



# PROBATION DEPARTMENT

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## Colusa County Public Safety Realignment

### Implementation Plan

### Fiscal Year 2021-2022

This document represents the Colusa County Community Corrections Partnership's (CCP) AB109 Public Safety Realignment Implementation Plan for Fiscal Year 2020-21. It describes the legislation, local planning objectives, programs and services provided, and budget allocation.

The Public Safety Realignment Act (Assembly Bill 109) was enacted on October 1, 2011, and mandated significant fundamental changes to the California criminal justice system. AB 109 shifted the responsibility for supervising and incarceration of specified adult offenders in California from the State to each of the 58 Counties. AB 109 is applicable to offenders whose current offenses are non-violent, non-serious, or non-registrable sex offense. The three major groups that these offenders fall in are: Post Release Community Supervision (PRCS) which is comprised of offenders released from state prison for non-violent and non-serious offenses, excluding high risk sex offenders, third strike offenders, and mentally disordered offenders; "Non-Non-Non" offenders who will serve their sentences locally per Penal Code 1170(h) and will complete their sentences at county jail, on Mandatory Supervision, or both; and State Parole, Community Supervision, and felony probation violators who will serve their revocation/sentence terms in county jail instead of State prison. AB 109 emphasizes evidence based practice, supervision, and services, to reduce recidivism for all of these offenders.

In November 2012, California voters passed Proposition 30, entitled "Sales and Income Tax Increase", which imposed new taxes and added Section 36 to Article XIII of the California Constitution, thereby ensuring future funding for the Public Safety Realignment Act.

Due to limited funding to accomplish the task of realignment, it is proposed the approach taken be one to cause minimum impact upon the jail thus allowing for more emphasis to be placed on rehabilitation. By creating a pre-sentence release program, appropriate evidence based interventions, sanctions and rewards and providing close supervision, it is anticipated this can be accomplished. The proposal below is the frame upon which the above will be built. The Probation Department along with allied agencies has assisted in programs offered for jail inmates by

providing evidence based practice programming, One Stop services, behavioral health, education and social services for individual counseling and pre-release planning.

In 2009, Senate Bill 678 was enacted and provided funding in an effort to incentivize counties from sending offenders to state prison. It established a Community Corrections Partnership in each county, requiring the Chief Probation Officer to chair the committee, and for that committee to advise the county regarding a recommended implementation plan. AB 109 required that each county establish a Community Corrections Executive Committee charged with the development of a Fiscal Year 2011-12 County Public Safety Realignment Implementation Plan that recommended a county-wide programming and funding plan for the realigned population for consideration and adoption by the Board of Supervisors. The Executive Committee voting members are comprised of: Chief Probation Officer (Chair); Presiding Judge or his/her designee; Sheriff; District Attorney; Public Defender; Chief of Police; and one Director from either the County Department of Social Services, County Department of Mental Health, or County Department of Drug and Alcohol as determined by the Board of Supervisors.

During Fiscal Year 2021-22, the Community Corrections Partnership Plan includes programs and services implemented in previous years that have proven effective and continues to develop new evidence based programs and services designed to reduce recidivism while maximizing public safety. This last year the programs in the jail have been compromised with pandemic restrictions, however, behavioral health services have continued to serve the incarcerated population without disruption. Education services will continue both in the jail and the Day Reporting Center serving those who want to obtain their HISET (equivalent to GED) or high school diploma. Plans to return jail cognitive behavioral therapy programming will be made as soon as allowable by COVID-19 protocols followed by social services and One Stop services (employment/vocational training, overcoming employment barriers, life skills, etc.). One Stop and the probation department will continue assisting those inmates who are released and homeless with life necessities and residential support as needed and allowable. A Graduate Incentive Program to provide clients with incentives to complete programs will be modified to meet the specifications of COVID-19 restrictions. Programming at the DRC will be active via telecommunications for all cognitive behavioral therapy classes and will include additional sessions of the Batterers' Treatment Program in the evening. The Staying Quit program will be modified to maximize the benefit to both offenders who are maintaining their sobriety and those who are struggling in their addiction. However, all offenders are welcome to attend Staying Quit as it is a prevention program offering a safe place to come and share challenges and successes. Newly implemented will be a study hall session twice a week that allows offenders to log on line and receive assistance for programming step compliance, general check ins or receive assistance towards any challenges they may be facing. Social Services will continue to work with probation and jail staff as needed, to enroll eligible offenders into Medi-Cal, Cal-Fresh, Transitional Housing, etc.

Electronic Monitoring Program in Lieu of Bail. The Sheriff is authorized to offer an electronic monitoring program, as specified in Section 1203.018 of the California Penal Code, to inmates being held in lieu of bail in the County Jail or other County Correctional Facility.

Home Detention and Electronic Monitoring Program. The Chief Probation Officer is authorized to offer an electronic monitoring and/or home detention program to individuals who are granted

formal probation or are under Post Release Community Supervision as a sanction for violating supervision conditions, as specified in Sections 1203.2, 3453 and 3454 of the California Penal Code.

It is recommended the Sheriff's Department utilize the Probation Department's established electronic monitoring program, as part of the pre-sentence release program. SCRAM (alcohol monitoring) is available by private contract. Probation staff can assist with the application process and assist in the supervision.

Target Population: AB109 addresses three target populations. The first target population are Post Release Community Supervision (PRCS) offenders released from prison to the community under the supervision of county probation departments. These PRCS offenders consist of a population whose current offense is considered a non-violent, non-serious, non-registerable sex offense, however, they may have previously sustained a prior conviction for a serious/violent offense pursuant to California Penal Code 667.5(c), PC1192.7(c) and/or a registerable offense pursuant to Penal Code section 290.

The second target population are offenders who will serve their felony prison commitments locally in county jail rather than in state prison having been convicted of a non-violent, non-serious, or non-registerable sex offense. These offenders are comprised of two groups; those sentenced to county jail to serve a full term pursuant to California Penal Code Section 1170(h)(5)(A) and those sentenced to serve a portion of their sentence in county jail with the remainder under Mandatory Supervision to be supervised by probation pursuant to California Penal Code Section 1170(h)(5)(B).

The third target population are the offenders with current prison commitments for a violent or serious felony offenses, or offenders classified as high risk sex offenders that will remain under the supervision of State Parole. Parolees who violate terms of parole will serve their violations in county jail rather than returning to state prison.

Key elements of AB 109 include:

- Redefining Felonies: Revises the definition of a felony to include certain crimes that are punishable in jail. Some offenses, including serious, violent, and 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 not to exceed 3 years of Post Release Community Supervision provided by a county agency designated by that county's Board of Supervisors.
- Revocations Heard & Served Locally: Post Release Community Supervision and parole revocations will be served in local jails (by law the 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 and Parole Hearings.

- Changes to Custody Credits: Jail inmates will be able to earn four days of credit for every two days served. Time spent on home detention (i.e., electronic monitoring) is credited as time spent in jail custody on a day-per-day basis.
- Alternative Custody: Penal Code Section 1203.018 authorizes electronic monitoring for inmates being held in the county jail in lieu of bail.
- Community-Based Alternative Sanctions. Authorizes counties to use a range of community-based alternative sanctions other than jail incarceration alone or traditional routine probation supervision.

## **Program Goals:**

### **1. Establish Risk/Needs.**

One of the best practices in corrections is contingent on obtaining timely, relevant measures of offender risk and need at the individual and aggregate levels. In order to determine who is at high risk for reoffending, the offender must undergo an objective validated risk assessment. Offender assessments are most reliable and valid when staff are formally trained to administer the tools. Screening and assessment tools that focus on dynamic and static risk factors, profile criminogenic needs which have been validated on similar populations are preferred.

Case information that is gathered through routine interactions and observations with offenders is just as important as information obtained through an assessment tool as they should reinforce one another. They should be combined to enhance case decisions, and working relations between practitioners and offenders throughout the supervision period.

#### **Task:**

Using the Department's validated risk/needs assessment tools through NOBLE and Corrections Software Solutions, Department staff will assess all sentenced offenders and Mandatory Supervision probationers at the time of sentencing to the county jail or release on Probation Supervision.

Completed assessments will be staffed with the assigned supervising officer and their supervisor within one week of completion, an Offender's Needs Assessment (ONA) and case plan will be developed to address the offender's three highest risks and needs within 30 days.

Offenders will be supervised based on risk to offend. Overrides must be staffed and approved in conjunction with a supervisor.

## **2. Enhance Intrinsic Motivation.**

Staff should relate to offenders in interpersonally sensitive and constructive ways to enhance intrinsic motivation. Behavioral change is quite often an inside job, for lasting change to occur, there needs to be a level of intrinsic motivation. Motivation to change is dynamic, and the probability that change may occur is strongly influenced by interpersonal interactions, such as those with probation officers, treatment providers, and institution staff. Feelings of ambivalence that usually accompany change can be explored through Motivational Interviewing, which is a style and method of communication used to help people overcome their ambivalence regarding behavior changes. Research strongly suggests that Motivational Interviewing techniques, rather than persuasion tactics, more effectively enhance motivation for initiating and maintaining behavior changes.

### **Task:**

All Department staff will continue to be trained in Motivational Interviewing (MI) and attend Motivational Booster Training.

Department staff will utilize MI, if at all possible, at every contact with offenders to provide appropriate feedback to the offender and obtain the desired behavioral change.

## **3. Target Interventions.**

### **A. RISK PRINCIPLE:**

The Department will prioritize supervision and treatment resources for higher risk offenders. By placing a higher focus on the higher risk offender the Department will better utilize resources to promote public safety. Higher risk offenders have a greater need for pro-social skills and thinking, and are more apt to demonstrate significant improvements through related interventions. Higher risk offenders are more likely to be frequent offenders than those who are of lower risk. Research has shown that focusing treatment resources on lower-risk offenders tend to produce little net positive effect on recidivism rates.

High-risk offenders generally present multiple criminogenic areas of need requiring significant levels of intervention. Successfully addressing this population's criminogenic needs requires placing these types of offenders on smaller caseloads, applying well developed case plans, and placing offenders into sufficiently intense cognitive-behavioral intervention that will target their specific criminogenic needs.

**Task:**

Continue to have a Probation Officer (PO) assigned specifically to supervise the High Risk Caseload. The High Risk Caseload supervision includes frequent contact and swift and certain responses to positive or negative behavior.

Established caseload and identified offenders to be included within each identified caseload, high risk, medium, low, bank and electronic monitoring.

High risk caseloads shall not have more than 50 probationers. Specialized caseloads, i.e. GPS/SCRAM, shall have 20 per caseload.

**B. NEED PRINCIPLE:**

Based on an assessment of the offender, the criminogenic needs will be prioritized so that services are focused on the greatest criminogenic needs.

Address offender's greatest criminogenic needs. Criminogenic needs are dynamic risk factors that when addressed or changed, affect the offender's risk for recidivism. Examples of criminogenic needs are: criminal personality; anti-social attitudes, values and beliefs; low self-control; criminal peers; substance abuse; and dysfunctional families.

**Task:**

Ongoing monitoring and evaluation of the Probation Officer/Aide who facilitates and coordinates intervention programs for offenders at the Day Reporting Center, Jail and/or via telecommunications (i.e., Staying Quit, Moral Reconciliation Therapy, Thinking for Good, Taking the High Road (alcohol and drug)). Due to behavioral health COVID – 19 protocols, in person services have been re-routed from the Day Reporting Center, however, offenders will be seen either in person at behavior health or via telecommunication (Efforts to reinstate an in person licensed therapist at the DRC will continue until the reinstatement is complete). The therapist will provide services including individual counseling, assessment of mental health needs and make outside referrals as appropriate. These services will also be provided at the Colusa County Jail.

Update, on an ongoing basis, the established list of all available programs for offender use within the County.

Communicate all interventions, on an ongoing basis, with the Supervising Probation Officer/ Probation Aide, as well as all other collaborative agencies.

### **C. RESPONSIVITY PRINCIPLE:**

Responsivity requires considering individual characteristics when matching offenders to services. These characteristics include, but are not limited to: culture, gender, motivational stages, developmental stages, and learning styles. These factors influence an offender's responsiveness to different types of treatment. The principle of responsivity also requires that offenders are provided with treatment that is proven effective with the offender population. Certain treatment strategies, such as cognitive-behavioral methodologies, have consistently produced reductions in recidivism with offenders under rigorous research conditions.

#### **Task:**

Match offender to treatment and/or treatment to offender based on offender's responsivity and treatment efficacy.

### **D. DOSAGE:**

During this initial phase, higher risk offenders' free time should be appropriately structured with a detailed routine and appropriate services, (i.e.; outpatient treatment, employment assistance, education, etc.). Providing appropriate doses of services, pro-social structure and supervision is a strategic application of resources. Higher risk offenders require significantly more initial structure and services than lower risk offenders.

Certain offender sub-population (e.g., severely mentally ill, chronic dual diagnosed, etc.) commonly require strategic, extensive, and extended services. However, too often individuals within these subpopulations are neither explicitly identified nor provided a coordinated package of supervision/services. The evidence indicates that incomplete or uncoordinated approaches can have negative effects, often wasting resources.

#### **Task:**

Continued and ongoing supervision of the Probation Officer (PO)/Probation Aide (PA) assigned to monitor high risk offenders' activities and adherence to their case plans.

Ongoing assessment of the "Day Reporting" program developed in the Probation Department and coordinated offender activities, utilizing the PO/PA and Supervising Probation Officers as the primary monitor.

Staff high risk offender caseloads on a weekly basis or as needed between PO/PA and the Supervising Probation Officer regarding offender progress and obstacles.

### **E. TREATMENT PRINCIPLE:**

Integrate treatment into sentence/sanction requirements through assertive case management by taking a proactive and strategic approach to supervision and case planning. Treatment, particularly cognitive-behavioral types, should be applied as an integral part of the

sentence/sanction process. As such the DRC opened in November, 2012, and is fully staffed by Probation Officers during business hours. In the DRC targeted and timely treatment interventions such as cognitive behavioral therapy programming provide the greatest long term benefit to the community, the victim and the offender. This does not necessarily apply to lower risk offenders, who are diverted from the criminal justice and corrections systems whenever possible. In addition, drop in meetings, One Stop services, behavioral health services, counseling services, Batterers' Treatment Program, social services, regular appointments, drug testing and preventive services are all services available at the DRC.

**Task:**

Probation staff will facilitate different groups of targeted offenders and conduct ongoing evaluation of the programming.

Monitor the schedule and location/time for each group incorporating the following four principles:

- *Risk Principle:* Prioritize supervision and treatment resources for higher risk offenders.
- *Need Principle:* Target interventions to criminogenic need.
- *Responsivity Principle:* Be responsive to temperament, learning style, motivation, culture, and gender when assigning programs.
- *Dosage:* Structured appropriately for high-risk offenders for 3-9 months.

**4. Skill Training with Directed Practice.**

Provide evidence-based programming that emphasizes cognitive-behavioral strategies and is delivered by well trained staff. To successfully deliver treatment to offenders, staff must understand antisocial thinking, social learning, and appropriate communication techniques. Skills are not just taught to the offender, but are practiced or role-played and the resulting pro-social attitudes and behaviors are positively reinforced by staff. Staff has been formally trained to provide Moral Reconciliation Therapy (MRT) to probationers. MRT is an evidence based counseling/education program. It is taught in a self-paced group setting which is focused on changing how clients think and make judgments about right and wrong. This is an internationally used highly successful evidence based program.

**Task:**

Continue ongoing training of staff in evidence based programs and applications.

Developed a schedule for the following groups and applications

- Cognitive Behavioral Therapy (Moral Reconciliation Therapy, Thinking for Good, Staying Quit, Taking the High Road, etc.)



- Batterer's Treatment Program (offered in English, Spanish, male and female groups)
- Courage to Change Journaling (individual)

## 5. Increase Positive Reinforcement.

Research indicates applying a much higher ratio of positive reinforcements to negative reinforcements will achieve sustained behavioral change. A ratio of *four positive to every one negative* reinforcement is optimal for promoting behavior changes. These rewards do not have to be applied consistently to be effective as negative reinforcement does, but can be applied randomly.

Offenders having problems with responsible self-regulation generally respond positively to reasonable and reliable additional structure and boundaries. With exposure to clear rules that are consistently (and swiftly) enforced with appropriate and graduated consequences, offenders and people in general, will tend to comply in the direction of the most rewards and least punishments. This type of extrinsic motivation can often be useful for beginning the process of behavior change. Random searches/compliance checks of residences by Probation staff are regularly accomplished, making offenders accountable for their behavior.

### Tasks:

Sanctions/Positive Reinforcement –

- Appropriate to level of Risk/Need
- Appropriate to level of violation/success

Continue to re-evaluate, as needed, the developed list of rewards for positive reinforcement for offenders through partners and other community resources i.e. letters of apology, increased supervision, community service hours, certificates, tokens and challenge coins, verbal praise, etc. Monthly drawings based on program attendance, negative drug tests and probation compliance.

## 6. Engage Ongoing Support in Natural Communities.

Realign and actively engage in pro-social support for offenders in their communities. Research indicates many successful interventions actively recruit and use family members, spouses, and supportive others in the offender's immediate environment to positively reinforce desired new behaviors. This Community Reinforcement Approach (CRA) has been found effective for a variety of behaviors.

Research indicates the efficacy of twelve step programs, religious activities, and restorative justice initiatives that are geared towards improving bonds and ties to pro-social community members.

**Task:**

Monitor to ensure Probation Officer/ Probation Aide attempt, when appropriate, to meet with the offender's immediate family upon completion of the case plan (NOBLE) and establish areas for support of pro-social behaviors.

Establish and continually revise, as needed, the list of:

Alcoholics / Narcotics Anonymous

Faith based organizations willing to partner with the Department and the offender to provide positive community options. AA/NA meetings routinely recommended, and updated list are distributed. Community partnerships with organization, such as Colusa Food Basket, Safe Haven, Colusa Fire Department, etc., allow offenders to “give back” by performing community Service/volunteer service.

**7. Measure Relevant Processes/Practices.**

Accurate and detailed documentation of case information, along with a formal and valid mechanism for measuring outcomes, is the foundation of evidence-based practice. Agencies must routinely assess offender change in cognitive and skill development, and evaluate offender recidivism, if services are to remain effective. In addition to routinely measuring and documenting offender change, staff performance should also be regularly assessed.

**Task:**

Re-evaluate offenders utilizing the Risk and Offender Needs Assessment Tool (NOBLE) every six months, or with new law violations, and for subsequent sentencing.

Developed data collection criteria to measure effectiveness of program and success of offenders. Ensure Officer compliance on a routine basis.

Probation contracted with Corrections Software Solutions (CSS) for a new case management system which was implemented in May 2012, to provide needed/mandatory information. Continue to collaborate with CSS to provide new and updated ad hoc and other pertinent reports.

Ongoing evaluation of staff effectiveness and focus.

**8. Provide Measurement Feedback.**

Once a method for measuring relevant processes/practices is identified, the information must be used to monitor process and change. Providing feedback to offenders regarding their progress builds accountability and is associated with enhanced motivation for change, lower treatment attrition, and improved outcomes. The same is true within an organization,

monitoring delivery of services and fidelity to procedures helps build accountability and maintain integrity to the agency's mission.

**Task:**

Perform regular audits and case reviews with an eye toward improved outcomes for offenders.

Keep staff focused on the ultimate goal of reduced recidivism through the use of evidence-based principles and provide review and feedback on their efforts. Regular staff meetings are held where supervisors reinforce department goals.

**9. Restitution.**

Probationers are held accountable for their financial commitments via Probation's Agreement to Pay contract.

## COLUSA COUNTY PUBLIC SAFETY REALIGNMENT DATA

October 1, 2011 – June 30, 2021

	Post Release Community Supervision	Mandatory Supervision (Split Sentence)	Local Imprisonment (Jail Only)	TOTAL
Offenders Received to Date	133	60	134	327
Transfer-In	17	4	0	21
Transfer-Out	40	17	0	57
New Felony Convictions (during supervision)	19	6	0	25
New Misdemeanor Convictions (during supervision)	7	2	0	9
Active Warrants	15	1	0	16
Population	19	2	0	21

## Colusa County Community Corrections Partnership Roster

<b>Colusa Community Corrections Partnership Executive Committee (Voting)</b>	
<b>Member</b>	<b>Title</b>
Michael Rogers	Chief Probation Officer (Chair)
Jeffrey Thompson	Presiding Judge, Superior Court
Matthew Beauchamp	District Attorney
Joe Garofalo	Colusa County Sheriff
Elizabeth Kelly	Health & Human Services Director
Albert Smith	Public Defender's Office
Josh Fitch	Chief, Colusa Police Department

<b>Colusa County Community Corrections Advisory Committee</b>	
Wendy Tyler	Chief Administrative Officer
Michael West	Office of Education
Noel O'Neill	Behavioral Health
Robert Zunino	Auditor/Controller
Lora Ceccon	One Stop (CBO)

FY2021-22 Community Corrections Partnership Budget  
Draft

<b>Proposed FY21-22</b>	<b>Probation</b>	<b>Sheriff</b>
Chief Deputy Probation Officer 70%	134,962	
Supervising Deputy Probation Officer 50%	84,618	
Deputy Probation Officer II 100%	132,122	
Deputy Probation Officer II 50%	55,342	
Overtime	10,765	
Probation Assistant 50%	49,153	
Office Assistant III 50%	34,975	
Worker's Comp	1,902	
Correctional Corporal		65,000
Correctional Officer		106,865
Teacher	14,000	
Local Innovation Account	6,529	
Jail Housing		175,000
<b>Salary &amp; Benefits Subtotal</b>	<b>524,368</b>	<b>346,865</b>
Clothing	3,000	
Communications	3,275	
Cell	619	
Household	500	
Insurance	1,110	
Maintenance of Equipment	3,510	
Maintenance of Software	100	
Maintenance of Building	100	
Memberships	422	
Office Expense	2,500	
Professional Services	24,270	
Rent - Equipment	4,410	
Rent – Structure	9,834	
A-87	32,256	
Special Department Expense	14,200	
Software	0	
Transportation	7,000	
Training	8,000	
Fuel	3,500	
Utilities	1,500	
<b>Supplies &amp; Services Subtotal</b>	<b>120,106</b>	
<b>Total</b>	<b>640,632</b>	<b>346,865</b>
<b>Grand Total</b>		<b>991,339</b>

# Colusa County Community Corrections Partnership Fiscal Year 2021-22 Adopted Budget

