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

2011 Implementation Plan

Executive Committee of the Community Corrections Partnership

- Alan M. Crogan, Chief Probation Officer, Chair
- Sherrill Ellsworth, Presiding Judge
- Paul Zellerbach, District Attorney
- Gary Windom, Public Defender
- Stanley Sniff, Sheriff
- Jerry Wengerd, Director, Department of Mental Health
- Patrick Williams, Chief, Police Department

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OVERVIEW OF 2011 PUBLIC SAFETY REALIGNMENT ACT (AB 109)

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. AB 109 transferred responsibility for supervising specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation (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 read "Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the County Board of Supervisors for the implementation of the 2011 public safety realignment. (b) The plan shall be voted on by an executive committee of each county's Community Corrections Partnership consisting of the Chief Probation Officer of the county as chair, a Chief of Police, the Sheriff, the District Attorney, the Public Defender, presiding Judge or his or her designee, and the department representative listed in either section 1230 (b) (2) (G), 1230 (b) (2) (H), or 1230 (b) (2) (J) as designated by the county board of supervisors for purposes related to the development and presentation of the plan. (c) The plan shall be deemed accepted by the County Board of Supervisors unless rejected by a vote of 4/5ths in which case the plan goes back to the Community Corrections Partnership for further consideration. (d) 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."

Although AB 109 delineates a funding formula for implementation of this legislation, it appears that this initial funding is inadequate to accomplish the specified objectives of realignment or to establish the framework necessary to implement the Community Corrections Partnership within the aggressive time line set by the State of California.

The Riverside County Community Corrections Partnership is concerned that the State of California significantly underestimated the population to be realigned in Riverside County. The funding appears disproportionate to the task required which inhibits the Community Corrections Partnership from fully providing the safest possible realignment for our community. In order to provide maximum safety within our community, this plan will ensure offenders are held accountable by placing an emphasis on incarceration and supervision, while at the same time providing services to offenders that will ensure the highest probability of succeeding.

KEY ELEMENTS OF AB 109:

Target Population: The Post-release Community Supervision (PRCS) population, released from prison to community supervision, is the responsibility of local probation departments, or agency as designated by the county Board of Supervisors, and is inclusive of non-violent,

non-serious, non-high risk sex offenders with a prior history of committing violent crimes pursuant to Penal Code Section 667.5(c), and/or serious crimes pursuant to Penal Code Section 1192.7(c), or sex offenses requiring registration pursuant to Penal Code Section 290. The population that will serve their prison sentences locally includes the non-violent, non-serious, non-high risk sex offender group. 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 that 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 Post-release Community Supervision (PRCS) to Riverside County Adult Probation during the balance of the current fiscal year (10/01/11-6/30/12), requiring the full range of supervision, sanctions and service resources available through the probation department. Projections for FY 2012/2013 are estimated at an additional 1,364 offenders to PRCS.

It is important to note, however, that CDCR recently acknowledged that their projections were underestimated with a greater number of offenders being released to the counties than anticipated. Many counties reported receiving a higher number of offenders than what was projected. In one sampling, Riverside County actually received 10 more PRCS offenders in the month of October 2011 (185 projected, 195 released), and 31 more in the month of November 2011 (282 projected, 313 received), for an 8% increase in the number of offenders received for those months.

This population became a local county responsibility on October 1, 2011 when the Post-release Community Supervision became effective. These estimates are based upon data provided by CDCR.

In addition to the PRCS population, Riverside County will be responsible for the nonviolent, non-serious and non-high risk sex offender (N3) local population that can no longer be sentenced to state prison if convicted of a felony. CDCR reports that in 2010, there were 3,550 people sentenced to state prison from Riverside County. Based on percentages of the total number of people sentenced to state prison statewide in 2010, approximately 70% of this population was committed on N3 charges. Based on this information, it is estimated that approximately 2,517 offenders who would have gone to state prison before AB 109 took effect will be required to serve this sentence in local jail confinement. As of January 24, 2012, the Sheriff's Department reports that [REDACTED] N3 offenders have been sentenced to straight jail commitments and [REDACTED] N3 offenders have been sentenced to split sentences since October 1, 2011.

Additional key elements of AB 109 include:

- Redefining Felony Punishments: The definition of a felony was revised to include certain crimes that are punishable in jail for 16 months, 2 years, or 3 years, rather than state prison. Some offenses, including serious, violent and certain sex-offenses, are excluded and sentences will continue to be served in state prison.

- Local Post-release Community Supervision: Offenders released from state prison on or after October 1, 2011, after serving a sentence for an eligible offense shall be subject to a period of supervision not to exceed 3 years, Post-release Community Supervision provided by a county agency designated by that county's Board of Supervisors. These offenders can be released from PRCS as early as six (6) months if they are compliant with their PRCS conditions and sustained no new law violations. The law also requires their release from PRCS after one (1) year if they are compliant with their PRCS conditions and sustained no new law violations.
- Revocations Heard & Served Locally: Post-release Community Supervision and parole revocations will be served in local jails (by law maximum revocation sentence is up to 180 days), with the exception of paroled 'lifers' who have a revocation term of greater than 30 days. The Courts will hear revocations of Post-release Community Supervision 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.
- Changes to Custody Credits: Jail inmates will be able to earn day for day conduct credits (one day credit for one day served). Time spent on home detention (i.e., electronic monitoring) is credited as time spent in jail custody.
- Alternative Custody: 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.
- Community-Based Punishment: Authorizes counties to use a range of community-based punishment and intermediate sanctions other than jail incarceration alone or traditional routine probation supervision. This includes, but is not limited to, flash incarceration, electronic monitoring/house arrest, community service and full time work release or part time weekend programs.

Summary of Realignment Components & Local Legislative Recommendations

Population Affected (effective date of October 1, 2011)	Component of Public Safety Realignment	Local Legislative Recommendations
Released from State Prison	State prisoners serving sentences for non-violent, non-serious and non-high risk sex offenses with one of these offenses in their criminal history will be placed on county Post-release Community Supervision instead of state parole. The Superior Court began adjudicating violations of county Post-release Community Supervision effective October 1, 2011.	July 26, 2011: The Board of Supervisors designated Riverside County Probation as the agency to administrate supervision of the county Post-release Community Supervision population.
On State Parole	Violations of State Parole will be adjudicated by Board of Parole Hearings (BPH) inside county jail. Parolees, except for those serving life sentences, will serve any confinement time for parole violations in local jail. The Court assumes responsibility for state parole violation hearings effective July 1, 2013.	
Currently Held Pretrial in County Jail	Certain inmates may be released pre-trial on electronic monitoring.	The Board of Supervisors previously designated the Sheriff as administrator of electronic monitoring
Currently Sentenced in County Jail	Certain inmates may be placed on home detention.	The Board of Supervisors previously designated the Sheriff as administrator of Home Detention for inmates
Realigned Local Incarceration and Post-release Community Supervision Population	Establish outcome measures related to local incarcerated inmates and Post-release Community Supervision populations (per AB 109).	The Riverside County Probation Department will fund a Research Analyst position to develop a research design, collect data and report to the Board of Supervisors on the outcomes associated with AB 109.

LOCAL PLANNING AND OVERSIGHT

COMMUNITY CORRECTIONS PARTNERSHIP

In the last two 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. SB 678 (2009) established a Community Corrections Partnership (CCP) in each county, chaired by the Chief Probation Officer, charged with advising on the implementation of SB 678 funded initiatives. AB 109 (2011) established an Executive Committee of the CCP charged with development of a 2011 Realignment Implementation Plan that will recommend a programming plan for the realigned population, for consideration and adoption by the Board of Supervisors.

The CCP Executive Committee will advise on the progress of the Implementation Plan. Chaired by the Chief Probation Officer, the CCP Executive Committee will oversee the realignment process and advise the Board of Supervisors in determining funding and programming for the various components of the plan. Voting members of the Executive Committee include: The Presiding Judge or designee (appointed by the Presiding Judge); Chief Probation Officer (chairperson); County Sheriff; District Attorney; Chief of Police; Public Defender; and Director of County Social Services/Mental/Public Health (as determined by the Board of Supervisors). On July 26, 2011 the Board of Supervisors designated the Director of the Department Mental Health as the official member. This final plan was developed by CCP Executive Committee members, their designees and other key partners:

Alan M. Crogan, Chief, Probation Department, Chair
Sherri Carter, Executive Officer, Superior Court
Donna Dahl, Assistant Director, Department of Mental Health
Creg Datig, Chief Deputy District Attorney
Sherrill Ellsworth, Presiding Judge
Patricia Gus, Assistant Division Director, Probation Department
Andrea Greer, Chief Deputy Field Services, Probation Department
Mark Hake, Assistant Chief Probation Officer, Probation Department
Bryce Hulstrom, Chief Deputy Field Services, Probation Department
William Palmer, Division Director, Probation Department
Stanley Sniff, Sheriff
Steve Thetford, Assistant Sheriff, Sheriff's Department
Christine Voss, Assistant Public Defender
Colleen Walker, Undersheriff
Jerry Wengerd, Director, Department of Mental Health
Patrick Williams, Chief, Desert Hot Springs Police Department
Gary Windom, Public Defender
Paul Zellerbach, District Attorney

A CCP Executive Committee Work Group, Chaired by Probation, was established and has been meeting to discuss funding methodology, policies and programming necessary to

implement the AB 109 implementation strategy plan. The following sub-work groups were established to address pertinent issues:

- Operational Effectiveness Sub-Work Group: Chaired by a representative of the Sheriff's Department, this group is comprised of representatives from the Sheriff and Probation, including representatives from each department's Information Technology (IT) units. The key focus is to create interfacing in each department's computer systems programs for the sharing of offender information which will include the COMPAS risk/needs assessment instrument, Probation's client management system-Juvenile and Adult Management System (JAMS) and the Sheriff's offender management system-Jail Information System (JIMS). The goal is to create the ability to exchange critical information between the two departments and avoid duplication of processes.
- PRCS & Parole Hearings Sub-Work Group: Chaired by a representative of the Court, this group is comprised of representatives from the Court, Sheriff, Public Defender, District Attorney, and Probation. This sub-work group collaboratively focuses on the development of court protocol and procedure for the violation of the PRCS offender process, including development of forms used by the Sheriff and Probation.
- Health and Human Services Sub-Work Group: Chaired by a representative of the Department of Mental Health, is comprised of representatives from Riverside County Public Health, the Departments of Social Services and Mental Health (which includes Substance Abuse Services) and the Riverside County Regional Medical Center. This sub-work group is collaboratively working on meeting the service needs of the PRCS population, including addressing issues relating to housing. Probation has also been a participant in the process.
- PRCS Accountability Team: Chaired by Patrick Williams, Chief of the Desert Hot Springs Police Department, the group is comprised of police chiefs from eleven (11) police departments in Riverside County. Their focus has been on the development of the Post-release Community Supervision Accountability Team (PRCSAT) to assist with sweeps coordinated by Probation and apprehending high risk PRCS offenders on warrant status and at large in the community.
- Day Reporting Center Sub-Work Group: Chaired by a representative from Probation, this sub-group was recently formed to explore the development of three geographically located Day Reporting Centers in Riverside County. Agencies participating include representatives from Probation, Sheriff, Mental Health (including Substance Abuse Services), and Riverside County Office of Education, Workforce Development, Department of Public Social Services, Department of Public Health, Riverside County Regional Medical Center (RCRMC), and RCRMC Detention Health Services.

The CCP Executive Committee 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 CCP Executive Committee 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 meetings have provided the CCP Executive Committee with an opportunity to hear directly and regularly from key non-County partners.

The CCP Executive Committee is committed to AB 109'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 CCP Executive Committee will collectively and collaboratively implement the Realignment Plan and will ensure continued inter-agency cooperation to implement its provisions. The CCP Executive Committee will continue to meet to identify needed additions and/or modifications to the plan as determined by individual departments, to evaluate the Plan's effectiveness, and to assess the resource needs associated with its successful implementation. As such, the Plan should be viewed as a living document, which will be appended on an ongoing basis, as the CCP Executive Committee institutionalizes the framework delineated in the Plan through the development of operational protocols, procedures and guidelines.

NEW POPULATIONS AND FUNDING

Riverside County has a long history of providing innovative, quality alternatives to incarceration, problem solving courts, progressive prosecutorial programs, holistic indigent defense, rehabilitative in-custody programming, and evidence-based supervision and post-release services. Local partners will continue to build upon our successful models and implement promising new practices to responsibly meet the diverse needs of these additional individuals.

PROJECTED POPULATION

The State has estimated that Riverside County will assume responsibility for an average daily population (ADP) of approximately 1,601 PRCS offenders at any point in time across all agencies. The ADP was established by the Department of Finance, based on information from CDCR, to determine the funding formula. This population is diverse and includes offenders who have been convicted of property, drug, domestic violence offenses, and gang-involved offenses. Of these 1,601 people, it is anticipated that at any one time an average daily population of approximately 270 offenders will be serving a sentence of local incarceration or sanctioned to other custodial/programmatic options. All 1,601 offenders will be on Post-release Community Supervision. These estimates were based upon data provided by CDCR.

Based on current numbers of PRCS offenders received to date from CDCR, it appears there is an approximate 8% increase in the numbers projected. This pattern suggests an ADP of approximately 1,729 PRCS offenders.

PROJECTED FUNDING

The formula establishing statewide funding allotments for AB 109 implementation in Fiscal Year (FY) 2011-12 assumes \$25,000 per offender for six months of local incarceration, with each of these offenders allocated \$2,275 for rehabilitative services while incarcerated or in alternative incarceration programs. This same level of funding will be made available for parole violators serving a 60-day revocation, albeit on a pro-rated basis. Offenders on Post-release Community Supervision are funded at \$3,500 per person for community supervision and \$2,275 per person for rehabilitative services (for a maximum of 18 months). The above formula establishing a statewide allotment was developed by the State Department of Finance and agreed to by County Administrative Officers (CAO) and California State Association of Counties (CSAC).

The level of local funding available through AB 109 is based on a weighted formula containing three elements:

- 60% based on estimated average daily population (ADP) of offenders meeting AB 109 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

Based on this formula Riverside County is projected to receive \$21,074,467 for FY 2011-12 to serve approximately 1,601 (ADP) additional PRCS offenders at any point in time and 2,517 eligible offenders who will be incarcerated locally instead of being sent to state prison. This number does not include the state parolees that will be serving any violation of parole time in county jail. This funding includes:

Post -release Community Supervision (PRCS)/local incarceration	\$ 21,074,467
AB 109 Planning grant	\$ 200,000
AB 109 Training and implementation activities	\$ 1,487,050
District Attorney/Public Defender (PRCS representation)	\$ 755,421
TOTAL	\$ 23,516,938

Both the AB109 Planning Grant (\$200,000) and the District Attorney/Public Defender (\$755,421) amounts are separately managed funds. The amounts are not included in the Summary of Agency Budget Proposals (see Schedule A). Separate funding for the Riverside Superior Court operations totals \$662,000 for the FY 2011-12 as determined by the Administrative Office of the Courts (AOC).

The funding formula is based on an October 1, 2011 implementation through June 30, 2012 and is for the first year only. CSAC/CAO's and the Department of Finance will revisit the formula for future years.

On August 2, 2011, the CCPEC approved the allocation of \$6,459,465 to the Probation Department for implementation of the PRCS plan. On September 26, 2011, the CCPEC received budget requests and presentations from the Sheriff's Department, Department of Mental Health, local Police Chiefs, the District Attorney and Public Defender. The budget requests (including the Probation Department's, previously approved allocation) exceeded the available funding. The CCPEC referred the matter for further discussion and recommendations to be returned to the CPPEC on October 11, 2011. Attention was given to the Probation Department's review of staffing for pre-sentence investigations and reports since the Courts stated that they did not require additional reports for the N3 population. Probation staffing was temporarily reduced, but not eliminated, from 102 positions to 91 positions with \$766,960 of the Probation Department's allocated budget being reallocated to the local police department entity for creation of the Post-release Community Supervision Accountability Team (PRCSAT). The Sheriff's Department also expressed a willingness to reallocate \$1 million of their budget request and provided additional funding for the District Attorney and the Public Defender. The Courts did not request additional funding beyond their designated allocation.

The budget developed and approved by the CCPEC on October 11, 2011 provides a conservative approach along with a contingency fund of \$737k due to the numerous variables and unknown factors each agency is managing during the early implementation of AB109. A 3.5% share of each agency's allocation is to be set aside to assist in establishing this fund.

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 plans to utilize evidence-based practices and make use of alternative custody options.

IMPLEMENTATION STRATEGIES

I. RIVERSIDE COUNTY PROBATION DEPARTMENT

With the passage of SB 678 in 2009, which created the Evidence-based Probation Supervision Program (EBPSP), the Riverside County Probation Department has incorporated evidence-based practices and services with targeted high risk offenders within the probation population. The goal of EBPSP is to reduce prison incarceration and recidivism by utilizing evidence-based practices with this population. This includes effective interventions/supervision, validated risk/needs tools and instruments, motivational

interviewing techniques, Cognitive Behavior Therapy (CBT), utilization of the services of other county agencies and community based organizations (CBO).

SB 678 and AB 109 is the State of California's answer to addressing the overcrowding in state prison. AB 109 is the direct result of a decision by the US Supreme Court on May 23, 2011, regarding two Federal lawsuits, Coleman and Plata, requiring that the State of California reduce the state prison population by 33,000 inmates within two years of the decision. The United States Supreme Court found that prison overcrowding and inmate/staff ratios contributed to inadequate services, and upheld a previous decision by the Federal Court of Appeals which found that the California Department of Corrections and Rehabilitation (CDCR) had violated the 8th Amendment to the US Constitution, i.e. cruel and unusual punishment with the inmate population.

What is significant to note, however, is the premise that all of these state prisoners being released on PRCS are non-violent or non-serious offenders is misleading. The determination of who qualifies as a non-violent, non-serious and non-high risk sex offender (N3) by the California Department of Corrections and Rehabilitation (CDCR) is based on the controlling case. A state prisoner may have been sent to state prison for a violent or serious felony offense and received a consecutive sentence for a N3 offense. By operation of law the sentence on the principal offense, the violent or serious crime must be served first with the custody time owed on the N3 crime being served last. As a result the controlling case becomes the last case, or N3 offense, and these violent or serious offenders are being released to the counties on PRCS. Many of these offenders also have a prior history of committing violent or serious crimes but because their current crime is a N3 offense they qualify for PRCS supervision.

Supervision Plan

The Riverside County Probation Department is implementing AB 109 with an evidence-based supervision model that mirrors the Evidence-Based Probation Supervision Program that was established through passage of SB 678. Supervision services are provided to those identified as low level state prison Post-release offenders and non-violent, non-serious, and non-high risk sex offenders (N3) that would otherwise be sentenced to state prison. The Riverside County Probation Department is targeting the AB 109 population implementing Post-release Community Supervision requirements and establishing a case management process with procedures designed to incorporate evidence-based principles for effective interventions with the goal of reducing recidivism. This same principle will be applied to the split sentenced, or supervised release, offenders. To effectively case manage this population the Riverside County Probation Department has designed a three tiered system focusing on the appropriate supervision level based on the levels of risk and intervention strategies as determined by a risk/needs assessment (Correctional Offender Management Profiling for Alternative Sanctions-COMPAS). Offenders will be categorized as Low, Medium, or High risk and assigned to a corresponding caseload accordingly.

The following risk levels will be determined by administering the COMPAS Risk/Needs Assessment instrument:

- Low Risk: Offenders who score low in risk/needs will be assigned to banked caseloads and/or required to report any changes via a Kiosk system.
- Medium Caseloads: Offenders who score medium in risk/needs will be placed on medium risk caseloads.
- High Risk: There are two types of high risk caseloads, conventional and armed. Offenders who assess high in either risk or needs will be placed on high risk caseloads. Offenders who score high in the COMPAS violence component will be placed on an armed caseload for officer safety.

After completion of the COMPAS assessment, each offender assessing medium or high risk will have a case plan developed to target criminogenic needs 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 (cognitive group facilitation) facilitated by deputy probation officers. Low risk offenders will not be provided these services unless a problem surfaces warranting intervention during their period of supervision.

Based upon assumptions, projections, and data provided by the state, the Probation Department anticipated the added supervision responsibility for an average daily population of approximately 1,601 post-release offenders and 2,517 low level (N3) offenders beginning October 1, 2011. Based upon statistics provided by the California Department of Corrections and Rehabilitation it was anticipated the breakdown of offenders by crime type would be as follows:

- 46% Property Offense (theft)
- 36% Drug Offense
- 8% Possession of Weapon
- 6% Other
- 4% DUI

Currently, the breakdown of active felony adult probationers supervised by Riverside County Probation by crime type is:

- 29%= Property Offenses
- 38%= Drug Offenses
- 21%= Crimes Against Persons
- 6%= Other
- 4%=Weapon Offenses
- 2%=DUI

The projections from CDCR represented the PRCS population expected to be release to Riverside County through July 2013. The above breakdown of offenses was provided as a comparison to what the typical types of offenses are being supervised on probation.

The Post-release Community Supervision (PRCS) population will receive services consistent with evidence-based supervision practices which include the following:

- Supervision Intake (File Review)
- COMPAS Risk/Needs assessment administered by an assessment team
- Assignment to a supervision level based upon assessment results
- Development of a supervision case plan
- Motivational Interviewing
- Courage to Change (CBT) curriculum
- Referrals to services according to criminogenic needs (Mental Health, Substance Abuse, Education, and Employment Services)
- Graduated Sanctions as needed to promote rehabilitation

Prior to the release of the Post-release Community Supervision (PRCS) population from state prison, CDCR sends a Pre-release Packet case file with release plan documents to the Supervision Intake Unit of the Riverside County Probation Department. Staff assigned to the Intake Unit create a supervision file, review each offender's case materials, indicate additional specific terms of release, verify residence in Riverside County and indicate the probation office the offender will report to upon release. This information is returned to CDCR to be included in the conditions of release signed by the offender prior to release.

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

The majority of the local N3 population will not be referred for a pre-sentence investigation and report by the Courts. Case management is similar to that provided to the local felony probation population. A three question Proxy pre-assessment instrument will be administered on the N3 population and those who receive a score of high risk will receive a full COMPAS risk/needs assessment. Thereafter, services provided and contact frequency will mirror that received by the PRCS population. Offenders assigned to low or medium risk supervision that experience difficulty complying with terms of probation or are in need of additional services will be reassessed and assigned to a higher level of supervision.

Program Data:

Critical to the implementation of AB 109 is the collection of data concerning this population, specifically when it comes to future funding from the State of California. Collection and analysis of critical data is imperative to provide an accurate picture of the actual impact of AB 109 on Riverside County, especially when implementation has been based on projections not only from the State of California but from the following county departments: Probation; Sheriff; District Attorney; Public Defender; Mental Health (Health and Human Services

group); the Post-release Community Supervision Accountability Team (local law enforcement); and the Court. Each department/entity will be responsible for keeping statistics concerning their operations and tracking the actual cost of providing services to the AB 109 population.

The following Probation Department statistics present a picture of the PRCS population received as of January 20, 2012. It is noted that this is a constantly fluid population where statistics can change periodically:

The Riverside County Probation Department has received 1,648 pre-release packets on PRCS offenders from CDCR as of January 18, 2012. Of these, 74 were rejected either because they were ineligible for PRCS supervision and belonged to parole or were sent to Riverside County in error. Nine (9) were transferred to other counties. Of the remaining 1,565 packet received that Probation is responsible for, 189 are pending transfer or awaiting acceptance of transfer to other counties and 20 reported residing out of state requiring a request for Interstate Compact Services. Packets received to date are for PRCS offenders with release dates as far in advance as July 2014, with the average being released between now and July 2012. A query of offense types was conducted on the pre-release PRCS packets received from CDCR. The breakdown of offenders is as follows:

- 42%=Property Offense (theft)-offense types include vehicle theft, grand theft, burglary, receiving stolen property, embezzlement, identity theft, check fraud, etc.
- 30%=Drug Offense-offense types include possession, sales, manufacturing, transportation, possession of drugs in jail/prison, etc.
- 11%=Crimes Against Persons-offense types include domestic violence, child endangerment/abuse, assault, assault on a peace officer, elder abuse, driving under the influence with injury, etc
- 9%=Possession of Weapon-offenses types include firearms, possession of body armor by a felon, possession of ammunition, possession of illegal martial arts weapons, possession of weapons in prison, etc.
- 6%=Other-offense types include vandalism, conspiracy to commit a crime, accessory, evading arrest, failure to register as a sex offender, hit and run, etc.
- 2%=DUI-those offenders convicted of felony driving under the influence offenses.

As of January 20, 2012, there are currently 880 offenders assigned to PRCS caseloads. Of these, 71 are split sentence offenders (N3) and 809 are PRCS offenders.

As of January 20, 2012, there were 64 outstanding warrants for PRCS offenders. 63 of these were for failure to report after their release from prison and one for a commission of a new offense.

As of January 20, 2012, the Probation Department has flash incarcerated 29 offenders, which represents approximately 4% of the population. All available alternatives and other sanctions are explored prior to imposing flash incarceration for up to ten (10) days.

A review of the offender address information provided in the PRCS Pre-release Packets received from CDCR reflects that approximately 15% of the PRCS population report being homeless. This is one key area being addressed by the CCPEC Health and Human Services Sub-Work Group and other county agencies dealing with homeless issues.

Approximately 21% of the PRCS population self-reports having a substance abuse problem, either alcohol or drug or a combination of both.

Approximately 16% of PRCS offenders are reported having mental health issues from mild to severe, with at least one being developmentally disabled. Records reflect that 5% of these individuals suffer from severe mental health issues requiring significant intervention from the Department of Mental Health and Probation.

The average education level for this population is the 9th grade.

Approximately 23% of the PRCS population are either gang members or affiliated with gangs.

Recent analysis of the PRCS population being supervised by Probation reflects that the number of offenders being assessed at high risk via the COMPAS Risk Needs assessment is higher than anticipated. It was initially estimated, based on the probation population that approximately 40% would assess at high risk, 31% medium risk and 29% low risk. The higher risk scores require an adjustment in the number of high risk caseloads initially anticipated. Analysis of the assessments completed on the PRCS population reflects the following:

- High Risk= 65%
- Medium Risk= 22%
- Low Risk=13%

Community Based Treatment Services

The Riverside County Probation Department is currently exploring development of a Day Reporting Center (DRC) to address the needs of not only the PRCS population but the entire probation population including those individuals placed on supervised release (split sentence, N3 population). A work group of key stakeholders has been formed to explore establishing Day Reporting Centers geographically throughout the county (Riverside, Desert and Southwest regions) to best provide services to these individuals, including exploration of the costs of various options.

Through the Request for Proposal (RFP) process the Probation Department will seek the participation of community based treatment providers for needed services. This includes mental health and substance abuse treatment, housing, domestic violence, child abuse, and sex offender treatment, referrals for vocational, educational, job preparation services and assistance in removing barriers to employment.

Contracted treatment providers will be required to utilize evidence-based practices and treatment models throughout the continuum of services. Mental Health providers will be required to administer mental health assessments and develop treatment plans and to administer follow up assessments to measure an offender's progress. Substance abuse providers will be required to administer assessments that measure addiction severity to identify the level of abuse and type of treatment required.

The Department will continue 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 will be mandated to utilize assessment tools and pre and post testing to determine offender progress.

Education, vocational, and job readiness services will be 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 Narrative

Full implementation of AB 109 will occur over a one year period and require the addition of 73 sworn staff and 29 non-sworn staff to the department. The total estimated annual budget for this level of staff is estimated at \$9,581,088, including \$8,323,000 for salaries and benefits, \$963,288 for services and supplies, and \$294,800 for estimated leased space. In addition, there are one-time start-up costs of \$1,198,182 for services and supplies and \$1,305,200 for leased space tenant improvements. With the addition of 102 positions for AB 109 and the effective date of October 1, 2011, the CCP Executive Committee approved the equivalent of approximately six months of anticipated expenditures at \$6,459,465 for FY 2011/12.

The original proposed plan required the Riverside County Probation Department to increase personnel with the addition of 102 full time positions. Staffing size was reduced, but not eliminated, to 91 positions to create funding for the Post-release Community Supervision Accountability Team (PRCSAT) developed by the Police contingent.

The hiring process will be prioritized and staggered over a one year period. Initial focus on administrative infrastructure positions, staffing of Intake and Assessment units and a first phase of supervision staff is necessary to meet the demands of the state imposed implementation date of October 1, 2011. Estimates from CDCR indicated beginning October 1, 2011, the Department will receive approximately 235 PRCS offenders per month for the first 4 months. Intake, Assessment units and supervision staff were in place by October 1, 2011. Administrative positions are necessary to develop policy, provide training, establish data collection practice, modify the department's Juvenile and Adult Management System (JAMS), pursue contracts through the RFP process, and oversee implementation.

Phase two of hiring will focus on establishing the full compliment of supervision staff and the hiring of sworn staff for development of a Transportation Unit. By June 2012, projections

indicate that over 1,600 PRCS offenders will have been released from state prison. At present, however, we have experienced an 8% increase over what has been anticipated.

Personnel Descriptions

Two (2) Executive Secretaries are responsible for providing secretarial support to one Assistant Chief Probation Officer and two Chief Deputy Probation Officers. This addition was necessary as the department added the Assistant Chief position and expanding from three to four Chief Deputy positions.

Nine (9) Supervising Probation Officers are responsible for the direct supervision of Senior and Deputy Probation Officer staff assigned to the intake, assessment, investigation, and supervision units. It is noted one Supervising Probation Officer will be assigned to the Special Projects Division to assist with the implementation and one Supervising Probation Officer will be assigned to Personnel to assist with the hiring of AB 109 staff including background investigations.

Twelve (12) Senior Probation Officers are added to the department in various capacities. Three will be assigned to Administrative and Business Services: One will assist with hiring and conducting background investigations and two will coordinate training that includes basic core training for new staff as well as the evidence-based practices training necessary to implement AB 109. The other nine Senior Probation Officers will be assigned to lead staff in supervision and assist with evidenced-based programming.

Forty-three (43) Deputy Probation Officers are added to the department and will be assigned to the intake, investigation, and assessment units. Twenty Deputy Probation Officers will be responsible for direct supervision, maintenance and monitoring including department provided evidence-based programming for PRCS offenders.

Three (3) Probation Specialists provide support services to Senior and Deputy Probation Officers, conduct evaluative and advisory services for PRCS offenders and perform other related duties as assigned with supervision and monitoring.

Thirteen (13) Office Assistant III's are responsible for clerical services and duties assigned to the intake, assessment, investigation and supervision units. This will include file and case processing, record management, composition of reports and correspondences, and data tracking.

One (1) Principal Accountant will administer the grant, directing the fiscal, accounting and auditing activities, and supervising the preparation of complex reports for accounting and fiscal records.

One (1) Sr. Administrative Analyst will determine contract service needs, prepare solicitations and develop eligibility criteria for competitive bid processes, ensure contract compliance and oversee grant applications and implementation.

One (1) Administrative Services Analyst II will be responsible for preparing statements of work, assisting in the competitive bid process, reviewing contract proposals, writing and negotiating contract language and terms, and researching availability and applicability of additional grant funding programs.

One (1) IT Applications Developer II will be responsible for writing and testing programming codes for new and current applications, interfacing systems with the department's Juvenile and Adult Management System (JAMS) and COMPAS, and conducting systems analysis on development projects.

One (1) Research Analyst will be added to plan, organize, and coordinate research, including the development of research models to measure the effectiveness of evidenced-based departmental programs. In addition, they will develop data collection procedures and reporting formats necessary for implementing research and program evaluations.

One (1) IT User Technician II will be responsible to troubleshoot resolutions to desktop communication problems, remote system connections, software and/or equipment errors and coach users in correcting reported problems relating to the COMPAS and JAMS systems.

One (1) Senior Human Resources Clerk will be assigned to coordinate the processing of human resource transaction forms, employee insurance forms, payroll attendance reports, and maintenance of human resource records. They will assist in the processing of benefit enrollment, changes in employee benefits, preparation of human resource transactions, and interpretation of human resource policies, procedures and regulations resulting from the hiring of new staff.

Two (2) Revenue Recovery Technician II's will be added to perform routine revenue and recovery work for restitution. This will also include gathering and verifying clients' financial status for the recovery of current and delinquent accounts for the Enhanced Collections Division.

II. SHERIFF'S DEPARTMENT – COUNTY JAIL INMATES

REALIGNMENT

On October 01, 2011, the California State Realignment Plan, known as AB 109, went into effect. AB 109 completely changed the concept of "corrections" throughout the state of California. Under AB 109, persons convicted of non-violent, non-serious and non-high risk sex offenses (referred to as "New Commits") were sentenced to serve their time in county jails instead of state prisons. In addition to the New Commits, all parole violators now serve their revocation sentences in the county jails.

AB 109 made additional changes impacting county criminal justice systems. Inmates currently in state prison for a "non-non-non" offense are no longer released on parole. Instead, they are released under the status of "Post-release Community Supervision" (PRCS) and monitored by the Probation Department instead of State parole. Persons who violate