

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



FROM: Executive Office

SUBMITTAL DATE:
April 20, 2015

SUBJECT: Support of SB 266: Flash Incarceration

RECOMMENDED MOTION: That the Board of Supervisors:

1. Support: SB 266 extends the authority of the county probation departments to use "flash" incarceration for any adult offender under their supervision for up to ten days in county jail. This bill will expand the authority to use this intermediate sanction on people serving under traditional probation and Mandatory Supervision.

BACKGROUND:

Summary

AB 109, prison re-alignment passed in 2012, authorized the use of flash (short term) incarceration for persons on Post Release Community Supervision. Evidence has proved that the use of swift and certain sanctions are successful in increasing compliance with probation programs. However, flash incarceration is currently not authorized for persons on probation or mandatory supervision, although eight counties are currently doing so under local agreement with the probation, courts and public defender.

Brian Nestande
Deputy County Executive Officer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS: _____ **Budget Adjustment:** _____
For Fiscal Year: _____

C.E.O. RECOMMENDATION: APPROVE
BY:
George A. Johnson
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: April 28, 2015
xc: E.O.

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: _____ **District:** All **Agenda Number:** _____

3-43

Departmental Concurrence

A-30

Positions Added

Change Order

4/5 Vote

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

FORM 11: Support of SB 266: Flash incarceration

DATE: April 20, 2015

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BACKGROUND:

Summary (continued)

By allowing flash incarceration for persons on probation it allows for greater flexibility and gives law enforcement another tool to work with the individual and help ensure they stay with their program.

CPOC successfully added a provision to the bill that allows for a person, upon finding of a violation, to decline flash incarceration and go the traditional revocation route. This is out of recognition for the desire for a hearing and to ensure that the defendant has the ability for that hearing should they request it. They also included a sunset date to ensure that they are revisiting the issue in the coming years.

CSAC, State Sheriffs and Judicial Council along with CPOC are all in support.

Impact on Residents and Businesses

The use of flash incarceration for persons on probation will provide another tool for law enforcement to make our communities safer.

SUPPLEMENTAL:

Additional Fiscal Information

Contract History and Price Reasonableness