTNERSHIP EXECUTIVE COMMITTEE (CCPEC)


Mark A. Hake,
Interim Chief Probation Officer

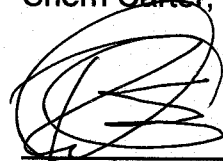

Stanley L. Sniff, Jr., Sheriff-Coroner-PA


Paul E. Zellerbach, District Attorney


Brian Boles, Interim Public Defender


for Jerry A. Wengerd, Director
Department of Mental Health


Sherri Carter, Superior Court Designee


Dave Brown, Chief of Police, Hemet-
FRANK COE