



PROBATION DEPARTMENT

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Colusa County Public Safety Realignment

Implementation Plan

Fiscal Year 2013-2014

This document represents the Colusa County Community Correction Partnership's (CCP) AB109 Public Safety Realignment Implementation Plan for Fiscal Year 2013-14. 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-sex related. 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 community 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 acting as if the jail has an imposed cap of sixty (60) there will be a minimal impact upon the jail staff and associated costs. 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 has assisted in program offerings for jail inmates by starting Moral Reconciliation Therapy groups, enhancing education opportunities, and providing a licensed behavioral health therapist 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: the Chief Probation Officer (Chair); Presiding Judge; 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 year three of Public Safety Realignment, Fiscal Year 2013-14, the Community Corrections Partnership Plan includes programs and services implemented in the first two years that have proven to be effective and develops new evidence based programs and services designed to continue to reduce recidivism while maximizing public safety. The programs will include enhancing services provided at the jail to include an educational component, Moral Reconciliation Therapy, and mental health services. A more comprehensive educational component will be included at the Day Reporting Center, along with financial assistance and residential stipends as needed. The plan provides for the development and implementation of a Creative Memories Workshop to assist clients in focusing on the positive aspects of their lives and to experience the satisfaction of completing a project and giving a gift; a Life Skills Program aimed at spotlighting healthy living skills that helps clients implement them; a Graduate Incentive Program to provide clients with incentives to complete programs; and a Moral Reconciliation Therapy Graduate Support Group to allow program graduates a safe place to come and share challenges and successes at the Day Reporting Center. Social Services staff will begin working at the Day Reporting Center, as needed, to enroll eligible clients into Medi-Cal, Cal-Fresh, etc., Probation will be finalizing a risk and need matrix to assist Probation Officers in providing appropriate services to high, medium, and low risk offenders. Additionally, Moral Reconciliation Therapy completion and employment services and jobs obtained are included in this plan.

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 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 (EMP), which includes GPS/SCRAM (alcohol monitoring) and EMP options as part of the pre-sentence release program.

Target Population: The Post Release Community Supervision population, released from prison to community supervision, is the responsibility of local probation departments and is inclusive of non-violent, non-serious, non-sex offenders with a prior PC 667.5(c), PC1192.7(c) or registerable offenses pursuant to Penal Code section 290.

1) The population that will serve their prison sentences locally includes the non-violent, non-serious, non-sex offender group.

Key elements of AB 109 include:

- Redefining Felonies: Revises the definition of a felony to include certain crimes that are punishable in jail for 16 months, 2 years, or 3 years. 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, for a period not to exceed 3 years, 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. Eligible inmates 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.

AB 109 changes how credits for good time and work time are calculated from one day of good time and one day of work time for every six days served in jail to one day of good time and one day of work time for every four days served in jail. This means that inmates will be required to serve 50% of their sentence in custody, minus any credits for time served prior to their sentence as determined by the Court, instead of two-thirds of their sentence, which was previously the law. This change will help mitigate, to some degree, the impact of longer sentences being served in the county jails. Further, all Post Release Community Supervision revocations, and almost all parole revocations, will be served locally. AB 109 encourages the use of flash incarceration up to 10 days in county jail for Post Release Community Supervisees who violate their Community Supervision terms.

Further, ongoing analysis is necessary with the implementation of AB 109 to accurately determine the impact on jail beds, alternative incarceration programs and court security/inmate transportation. Expansion of in-custody programming is necessary to maintain safety and offer productive use of free time while incarcerated. Implementation/Enhancement of jail programming such as a substance abuse services, restorative justice programs, veteran services, and the high school and GED education programs are considered necessary. AB 109 offenders will be assigned to programming based on meeting eligibility criteria and availability. Colusa County Probation will continue to work with the Courts and CDCR Parole personnel to provide programs and services to inmates serving time in jail for a parole revocation to the extent possible within funding constraints.

Program Goals:

1. Establish Risk/Needs.

Principles of *best practice* in corrections are contingent on obtaining timely, relevant measures of offender risk and need at the individual and aggregate levels. Offender assessments are most reliable and valid when staff are formally trained to administer tools. Screening and assessment tools that focus on dynamic and static risk factors, profile criminogenic needs, and have been validated on similar populations are preferred.

Offender assessment is as much an ongoing function as it is a formal event. Case information that is gathered informally through routine interactions and observations with offenders is just as important as formal assessment guided by instruments. Formal and informal offender assessments should reinforce one another. They should combine to enhance formal reassessments, case decisions, and working relations between practitioners and offenders throughout the jurisdiction of supervision.

Task:

The Department will develop written procedures for assessing offenders risk/need and assigning to caseloads by risk to re-offend.

Using the Department's validated risk/needs assessment tools, NOBLE, Department staff will assess all sentenced offenders and Mandatory Supervision probationers within two weeks 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, and a case plan will be developed to address the offender's three highest risks and needs.

Offenders will be assigned to a caseload 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 in offenders. 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 annual, at a minimum, refresher classes.

Probation supervisors will incorporate staff's ability to effectively utilize MI skills into annual performance reviews.

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. Focusing treatment resources on lower-risk offenders tend to produce little, if any, net positive effect on recidivism rates.

High-risk offenders generally present multiple criminogenic areas needing to be addressed at significant levels. Successfully addressing this population's issues requires placing these types of offenders on smaller caseloads, applying well developed case plans, and placing offenders into sufficiently intense cognitive-behavioral intervention that 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, GPS/SCRAM.

High risk caseloads shall not have more than 50 probationers. Specialized caseloads, i.e. GPS/SCRAM, shall have 15 per caseload.

B. NEED PRINCIPLE:

Target interventions to criminogenic needs. Based on an assessment of the offender, these 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 Department Aide who was hired to facilitate and coordinate intervention programs for offenders at the Day Reporting Center and the Jail (i.e., Anger Replacement Therapy, Cognitive Behavioral Change, Moral Reconciliation Therapy, Thinking for a Change, Alcohol and Drug). Through Behavioral Health, a licensed therapist is available in the Day Reporting Center each week to provide individual and family therapy, to assess mental health needs and make outside referrals as appropriate.

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 and 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:

Establish a matrix which allows Probation Officers to easily accomplish the following:

- a) Match treatment type of offender;
- b) Match treatment provider to offender; and
- c) Match style and methods of communication with offender's stage of change readiness

Define program needs within the County and bring to CCP for discussion.

D. DOSAGE:

Structure 40-70% of high-risk offenders' time for 3-9 months. During this initial phase, higher risk offenders' free time should be clearly occupied 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) hired to monitor high risk offenders' daily activities and adherence to their case plans at the Day Reporting Center.

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

Communicate, at a minimum weekly, as necessary daily, between the PO/PA, the Supervising Probation Officer and other involved staff regarding offender progress or obstacles.

Develop a MOU between Behavioral Health and Probation which details how mentally ill offenders are treated within the structure of Community Supervision. Monitor and evaluate effectiveness on a quarterly basis, or as needed.

Goal: If not employed the offender is to have 40-70% of their time accounted for in daily program related tasks.

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. Delivering targeted and timely treatment interventions will 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. The DRC opened in November, 2012, and is fully staffed by Probation Officers and support staff during business hours. Drop in meetings, One Stop, MRT, counseling services, and regular appointments and drug testing are all conducted in the DRC. Offenders are referred to Moral Reconciliation Therapy and are expected to complete the program in a timely manner.

Task:

Established probation staff that will train the different groups of targeted offenders and ongoing evaluation of the training.

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:* Structure 40-70% of high-risk offenders' time 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 a nationally used highly successful program.

Task:

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

Develop relations with local college and implement intern program to assist with program facilitation, utilizing one to two social work masters candidates to facilitate groups supervised by appropriately licensed Behavioral Health staff. Thus allowing for expansion of cognitive behavior facilitated programs offered to identified probationers.

Developed a schedule for the following groups and applications:

- Cognitive Interventions
- Moral Reconciliation Therapy
- Thinking for a Change
- Anger Replacement Therapy
- Western Corrections Journaling Tool
- Facilitated Groups

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, including searches utilizing a canine for drug detection, thus holding probationers accountable.

Tasks:

Developed a Probation Department Response Grid. Monitor to ensure Officer compliance on an ongoing basis.

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.

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 offenders immediate family within two weeks of completion of the case plan, NOBLE, and establish areas for support of pro-social behaviors.

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

AA/NA meetings

Faith based organizations willing to partner with the Department and the offender to provide positive community options. AA/NA meetings routinely are recommended, and updated list are distributed. Community partnerships with organizations, such as Colusa Food Basket, Impact Store, Colusa Fire Department, etc., allow for probationers 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. Staff that are periodically evaluated for performance achieve greater fidelity to program design, service delivery principles, and outcomes. Staff whose performance is not consistently monitored, measured, and subsequently reinforced work less cohesively, more frequently at cross-purposes and provide less support to the agency mission.

Task:

Re-evaluate offenders utilizing the Risk and 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:

Hired a Support Secretary to provide support to PO, PA and counselor, process data and maintain reporting information.

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 with the Office of Revenue and Recovery, through which restitution and past due fines and fees are recovered.

Colusa County Community Corrections Partnership Roster

Colusa County Community Corrections Partnership Executive Committee (Voting)	
Member	Title
William E. Fenton	Chief Probation Officer (Chair)
Jeffrey Thompson	Presiding Judge
Scott D. Marshall	Sheriff/Coroner
John R. Poyner	District Attorney
Albert Smith	Public Defender
James Saso	Chief, Williams Police Department
Elizabeth Kelly	Director of Health & Human Services

Colusa County Community Corrections Full Committee	
William E. Fenton	Chief Probation Officer (Chair)
Jeffrey Thompson	Presiding Judge
Scott D. Marshall	Sheriff/Coroner
John R. Poyner	District Attorney
Albert Smith	Public Defender
James Saso	Chief, Williams Police Department
Elizabeth Kelly	Director of Health & Human Services
Kim Dolbow Vann	Board of Supervisors – First District
Gerardo Munoz	Chief Deputy Probation Officer
Miguel Villasenor	Jail Lieutenant, Sheriff's Department
Kay C. Spurgeon	Superintendent, Colusa County Office of Education
Terrence Rooney	Director, Behavioral Health
Laura Cecon	Director, One Stop
Cricket Razzo	Director, Addiction Recovery Colusa
Tedd A. Mehr	Public Defender
Elizabeth Ufkes-Olivera	Presiding Juvenile Court Judge
Ross Stark	Chief, Colusa Police Department
Mark Marshall	Board of Supervisors

COLUSA COUNTY PUBLIC SAFETY REALIGNMENT DATA

OCTOBER 1, 2011 THRU JUNE 30, 2013

	Post Release Community Supervision	Local Prison (Jail Only)	Local Prison (Split Sentence)	Total
Offenders Received to Date	17	37	7	51
Successful Completions	5	16	0	20
New Felony Convictions	3	0	0	3
New Misd. Convictions	3	0	0	3
Active Warrants	3	0	0	3

**FY 2013-14 COLUSA COUNTY AB109
BUDGET**

02528

PROBATION DEPARTMENT

Deputy Probation Officer (1.0 FTE) (100%)	80,001
Probation Assistant (1.0 FTE) (50%)	34,100
Office Assistant (1.0 FTE) (25%)	12,197
Teacher (Realignment Education)(.25 FTE)	20,000
Correctional Officer (1) (Pro-rata share)-AB109 Program Coordinator (.50 FTE)	40,629

ASSISTANCE/POSITIVE REINFORCEMENT

Incentives	6,000
Transit Passes	1,000
Emergency Housing & Food	10,000
Clothing/Misc.	4,000

PROGRAM FEES

One Stop	15,000
Behavioral Health Staff (Jail Component and DRC)	69,132
GPS (Realignment-Jail Housing Relief)	5,850

OPERATING EXPENSES

Clothing	2,400
Communications	1,002
Cell Phone	3,700
Maint. Of Equip.	1,650
Office Supplies	3,000
Ammo	2,000
Case Mgmt System	6,270
Software Maint	915
Rent - Equip	1,974
Rent - Structures	5,700
Fuel	1,500
Utilities	1,617

FIXED ASSETS

Office Chairs	2,500
Files	250
Tables	1,000
Guns	2,500
Refridgerator	300

336,186

SHERIFF DEPARTMENT

Housing Costs	175,000
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175,000

WILLIAMS POLICE DEPARTMENT

K-9 - AB109 Searches (25%)	1,250
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1,250

TOTAL	\$ 512,436
TOTAL ALLOCATED	\$ 512,436

Colusa County Community Corrections Partnership Fiscal Year 2013-14 Adopted Budget

