

# County of Kern

## Public Safety Realignment Act

### FY 2022/23 Plan

(Approved by CCP 06/01/2022)

(Approved by Kern County Board of Supervisors 06/28/2022)



## Community Corrections Partnership

### Executive Committee

TR Merickel, Chief Probation Officer (Chairperson)

Tamarah Harber-Pickens, Chief Executive Officer of the Superior Court

Greg Terry, Chief-Bakersfield Police Department

Peter Kang, Public Defender

Stacy Kuwahara, Director-Behavioral Health & Recovery Services

Donny Youngblood, Sheriff-Coroner

Cynthia Zimmer, District Attorney

# Table of Contents

AB 109 Background	3
Existing Implementation	4
Strategic Plan for Factors Affecting Growth Funds	6
Evidence-Based Programming	8
Data Collection, Research, and Analysis	10
FY 2022/23 Plan	13
I. Probation Department	14
II. Sheriff's Office	21
III. Behavioral Health & Recovery Services	29
IV. Employers' Training Resource	43
V. District Attorney's Office	46
VI. Public Defender's Office	48
VII. Street Interdiction Team	50
VIII. Community-Based Organizations Program	51
IX. Veterans Service Department	53
X. Contingency Funds	54
Allocation of Realignment Funds	54

# AB 109 Background

---

Assembly Bill 109 (AB 109), the Public Safety Realignment Act of 2011, was signed into law by Governor Jerry Brown on April 4, 2011. It became effective on October 1, 2011. This Act, along with numerous trailer bills, made major changes to the criminal justice system in California. With these changes has come a large shift of responsibilities passed from the State to the Counties.

Some of the most significant changes in the law that Realignment brought include the following:

- Certain felonies, often referred to as Non, Non, Nons (non-serious, non-violent, and non-sex offenses), are no longer punishable by a state prison term. Instead, these felony charges are only eligible for county jail sentences.
- Certain offenders released from State prison are no longer released on State parole but instead are released on “Post Release Community Supervision” (PRCS). These offenders are supervised by the Probation Department.
- Most offenders on State parole and all offenders on PRCS will now serve time in county jail for violations instead of State prison.
- The Court and not the State Parole Board began hearing violations of PRCS offenders. On July 1, 2013, the Court also began hearing violations of offenders on State Parole.
- The law states that counties should focus on using alternative sanctions and evidence-based practices to reduce recidivism (PC 17.5) more effectively.

AB 109 also created the Executive Committee of the previously established Community Corrections Partnership (CCP). This committee is responsible for creating and presenting a plan to the County Board of Supervisors regarding allocation of funds and implementation of policies and procedures related to Realignment. The plan is deemed accepted unless the Board of Supervisors rejects the plan with a four-fifths vote against. In such a circumstance, the plan is returned to the CCP for further consideration.

# Existing Implementation

---

Each fiscal year since October 1, 2011, the Kern County Board of Supervisors has unanimously approved the Kern County Public Safety Realignment Act Plan as recommended by the Executive Committee of the Community Corrections Partnership (CCP) as mandated by Penal Code Section 1230.1. These plans have directed funding to numerous county agencies and community organizations to account for the additional public safety burden placed on the County. The plans included a mix of intense supervision, evidence-based assessments and treatment, mental health services, substance abuse treatment, a day reporting center, increased jail capacity, jail incarceration alternatives, employment services, community-based organizations, District Attorney and Public Defender staff, multiagency law enforcement operations, and veteran services.

The CCP understood from the beginning that the Realignment process would evolve and change as it moved forward. The CCP acknowledged the need to be flexible in its approach to address aspects of Realignment as the practical and logistical realities presented themselves. The keys to making Realignment successful include the collection of data, communication between community partners, and a willingness to find solutions which best benefit our community.

There have been both successes and struggles since the beginning of Realignment. Challenges include the sheer number of realigned offenders continues to be significantly higher than projected (Tables 1 and 2). These higher than anticipated numbers put a strain on all CCP partners in the form of higher supervision caseloads and increased need for a variety of community services. The limited amount of State dedicated funds for Kern County has also been a challenge. This puts Kern County at a disadvantage compared to other counties who have considerably more resources to devote to services. The CCP developed a strategic plan to address the performance elements which will impact the amount Kern receives in Growth funding (the strategic plan is discussed in greater detail below). While Kern County has taken many positive and innovative steps to address Realignment, additional steps are needed; however, limited funding may restrict implementation.

There have been many positive actions taken by the CCP in response to Realignment. All parties involved in implementation have been fully engaged and worked together to make this difficult transition as successful as possible. By incorporating AB 109 legislative intent and ideas, Kern County is currently doing the following:

- Implementing evidence-based programs that have more long-lasting positive results
- Utilizing Sheriff's Virtual Jail to allow and monitor conditional releases, which can save millions of dollars compared to incarceration
- Improving interdepartmental cooperation in addressing specific issues and goals to improve communication, form partnerships, and expand services
- Creating employment services and paid work-experience program
- Providing a Pre-Trial Release Program
- Reorganizing department workloads and units for maximization of efficiency related to implementation of AB 109 programs

- Operating the Day Reporting Center, which produces pivotal changes in anti-social behaviors of offenders
- Expanding in-custody educational, vocational, and evidence-based programs to provide the necessary tools to reduce recidivism
- Utilizing the community-based organizations (CBO) program, which provides a multitude of services to offenders
- Applying information gained from the criminal justice system benefit-cost analysis developed through collaboration with the national Pew-MacArthur Results First Initiative
- Operating the Probation Department’s Adult Programs Center, which has an emphasis on evidence-based programming focused on changing anti-social behavior

The CCP is dedicated to ensuring Realignment will be as successful as possible. Reviewing and revising the plan each year, provides the impetus for a strategic continuous improvement process.

*Table 1 – PRCS and Mandatory Supervision Offenders (Sentenced under 1170-h)*

Time Period	PRCS Packets Received	PRCS Population* (Snapshot as of May 20, 2022)	Offenders Sentenced to MS (As of May 20, 2022)	MS Population* (Snapshot as of May 20, 2022)
Oct 2011-May 20, 2022	10,108	1,977	3,650	813

\*Includes those on warrant status

*Table 2 – AB 109 Population Impacts to Kern County Sheriff’s Office (KCSO)*

Time Period	Parole Violators Received	Probation PRCS Violators PC 3455(A)	Probation Flash Violators PC 3454(C)	AB 109 NNN Population Received	Total AB 109 Population Impact to KCSO
Oct 2011-May 17, 2022	22,920	15,665	2,176	9,716	56,403

# Strategic Plan for Factors Affecting Growth Funds

---

In October 2014, the CCP approved the establishment of an Ad Hoc Strategic Planning committee to develop a strategic plan specifically to address the factors affecting AB 109 Growth funds which become performance-based beginning with the Growth funds received in the Fall of 2016. In December 2014, the CCP contracted with a consultant to assist in the development of the plan. From January to May 2015, over 250 various community, agency and offender stakeholders were engaged through personal interviews and surveys. Many of them also participated in one of three stakeholder sessions which elicited their input regarding gaps, barriers, community resources, and innovative programming for the criminal justice community of Kern County. Their input was captured into five key focus areas. From the data collected, the Ad Hoc committee developed Mission, Vision, and Values statements (listed below) which were approved at the July 15, 2015, CCP meeting. The Strategic Plan is in final draft form and will be an on-going document as the CCP proceeds with refining and further developing Strategic Plan initiatives.

The Strategic Plan was relied heavily upon when determining the focus areas for the Request for Applications (RFA) released in September 2015, and the Request for Proposals (RFP) released in June 2016 and June 2018. The CCP will continue to utilize the Strategic Plan when determining areas of need for the adult criminal justice population.

## **Mission:**

***The Community Corrections Partnership is committed to working together in order to promote a safer community through effective strategies.***

## **Vision:**

**The Community Corrections Partnership provides leadership through the partnering agencies and partnerships with the community to encourage, support, and network effectively for a safer community by doing the following:**

- **Decrease criminal recidivism through data-driven decision making which addresses substance abuse, criminogenic factors, and mental health issues**

- **Increase offenders' successful reintegration into the community using research-based strategies and interventions**
- **Encourage and support effective prevention strategies for members in the community**
- **Create opportunities for self-sufficiency among offenders**

### **Values:**

**Community Safety:** The CCP is committed to decisions which prioritize a safe and secure community, which increases the quality of life for all people in Kern County.

**Accountability:** The CCP holds itself and its partners to all established standards, agreements and policies.

**Fiscally Responsible:** The CCP believes in being good fiscal stewards of the public funds entrusted to the Partnership.

**Research Matters:** The CCP recognizes the importance of outcome-driven decision making by implementing current research and evidence-based practices.

**Transparency:** The CCP meetings are open to the public, all reports and agendas are available for review, and public input is welcomed.

**Change:** The CCP acknowledges people can change when they are willing and provided the opportunity and resources to succeed.

# Evidence-Based Programming

---

Realignment encourages counties to focus on community-based corrections programs and evidence-based practices. To this end, Kern County has focused on the use of proven assessment tools, evidence-based practices, and the addition of evidence-based programs specifically to reduce recidivism and ensure public safety.

The Kern County Probation Department and Sheriff's Office utilize the Static Risk and Needs Assessment (SRNA). The SRNA can accurately predict the level of an offender's risk to recidivate which allows targeted supervision for those at higher risk to re-offend. These departments have also implemented the dynamic needs portion of the assessment tool, the Offender Needs Assessment (ONA). The ONA is a critical aspect of Programming and Supervision plans that focus on addressing the specific criminogenic needs of the offender.

Behavioral Health and Recovery Services' (KernBHRS) Substance Use Disorder Division bases screening and assessment on the American Society of Addiction Medicine (ASAM) criteria that covers six dimensions including withdrawal potential, biomedical conditions, psychiatric conditions, motivation for recovery, relapse or other problem potential and recovery environment. The Stressful Life Experiences Screening (SLES) is utilized in Substance Use Disorder treatment programs in order to gauge trauma that individuals may have experienced and to address it in a trauma-informed environment. These tools are strength-based, multidimensional assessments that address the patient's needs, barriers, liabilities, and willingness to participate in treatment. The screening tools also incorporate clients' strengths, resources, and support structure within their environment. These assessments are utilized in the creation of treatment plans in order to accurately place individuals into programming. Departments are committed to continuing to implement the use of assessments as a valuable evidence-base tool to most effectively serve the AB 109 population.

In addition to utilizing these various assessment tools, Probation Officers, Sheriff's Deputies, and KernBHRS staff have been trained in Motivational Interviewing (MI). MI is a conversational method that assists staff with developing intrinsic motivation within clients in order to change behavior. Once a Supervision, Programming, and/or Treatment plan is developed individuals are referred to various evidence-based programs.

Evidence-based programs are valuable assets due to their significant reduction of recidivism when completed with fidelity. The Probation Department's Adult Programs Center (APC) provides validated evidence-based programs to address specific criminogenic needs. APC offers Thinking for a Change (T4C), Aggression Replacement Training (ART) and Moral Reconciliation Therapy (MRT) and utilizes Effective Practices in Community Supervision (EPICS) which is an evidence-based approach to case management.

The Sheriff's Office Programs Unit of the Compliance Section has partnered with the KernBHRS' Substance Use Disorder Division and Correctional Behavioral Health to provide evidence-based curriculum to individuals in custody. Inmates are offered ART, Dialectical Behavior Therapy (DBT), Matrix Program, MRT, Seeking Safety, and T4C. The classes equip offenders with new ways of



thinking, substance use disorder treatment, cognitive behavioral therapy, and coping skills. KernBHRS also provides these programs as out-patient services after release from custody.

Joint Evaluation Teams (JET) are AB 109 co-response teams uniquely qualified to assess the individual's crisis care service needs and simultaneously address public safety. Each co-response team is comprised of a staff member from KernBHRS and an officer from the Sheriff's Electronic Monitoring Program (EMP) or Bakersfield Police Department (BPD). JET responds to crisis situations and visits a prioritized list of AB 109 individuals with mental health and/or substance use disorder issues. This collaborative approach places a law enforcement officer and member of KernBHRS in the same vehicle for the first time in Kern County, increasing the level of collaborative crisis care services. This collaboration leads to better service for individuals in crisis and heightened public safety.

A key component to the success of evidence-based programming is attributed to the collaboration between CCP agencies. The Probation Department shares data such as SRNA scores with the Sheriff's Office which is used as an added element for release and programming decisions. There is also a high level of inter-departmental cooperation between the Sheriff's Office and KernBHRS.

Many evidence-based programs offered to clients are facilitated by CCP agencies. These collaborative efforts foster greater communication and helps contribute to the success of programs. The increased use of evidence-based tools and inter-departmental cooperation is a positive by-product of Realignment.

# Data Collection, Research, and Analysis

---

The passage of AB 109 compelled department heads to review the amount of cooperation, coordination, and collaboration that currently existed between county agencies. As a result, the department heads sought to gain an understanding of what impact AB 109 would have on individual departments and the county as a whole. Each department assigned key knowledgeable staff to work together to formulate innovative ideas, to make well informed data-driven decisions on a timely basis, and to produce results in accordance with these observations.

In October 2011, the Kern County Probation Department created the Research, Analysis, and Data (RAD) unit to assist Probation and the CCP with data collection and reporting. In fulfillment of these goals, the RAD unit provides the following services:

- Review and analysis of vital program data, and the quarterly reporting of dashboard reports to the CCP and Board of Supervisors regarding realignment activity within Kern County.
- Submits annual data reports to the Chief Probation Officers Association of California (CPOC), which report on data elements pertaining to Post Release Community Supervision (PRCS), Mandatory Supervision, felony probation and juvenile offenders.
- Prepares, conducts, and administers the Request for Proposal (RFP) and the Request for Application (RFA) competitive grant processes for AB 109 funds, which are distributed through the Community-Based Organizations (CBO) Program.
- Conducts program evaluations, such as the DRC evaluation.
- Manages large inter-departmental projects, such as the Kern Targeted Outcomes Project.

The Sheriff's Office is also committed to data collection, research, and data analysis. The Sheriff's Office has partnered with California State University, Bakersfield (CSUB) to examine the effects of the Residential Substance Abuse Treatment (RSAT) program. In 2013, the Department received grant funding from the Board of State and Community Corrections (BSCC) for the RSAT program, an expansion of the Matrix Program. The RSAT program focuses on intensive, outpatient, substance abuse treatment which requires extensive data collection. Through the RSAT program, the Sheriff's Office provides two Office Service Assistants to collect and monitor data elements such as drug tests, class participation, ONA scores, recidivism, and others.

Additionally, the Department staffs two Sheriff Program Technicians (SPT) to collect and monitor data. One SPT is designated to evidence-based programming and works closely with Sheriff Deputies in the Programs Unit to monitor out-of-custody case management, recidivism, and other factors. The second SPT is dedicated to the CBO Program and receives daily census data from CBOs. They also track financial information, enrollment and waitlists, successful completions or failures, and other pertinent metrics.

KernBHRS has implemented several changes to collect and maintain accurate data. In FY 2014/15, the Substance Use Disorder Division implemented the use of Flow Data to manage the number of program participants. Flow Data is used by the Substance Use Disorder Division to accurately capture

AB 109 participant numbers and to run reports, which are then used to generate conclusions based on all inputted data.

Correctional Mental Health uses the Electronic Health Record (EHR) to collect screening data and run reports, such as crisis calls and discharge plans. Correctional Mental Health has also created pre and post-tests that collect information for programs, such as Thinking for a Change (T4C). The pre and post-tests allow for an in-depth analysis of data to move programs forward and were implemented in FY 2017/18.

Since the implementation of AB 109, the Probation Department, Sheriff's Office, and KernBHRS have started data sharing with greater frequency to effectively serve the population. The three departments collaborate and pool data to report CBO information (such as financial information, number of participants, services received, etc.) to the CCP, Board of Supervisors, and state agencies on an as-needed basis.

The Sheriff's Office participates in the Public Policy Institute of California (PPIC) pilot project by contributing to the state-wide research project to track and assess the reorganization of California's incarceration systems through data sharing.

Additionally, numerous agencies including the Probation Department, Sheriff's Office, KernBHRS, Employer's Training Resource (ETR), Bakersfield Police Department, County Administrative Office (CAO), Public Defender's Office, and Kern County Superior Court collaborated to participate in the national Results First Initiative. Results First is brought to jurisdictions through a Pew Charitable Trust and the John D. and Catherine T. McArthur Foundation collaborative. Results First is a benefit-cost analysis of the Kern County adult criminal justice system. All agencies involved participated in data sharing and internal research to identify programs offered, marginal operational costs, and to obtain a county recidivism rate. The Results First model indicates the projected recidivism reduction produced by programs offered here in Kern County and monetizes these results. This information is then given to departments and policy makers to inform program decisions. The Results First initiative was reassigned to the California State Association of Counties (CSAC) who work directly with each county localizing the program. Kern County's is now called Kern Targeted Outcomes.

In FY 2022/23, data collection, research, and reporting remain significant as decision making will be based upon data extracted and reported, correlations between variables, and statistical analysis. Plans include further development of data tracker definitions and working within the development of the new system(s) to expand and/or improve the capacity for data collection, measurement, and evaluation training. Additionally, direct collaboration with other counties will be implemented, when possible, to facilitate networking opportunities and the development of new ideas to best serve AB 109 clients. Lastly, Probation Department staff are currently working with KernBHRS and KCSO to release a new RFP for CBO services in 2022. This will ensure that vital services continue to be provided to AB 109 clients after the current round of CBO contracts expire December 31, 2022. The new CBO contract period will provide services for the period of calendar years 2023-2025.

County staff remain active on the State level to ensure Kern County is receiving all crucial and available resources, access to accurate and useful information, and recognized as an important and significant

member of the Central Valley community. Each year, information will be provided to the CCP and the Board of Supervisors that provides a comprehensive assessment of all AB 109 implementation and Realignment activities.

# FY 2022/23 Plan

---

Every year the CCP is tasked with developing a new plan which will address the pressing issues of Realignment in Kern County. The guiding principles remain public safety, reducing recidivism, and data-driven decision making. Each individual agency's specific plans are explained in the following pages.

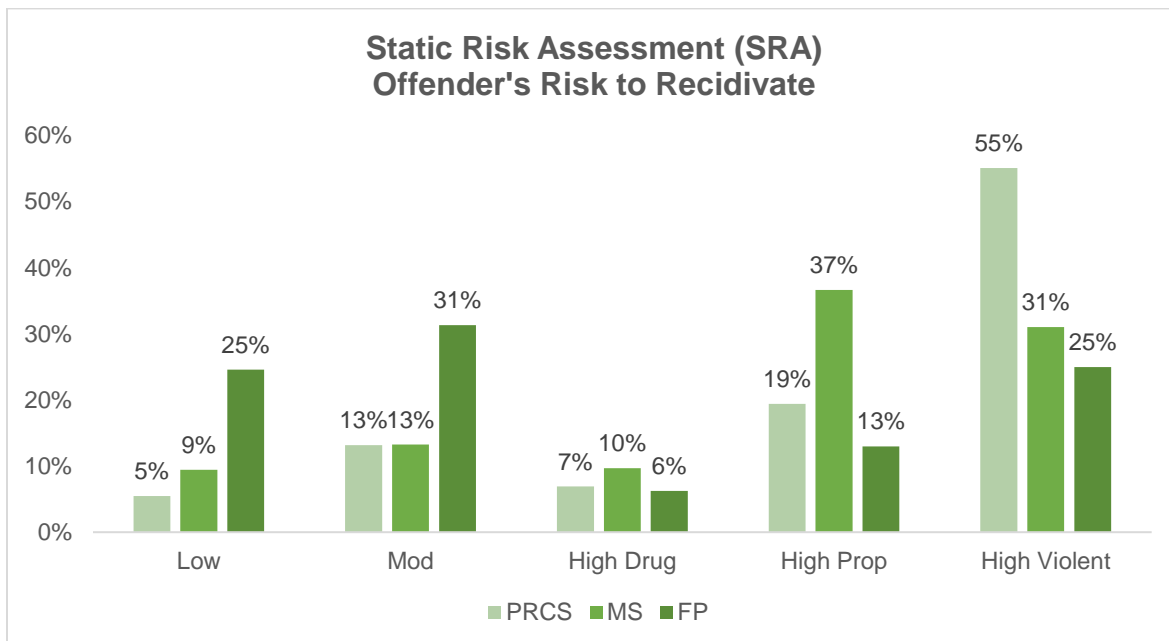
## Probation Department

AB 109 redefined the California criminal justice system resulting in significant changes to the Adult Divisions of the Probation Department. Since the inception of Realignment, approximately 3,000 additional felony offenders are now under the supervision of the Probation Department. However, there are much more significant changes beyond the sheer numbers. Real philosophical and pragmatic transformations have permeated the way Probation does business. Evidence-based practices and data collection are the cornerstones of our recidivism reducing strategy. Breaking the cycle of re-offending is essential to ensuring long-term safety in our County. The Probation Department is on the cutting edge in this arena using such tools as evidence-based assessments, individualized case plans, response matrix, and criminogenic needs targeted programming. The benefits of reducing recidivism are evidenced by the reduction in victimizations and significant systematic cost savings. A detailed explanation of Probation's plan follows below.

### Evidence-Based Assessment Tool

The foundation of the Department's movement toward evidence-based practices is a proven assessment tool. The Static Risk and Needs Assessment (SRNA) can predict with significant accuracy the level of an offender's risk to recidivate. This allows targeted supervision for those at higher risk to re-offend, thereby utilizing the Department's resources to greater capacity, efficiency, and effectiveness. Every offender under supervision is assessed with an SRA (Static Risk Assessment). This provides needed direction with caseload processing and prioritization. This tool also reveals the fundamental differences between the different supervision statuses (see Chart 1).

Chart 1 - Static Risk Assessment (as of May 24, 2022)



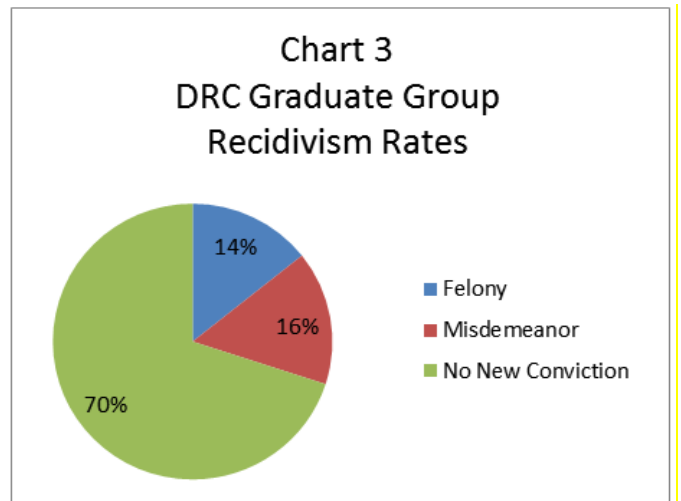
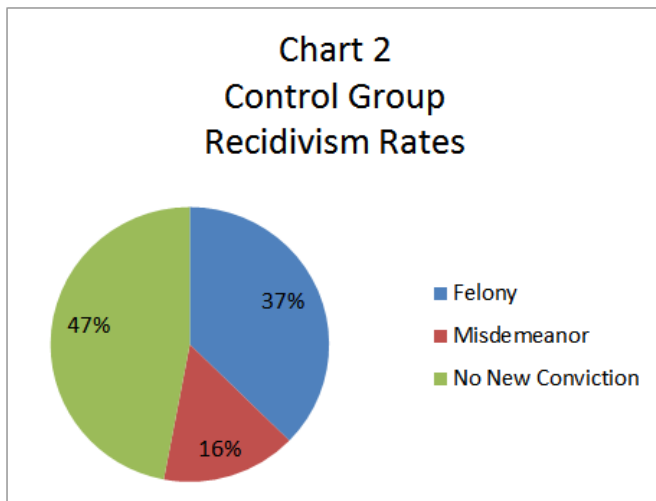
Based on this information, it is clear the realigned offenders (i.e., Post Release Community Supervision and Mandatory Supervision) are at a much higher risk to reoffend than the traditional felony probationers from a ratio standpoint. However, based on the high total of felony probationers, there is a significant number of high-risk offenders in this population as well.

The Probation Department shares SRA scores with the Sheriff's Office. This information is used as another element in decision making for releases and programming. The increased use of evidence-based tools and inter-department cooperation is a positive by-product of Realignment. The Probation Department is committed to cooperating with all of our criminal justice system partners. We all benefit when we share information and business tools.

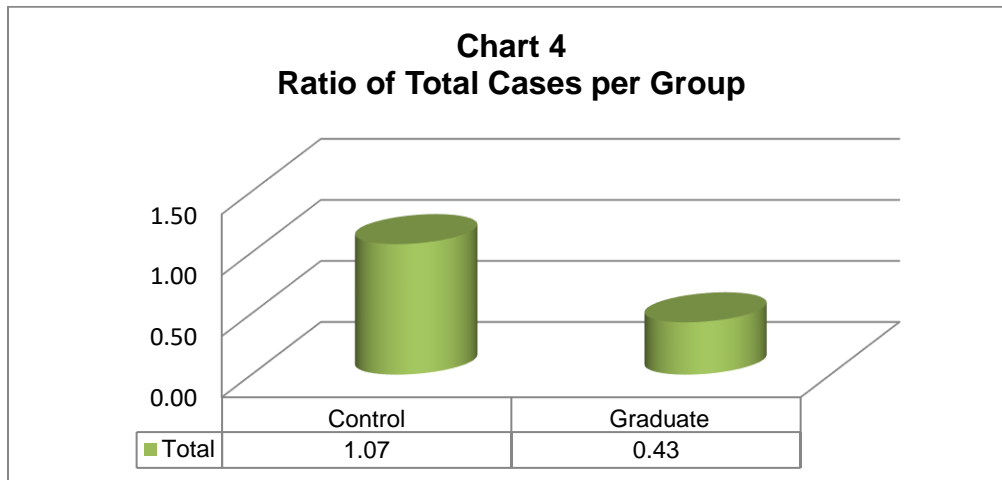
In addition to the SRA, the Department has implemented widespread use of the dynamic needs portion of the assessment tool, the Offender Needs Assessment (ONA). The ONA is a critical part of Probation's supervision plan post Realignment. The ONA identifies the offender's criminogenic needs and helps develop an individual case plan to address those needs. The Probation Department utilizes a holistic supervision paradigm. Holding offenders accountable is a priority; however, we must also attempt to place them in the best situation to succeed. This can be accomplished by matching their needs to the appropriate services. The Department is committed to conducting ONAs on all offenders on high-risk caseloads.

### Day Reporting Center

One of the Probation Department's most innovative programs resulting from Realignment is the Day Reporting Center (DRC). The DRC has a capacity to serve 100 high risk offenders at a time. A previous internal study of the effectiveness of the DRC showed the positive impact the program has on participants by significantly reducing recidivism. Graduates recidivated only 30% of the time compared to the control group at 53%; felony recidivism was 14% compared to 37% (see Charts 2 and 3).



The impact was even more pronounced when the actual number of criminal cases was examined. The control group produced a ratio of 1.07 criminal cases to offender while the graduates only produced .43 cases to 1 offender (see Chart 4, top of page 16). The full study can be located at <http://www.kernprobation.com/ab109ccp-realignment/plans-and-reports/>.



In addition to our internal study, there are national studies which reflect the positive benefits of day reporting centers.

The DRC is contracted with GEO Reentry, a company that operates similar reporting centers throughout the nation. GEO Reentry has a long history of successfully reducing recidivism with their programs. They use the same assessment tool as the Probation Department, formalize specific case plans to address criminogenic needs, and provide a wide variety of evidence-based programs (EBP's) and other services onsite. Criminogenic needs related to employment, education, aggression, anti-social behavior, and substance abuse can all be addressed in one location. Key components of the DRC include Cognitive Behavioral Therapy, job readiness, substance abuse testing, daily reporting, sanctions, rewards, and supervision in conjunction with GEO Reentry and the assigned Deputy Probation Officers (DPO). The DRC can change the lives of offenders and break the cycle of criminal behavior, which is crucial to decreasing recidivism, reducing crime, ensuring public safety, and limiting societal and monetary costs. The Probation Department has witnessed the incredible and positive transformation of DRC graduates and believes this program is key to reducing recidivism and complying with the AB 109 legislative intent.

#### Adult Programs Center

The Adult Programs Center (APC) is a program within the Adult Programs and Supports Unit of the AB 109 Services Division which focuses on delivering evidence-based programs (EBP) to adult offenders on Felony Probation, Mandatory Supervision, and Post Release Community Supervision. APC is unique in that the program is mostly delivered by non-sworn Probation Program Specialists. These Specialists are provided extensive training in numerous EBP modalities to address the specific criminogenic needs of the offender, such as employment, education, aggression, anti-social peers, anti-social behavior, and substance abuse. Currently, APC delivers the following EBP modalities: Thinking for a Change (T4C), Aggression Replacement Training (ART), Moral Reconciliation Therapy (MRT), and Effective Practices in Community Supervision (EPICS). The modalities involve both group and individual counseling sessions and have demonstrated to reduce recidivism through empirical evidence.



APC is essentially two programs, a day program and night program. The night program is reserved for those with employment, school or childcare barriers preventing them from participating in the day program. Since school and/or employment are often strong protective factors for remaining crime free, these participants do not always require the more intensive services offered through the day program. The day program provides more flexibility for class times and attendance frequency, allowing the offender to complete the program in a shorter time frame.

Dedicated onsite Deputy Probation Officers (DPO) provide daily truancy and retention interventions for the APC. Should an offender not attend the program for an unexcused reason, the officers attempt to locate and return the participant to the program. This is essential to improving performance outcomes as participants stay in the program longer and are more likely to complete the program due to increased supervision and swift accountability. For those that choose non-compliance, their behavior is addressed in a timely and immediate manner. The onsite DPOs are also trained in the EBPs used at APC and can reinforce what is being delivered by the specialists. Additionally, the onsite DPOs assist with any behavioral problems and participant conflicts, thus providing the specialists and participants with added security and convenient access to an officer.

The APC is constantly adjusting and evolving to meet the needs of the offender and the community. As a result, the APC is focused on increasing the delivery of services by adding the following components: job development, education coordination, trauma-informed care, parenting classes/assistance, domestic violence counseling, and substance abuse treatment with drug/alcohol testing.

### Supervision

As a result of Realignment, the Probation Department's supervision responsibilities now include PRCS offenders, Mandatory Supervision offenders and an increased number of felony probationers. Regardless of the supervision status, certain supervision principles are universal. This includes manageable caseload sizes with the goal of continuing to improve the officer to offender ratio. The smaller ratio provides officers with more time to dedicate to each interaction, which enhances the effectiveness of evidence-based practices.

A Response Matrix, including redirection, additional terms and conditions, treatment, electronic monitoring, flash incarcerations, the DRC and APC, community-based organizations, and formal violations resulting in custody time, is being used to address violation behaviors. A response commensurate with the nature of the violation, the number of prior violations and the offender's risk level will be imposed. Responses will be swift, certain, specific and graduated. As part of the Response Matrix, appropriate incentives will also be utilized to facilitate and reinforce the positive behaviors of offenders. Research shows that the incentive to sanction ratio should be 4:1 to be effective. The Response Matrix was designed to be clear and easy to follow which fosters consistency in officers' responses to offender behaviors. DPOs also utilize Motivational Interviewing, a technique which has been shown to develop an offender's intrinsic motivation to initiate a change in their own behavior.

### Investigations

Investigations staff have responded to the need for additional assessments, increased court reports and other needed services. These staff help ensure the Court continues to receive pre-sentence investigation reports in a timely manner and that current courtroom coverage can be maintained. They also create an SRA for every Felony Probation and Mandatory Supervision offender who is sentenced locally. Investigations staff play an integral part in the criminal justice system. Several AB 109 positions have been added to these units to help compensate for the increased work as a result of Realignment.

### Pre-Trial

On March 25, 2021, the Supreme Court of California authored an opinion affirming the First Appellate District decision, *In re HUMPHREY*. At issue was the setting of bail and the defendant's ability to pay that bail. The Supreme Court of California held true that bail must be set in an amount that is affordable to a defendant. A Court must make a finding the defendant has the ability to pay bail but willfully refuses in order for a detention to be based solely on monetary bail conditions. Absent that finding, the Court must find the defendant to be a danger to the community, a danger to a specific victim, or is not likely to make future court hearings to continue any pre-trial detention. Additionally, if the Court makes a clear and convincing finding as to one of those considerations, the Court must still consider less restrictive options to detention.

To comply with this decision, the Probation Department created a Pre-trial Unit to assist the Court in making informed decisions regarding pre-trial defendants. The Probation Department gathers and submits a summation of the defendant's criminal history at the time of arraignment. Additionally, the Probation Department provides monitoring services for those defendants released from custody. Based on the level of monitoring designated by the Court, defendants are contacted monthly, bi-weekly or weekly via phone and/or home calls. Additionally, GPS monitoring is available on select defendants. Several AB 109 positions have been added to meet the increasing demands of the Pre-trial Unit.

### Research, Analysis, and Data Unit

The Research, Analysis, and Data (RAD) unit is responsible for data collection, state and local reporting, and program evaluations. The unit has also been involved in several large projects, including the Kern Targeted Outcomes Project (formerly the Pew-MacArthur Results First Initiative), the data collection effort lead by the Public Policy Institute of California, and several Request for Proposals/Applications. Within the RAD unit, three Departmental Analysts and an Office Services Specialist are funded with Realignment dollars. The Probation Department understands the importance of, and has committed to, research and data.

### Information Technology

AB 109 has created numerous IT challenges for the Probation Department. The Department is the hub of Realignment data collection for the CCP and the County. Integration of information, data reports and complex recidivism formulas are all necessary and important components of the overall success of Realignment. Furthermore, the changes in the law have created the need for additional reports and case management system (CMS) capacities. There has also been an increased request for information from State agencies and organizations for numerous studies. The Probation Department must maintain a sufficient level of IT services to meet these challenges.

### Support Staff

Seven Office Service Technicians (OST's) are specifically assigned to the Adult Probation Services and AB 109 Services Divisions. These positions are needed to support the increased work associated with reception areas, reports, filing and miscellaneous paperwork. Support staff play a vital role in the Department's success in meeting mission critical goals and in the implementation of programs.

### Collaboratives

The Probation Department has maintained and grown numerous collaboratives since the beginning of Realignment. It is clear that to accomplish the Department's goals of public safety and reducing recidivism, a county-wide team approach is needed. Some of these collaboratives include ETR, KernBHRS, CBOs, and other law enforcement agencies. ETR receives referrals from DPOs for AB 109 employment and work experience programs. These programs offer offenders a way to improve their job skills and readiness for employment. Officers work closely with both mental health professionals and substance abuse specialists from KernBHRS. Certain offenders must have their behavioral health and substance abuse issues addressed before they can move forward with their overall rehabilitation. The Probation Department directly refers offenders into a number of community-based organizations (CBO) which address many different issues, including transitional housing. These additional services increase the likelihood of successful completion from supervision and are a welcome and needed resource for officers. Probation works closely with other law enforcement agencies on a regular basis and is an integral member of the Street Interdiction Team (SIT), a group that conducts collaborative operations throughout the County.

### Operating Costs

To achieve the stated goals and objectives as listed in this section, there are numerous associated operating costs. These costs include office and field equipment, licensing rights, vehicle maintenance and fuel, training, overtime, and more. The largest expenses are building leasing costs for our AB 109 Services Division.

**Probation Department's FY 2022/23 AB 109 Base Allocation**

<b>POSITION / ITEM</b>	<b>QTY</b>	<b>COST PER UNIT</b>	<b>ANNUAL COST</b>
Probation Division Director	2	285,285	570,570
Probation Supervisor	5	193,507	967,535
Deputy Probation Officer III	15	179,085	2,686,275
Deputy Probation Officer	62	146,848	9,104,576
Probation Program Specialist	10	104,120	1,041,200
Probation Technician	7	91,520	640,640
Office Services Specialist	1	88,845	88,845
Office Services Technician	7	83,725	586,075
Departmental Analyst	3	106,476	319,428
Database Analyst	1	163,219	163,219
Programmer	1	144,238	144,238
Technical Support Specialist	1	102,285	102,285
<b>Total Salaries &amp; Benefits</b>	<b>115</b>		<b>16,414,886</b>
Day Reporting Center (DRC)			894,996
Office Desk Accessory Upgrades			75,000
Computer Switch Replacements	17	900	15,300
Networking Equipment	1	40,000	40,000
Laptops	104	960	99,840
Firearm Replacements			100,000
Patrol Vehicles - SUVs	18	60,000	1,080,000
Computer Servers	2	20,000	40,000
Phone Upgrades	38	390	14,820
Help Desk Software	1	20,000	20,000
Passenger SUV	1	35,000	35,000
Mobile Data Computers	30	5,000	150,000
Operating Expenses			1,429,889
<b>Total Services &amp; Supplies</b>			<b>3,994,845</b>
<b>Total Proposed FY 22/23 AB 109 Allocation</b>			<b>20,409,731</b>

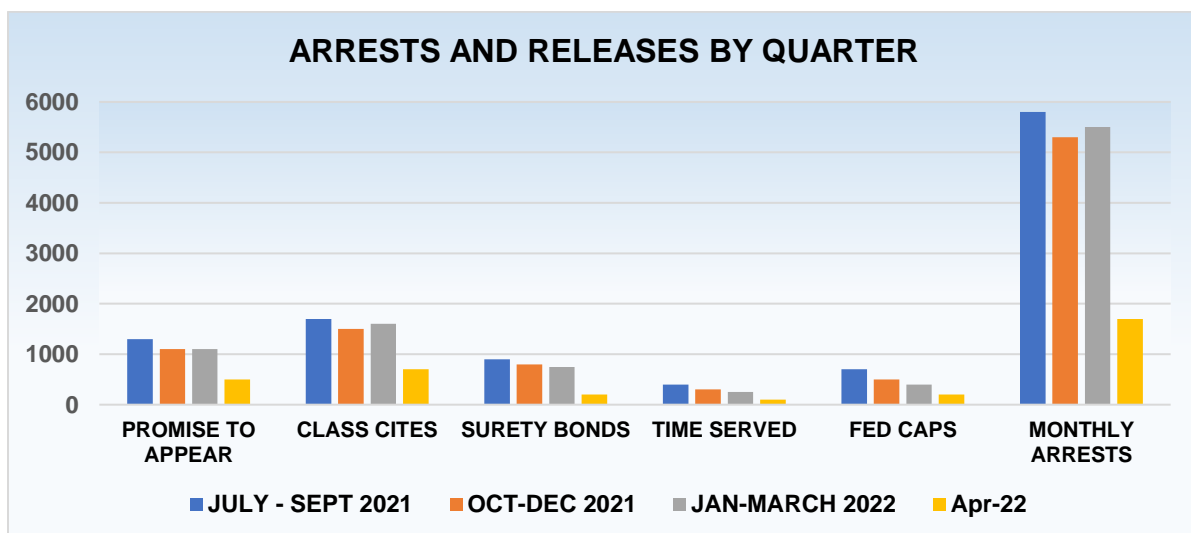
## Sheriff's Office

The Sheriff's Office jail system was heavily impacted by the pandemic in 2021, resulting in significant operational changes necessary to protect staff, incarcerated persons, and the community from the threat of COVID-19. In June of 2021, many key jail activities, such as visiting, in-custody classes, and religious services had to be suspended or limited based on guidance from local health officials and the Centers for Disease Control and Prevention. As that guidance evolves, the Sheriff's Office looks forward to gradually resuming normal operations in the jails. Despite continuing challenges, the Sheriff's Office continues its AB 109 related efforts to reduce recidivism. In the context of social distancing and other efforts to safeguard against COVID-19, AB 109 funding and the support of the CCP remains vital.

AB 109 diverted many offenders who would previously have been sentenced to state prisons and sentenced them instead to the county jail. This shift increased the jail population during the first three years of Realignment, forcing the Sheriff's Office to release as many as 9,500 inmates early per year to keep the population under federally stipulated limits. In the wake of Proposition 47, which took effect in 2014 and converted many felony crimes into misdemeanors, the number of arrests and the need for early releases declined significantly.

Early releases have again increased in recent years as portions of the Sheriff's Office jail capacity remain unoccupied due to staffing challenges. Releases based on the California Judicial Council's zero-bail order and releases to reduce the inmate population in response to the threat of COVID-19 accelerated early releases. As of April 26, 2022, there were 7,166 early releases (generally called "Fed Caps" and "Class Cites") in FY 2021/22. There was an increase in Class Cites due to the "zero bail policy" being implemented by the Superior Courts in an attempt to alleviate the high spread of COVID-19 cases in county jails.

The chart below illustrates the number of arrests made each quarter of FY 2021/22, along with the types of releases during the same time periods. Please note, the fourth quarter data for each category, represented by the gold bars, indicate lower numbers because data for May and June of 2022 was not available at the time of this report.



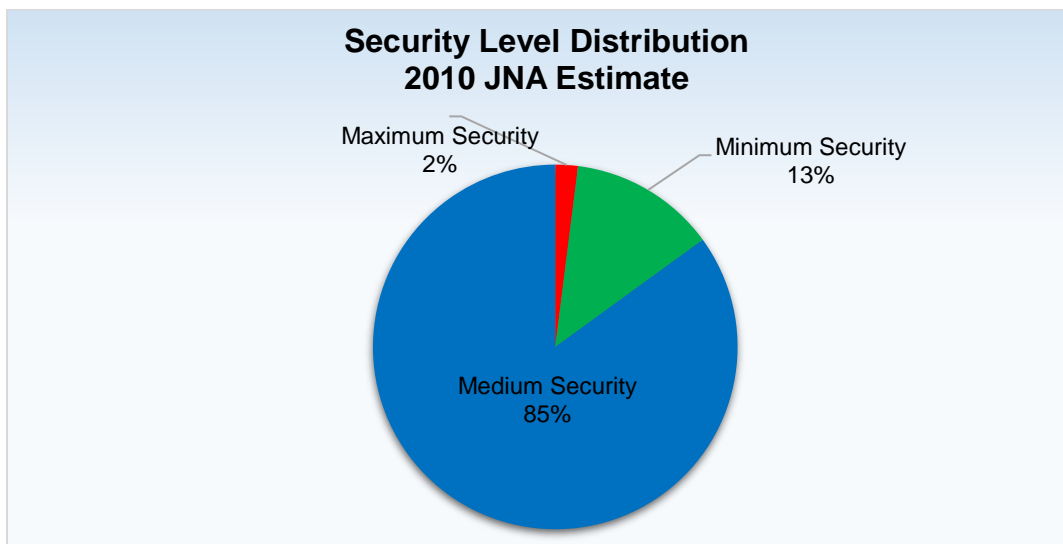
Realignment also sentenced individuals to county jail for terms similar in length to what they would have served in state prison. Whereas the maximum pre-Realignment jail sentence was generally one year, post-Realignment inmates are often sentenced to two years or longer. The longest sentence currently being served in the Sheriff's jail is five years.

### **The Challenges of the Post-AB 109 Incarcerated Population**

Apart from the number of inmates and length of their sentences, the current incarcerated population is qualitatively different than that of the pre-realignment era. The more challenging nature of the post-Realignment jail population can be illustrated by comparing a snapshot of the current jail population with statistics presented in the *2011 Jail Needs Assessment*. Of the 1,706 individuals in custody on April 26, 2022:

- 3% were classified as high-risk/staff assaultive, as opposed to 0.5% in 2010;
- Approximately 17.7% were in custody for murder or attempted murder;
- 15% were administratively separated (housed by themselves), as compared to approximately 3% to 5% of inmates in 2010;
- 54% were gang affiliated, as opposed to 33% in 2010; Of the gang-affiliated inmates currently in custody, 46% were charged with violent crimes;
- 87% were felons, compared to 84% in 2010;
- Approximately 75% were receiving mental health services, as compared to the 2010 estimate of 15%.

The chart below illustrates the inmate security levels in 2010. In 2022, the maximum-security inmates comprise approximately 10% of the current jail population, as opposed to only 2% in 2010.



AB 109 also created a core of inmates serving longer sentences in the jails. Long-term inmates tend to present more challenging inmate management issues, as they often require more services, including medical and mental health care. Additionally, they tend to become familiar and comfortable in their surroundings, learning to manipulate procedures and circumvent security. As they become more skilled, they influence shorter term inmates to act in a similar fashion.

The above-mentioned increase in gang activity among inmates poses considerable security challenges. Serious gang rivalries and gang-politics are key drivers of violence among inmates, which has increased markedly in the wake of Realignment. Coordinated criminal gang activities, such as the smuggling of narcotics, cell phones, and other contraband have also increased.

The increase in inmates needing special housing, such as administrative separation, has also taken its toll on jail operations. Inmates who require special housing create a significant draw on jail resources in terms of available beds, the capacity of holding cells, and the staff time needed to manage and supervise these inmates.

These changes in the inmate population have posed significant security and operational challenges in the Sheriff's jails. AB 109 funding continues to play an important role in helping the Sheriff's Office meet these challenges.

### **Meeting the Challenge**

The Kern Justice Facility has helped to mitigate some of the above-mentioned issues by providing more flexible housing better suited to the post-realignment jail population. That said, the Sheriff's Office has continued to improve safety and security in other areas. AB 109 funding has supported these efforts, funding improvements such as the installation of improved security cuff-ports in cell doors at the Pre-Trial Facility.

Each detentions facility has been issued a portable, single-piece system that can be deployed quickly to conduct head-to-toe scanning. The detector can screen up to forty individuals within one minute. The detector can also screen individuals' belongings, detect cell phones whether they are on or off, detect contraband on or inside of the body, and screen inside mattresses. AB 109 funding through the CCP continues to play an important role in helping the Sheriff's Office maintain safe and secure facilities for staff and the in-custody population.

While these improvements can have a positive impact on the safety and security of the jail system, there is no substitute for dedicated and well-trained staff. Staffing continues to be a struggle for the Sheriff's Office. While academies and other hiring efforts work to mitigate this issue, keeping up with the rate of attrition continues to be a challenge. AB 109 funding continues to play an important role in staffing the jails and operating various programs related to Realignment.

## **Programs and Services**

The Sheriff's Office continues to provide quality inmate programs grounded in evidence-based practices. Program staff facilitate empirically proven curriculum to incarcerated individuals that focuses on cognitive behavioral therapy. Evidence-based practices strive to meet the specific needs of incarcerated persons by integrating clinical expertise, external scientific evidence, and client perspectives. The reduction of recidivism remains the core mission of program delivery.

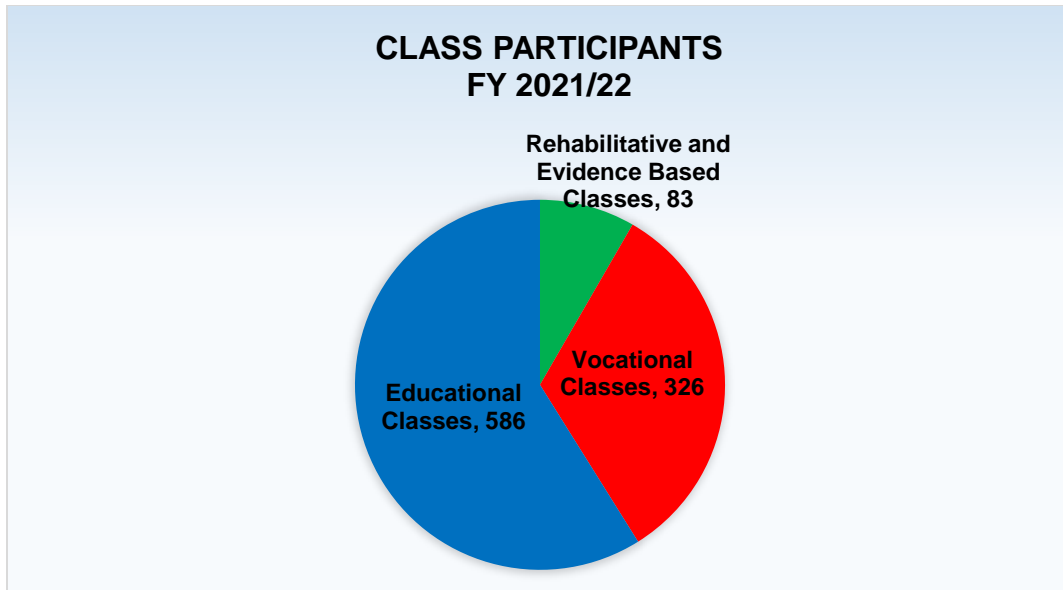
Proper assessment is the key to ensuring incarcerated persons are provided the treatment, services, and a level of supervision appropriate to their needs and risk of recidivating. Sheriff's program staff is trained in evidence-based assessment techniques that improve the selection of programs and services specific to an individual participant's criminogenic needs. These techniques also help to create a re-entry case plan and link participants to available resources upon release.

As discussed below, the number of participants able to attend in-custody programs was significantly curtailed by the restrictions necessary to protect staff and the jail population from COVID-19. In FY 2021/22, 83 individuals attended evidence-based and rehabilitative classes while in custody. Some of the evidence-based classes being offered within the jail facilities include the following:

- The Residential Substance Abuse Treatment (RSAT) Program is a program in which participants are housed, to the degree feasible, separately from the general population. The treatment program includes a 100 day in-custody component followed by a four-to six-month-long aftercare (out-of-custody) component. RSAT includes several evidence-based curricula including the following, some of which are also provided outside of the RSAT program:
- The Matrix Model is an intensive drug treatment program that teaches inmates about their addictions and helps them identify and examine ways to cope with high-risk situations that lead to relapse.
- Aggression Replacement Training (ART) utilizes multi-component, cognitive-behavioral treatment to promote pro-social behavior by addressing factors that contribute to aggression.
- Moral Reconciliation Therapy (MRT) is a cognitive-behavioral treatment strategy designed specifically for offender populations. The purpose of MRT is to instill and develop higher levels of moral reasoning in inmates, which leads to moral thinking and behavior. It also helps inmates acknowledge how their behaviors affect others and helps them learn to change their behaviors to more positive social behaviors and beliefs.

Educational and Vocational Services: The Bakersfield Adult School (BAS), a part of the Kern High School District, has worked in partnership with the Kern County Sheriff's Office for over three decades. It is one of the largest partner agencies currently working with the Sheriff's Office. Prior to the pandemic, there were nearly 25 teachers instructing upwards of 90 educational and vocational classes per week in a variety of subjects. Approximately 912 inmates attended education based and vocational courses during their incarceration in FY 2021/22. There continues to be strong relationship between educational programs and the reduction of recidivism.





As mentioned above, the pandemic presented a challenge regarding programming in the custody setting. Much as in the community, social distancing requirements significantly restricted the ability to hold in-person classes in the jails. To adapt to those limitations, the Sheriff's Office partnered with the Bakersfield Adult School to develop an independent study packet system to continue educational services. Program staff began distributing and collecting weekly homework packets to individuals who wished to participate. The BAS staff corrected the packets and provided feedback as needed. Shortly thereafter, the first post-pandemic, in-person RSAT cohort was started with a limited number of participants. The program has continued with additional in-person cohorts while maintaining social distancing and following the guidelines recommended by local health officials.

As operations return to normal, it is hoped that in-person programming can continue. Bakersfield Adult School offers a number of courses such as Substance Abuse Prevention, Anger Management, Parenting, GED Preparation/Testing as needed, and Batterer Intervention. Many of the classes offered are approved by the courts, as well as the Department of Human Services, Child Protective Services, Probation, and State Parole.

The Lerdo staff dining facility is operated by in-custody program participants who are taught basic food service skills and industry standard equipment training. Participants of this program can earn a ServSafe certificate, which improves their employment marketability when applying for jobs after release. After being shut down since July of 2021, this dining facility was reopened in October 2021

**Partner Services**

The Sheriff's Office collaborates with numerous governmental agencies and community-based organizations to improve the provision of services that help remove barriers to successful community re-entry for the inmate population. For example, the Sheriff's Office continues its established partnership with the Department of Child Support Services (DCSS) to assist inmates in resolving child support issues. In FY 2021/22, over 60 inmates utilized this service. This program was shut down due to COVID restrictions most of the fiscal year and has resumed in March 2022.

The Sheriff's Office also maintains a strong working relationship with America's Job Center (AJC). AJC staff located at the Lerdo Facilities provides employment services to in-custody participants with additional referrals to AJC services after release. AJC continues to work with the Sheriff's Office to develop a "small bites" curriculum model to better serve participants with short jail stays, who can find it difficult to complete longer classes before their time in custody is over. The "small bites" model will allow for flexible participation in one or more short-term classes as an alternative to committing to a longer program.

### **Pretrial Release Program**

The Sheriff's Office continues to release low-risk inmates into the community prior to their arraignment via the Pretrial Release Program. The Kern County Superior Court has given the Sheriff's Office authority to release inmates deemed eligible by the Virginia Pretrial Risk Assessment Instrument (VPRAI). The VPRAI is an evidence-based tool that assesses an inmate's risk of failing to appear in court and their risk to community safety.

In FY 2021/22, inmates that would normally have been released to the Pretrial Release Program were cited and released per the "zero bail emergency order." The qualifying charges for zero bail releases were the same charges that were ultimately being released per the Pre-Trial Release program. In some cases, the Sheriff's Office is releasing the inmates under a court order.

### **Sheriff's Virtual Jail**

The Virtual Jail program allows the Sheriff's Office to maintain varying degrees of oversight and compliance monitoring for released participants. Many Virtual Jail inmates participate in mental health services and substance abuse treatment programs. Some continue to attend educational or vocational programs. There are three Virtual Jail programs: Sheriff's Parole (SP), the Work Release Program, and the Electronic Monitoring Program (EMP). The overall goal of the Virtual Jail is to reduce recidivism and to help participants reconnect with their families and become gainfully employed, law-abiding citizens.

In FY 2021/22, as of April 26, 2022, EMP and Sheriff's Parole combined had a total of 461 participants. For the fiscal year so far, 285 participants had successfully completed the EMP and Sheriff's Parole program. However, 99 participants violated the terms of the program and were subsequently returned to custody. Many of the participants who violate are re-released back into virtual custody after a case review and go on to successfully complete the program.

Due to COVID-19 restrictions, Virtual Jail staff was limited in its ability to emphasize drug testing to ensure compliance among program participants. EMP and Sheriff's Parole staff conducted 120 drug tests with a 64% negative test rate. Responses to participants who tested positive included admonishment, discipline, arrest for violation of their terms of supervision, and referral to the Probation Department's Day Reporting Center (DRC), the BHRS Gateway Team, and to NA/AA meetings to help in rehabilitation.

More than 90 remote alcohol detection devices have been deployed among released inmates who had convictions for driving under the influence through April 26, 2022. The remote alcohol detection devices require participants to test randomly at least five times per day and use facial recognition software to confirm the identity of the users. In FY 2021/22, these devices conducted a total of 38,724 breath tests on participants with the following results: 34,002 passed tests, 67 failed tests, and 4,655 missed or incomplete tests. This amounts to an overall compliance rate of 88 percent. Participants who missed a scheduled test were contacted and required to test immediately. Those who tested positive were admonished, disciplined, and/or arrested for a violation of their terms of supervision.

The Sheriff's Office continues to use ankle monitors for inmates requiring prolonged admittances at Kern Medical. In the past year, the Sheriff's Office used monitors on approximately 5 inmates for up to 432 hours in the hospital. This equates to 54 eight-hour shifts that would otherwise have been filled by a deputy to guard the inmates, resulting in approximately \$17,280 in staff cost savings.

### **Moving Forward**

#### **Proposed AB 109 Base Allocation Funding for FY 2022/23**

The Sheriff's Office proposes allocation of its FY 2022/23 base funding in the amount of \$22,539,093 in accordance with the established 39.27% of the overall base allocation.

The funding will be allocated to fund the following:

- The implementation of a contract inmate mail screening service;
- The installation of cell door cuff-ports in Pre-Trial housing units;
- Upgrades to a Pre-Trial Pod control system;
- Increases to contracted services and facility improvements funded or partially funded by AB 109;
- Increased Salary and Benefits Costs - To cover increased personnel costs. These costs include recent salary increases, and escalating benefits costs (e.g., health care, retirement).

The chart below shows the recommended Sheriff's Office AB 109 Budget for FY 2022/23, including updated staffing costs.

**Sheriff's Office Proposed FY 2022/23 AB 109 Allocation**

<b>POSITION / ITEM</b>	<b>QTY</b>	<b>COST PER UNIT</b>	<b>ANNUAL COST</b>
Detentions Deputy	42	\$143,980	\$6,047,171
Deputy Sheriff II CA	19	\$192,884	\$3,664,791
Program Specialist	8	\$111,035	\$888,281
Deputy Sheriff II C	5	\$181,416	\$907,082
Sheriff's Support Technician	7	\$86,735	\$607,147
Senior Deputy Sheriff	2	\$219,342	\$438,685
Sheriff's Aide	4	\$87,839	\$351,355
Detentions Senior Deputy	2	\$159,381	\$318,763
Sheriff's Lieutenant	1	\$294,579	\$294,579
Program Technician	3	\$93,214	\$279,643
Detentions Lieutenant	1	\$256,818	\$256,818
Sheriff Sergeant	1	\$246,549	\$246,549
Admin Coordinator	2	\$117,251	\$234,502
Detentions Sergeant	1	\$175,214	\$175,214
Light Vehicle Driver	2	\$86,735	\$173,470
Programmer II/Systems Analyst II	1	\$150,010	\$150,010
Info Syst/Technical Support Specialist III	1	\$123,661	\$123,661
Maintenance Worker 4	1	\$101,126	\$101,126
Sheriff's Support Specialist	1	\$93,572	\$93,572
<b>Total Salaries &amp; Benefits</b>	<b>104</b>		<b>\$15,352,419</b>
<b>Total Services and Supplies</b>			<b>\$7,186,674</b>
<b>Total Proposed FY 22/23 AB109 Allocation</b>			<b>\$22,539,093</b>

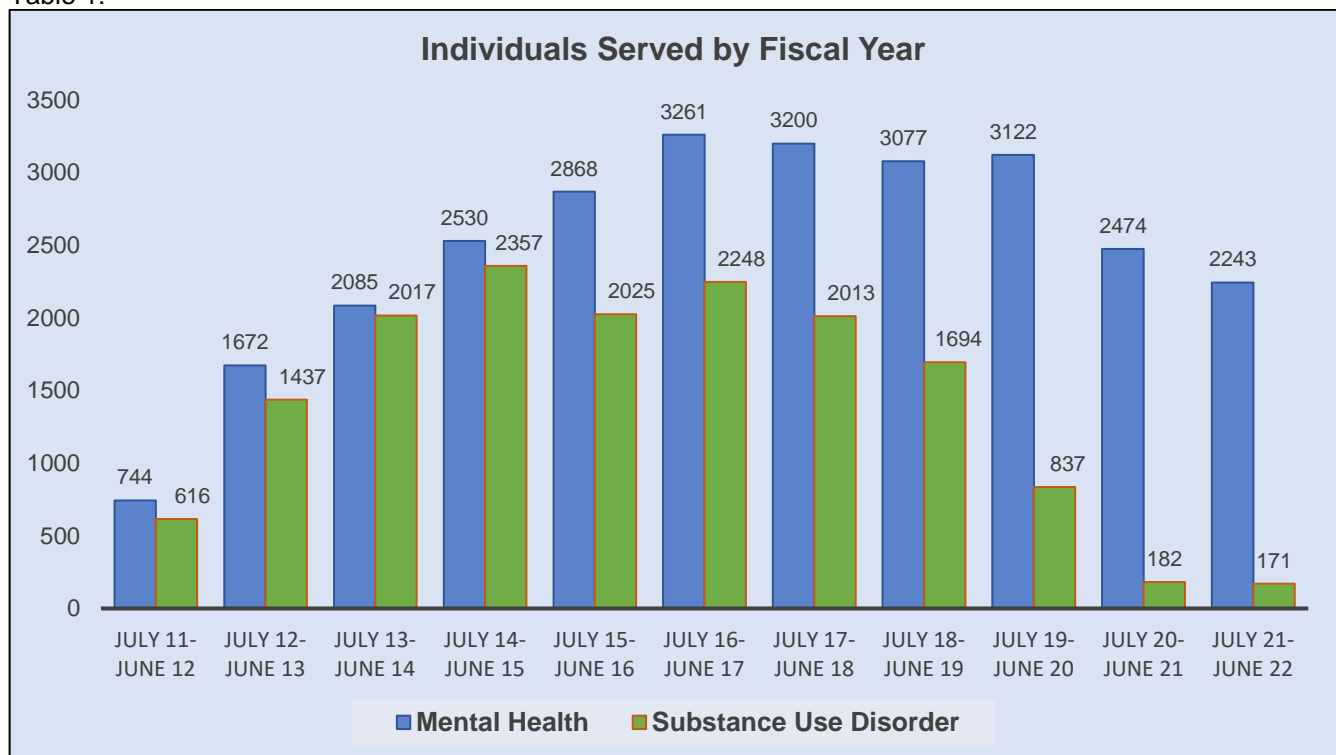


*The Kern County Sheriff's Office is committed to work in partnership with our community to enhance the safety, security, and quality of life for the residents and visitors of Kern County through professional public safety services.*

## **Kern Behavioral Health and Recovery Services Department**

Since the implementation of AB109 in October 2011, Kern Behavioral Health and Recovery Services (KernBHRS) experienced an increase in the service needs for individuals with criminal justice involvement. In the year 2020-2021, there was a decrease due to the COVID-19 pandemic and the State of Emergency lock down. Individuals were staying indoors and not leaving their residents. The impact has been noted across the continuum of care; including within the substance use disorder (SUD) and mental health (MH) in-custody, outpatient, crisis, and inpatient settings. Through AB109 Public Safety Realignment funding, the goal of KernBHRS is to address mental health and substance use disorders of AB109 designated individuals as well as their families. Making treatment in these two areas a priority will aid in reducing recidivism in hospitalization, incarceration, and days of homelessness for the population served. The department's treatment strategies target life skills development, anger management, psychological trauma, and errors in reasoning or criminal thinking. Services utilize evidence-based and/or best practice strategies focusing on mental illness and substance use. From July 1, 2021 to June 30, 2022 (April, May & June 2022 data are prorated), KernBHRS served a total of 3,158 individuals with an AB109 category assignment. Of those, 373 individuals were treated in both MH and SUD service systems. Since March 2020, many clinical services have been conducted through telehealth due to the COVID-19 pandemic. In person services continued during the pandemic for individuals in crisis and/or hard to reach. Over the past year, KernBHRS has fully transitioned back to in person services. Client care has been of utmost importance adhering to State and County COVID-19 directives. The graph (Table 1) below reflects the number of AB109-assigned individuals who were provided mental health and/or substance use disorder services by the department since 2011.

Table 1:



\*FY 2021/22 (May & June 2022 data are pro-rated) - July 1, 2021 to June 30, 2022

## **Programs and Services**

### **Behavioral Health In-Custody Services**

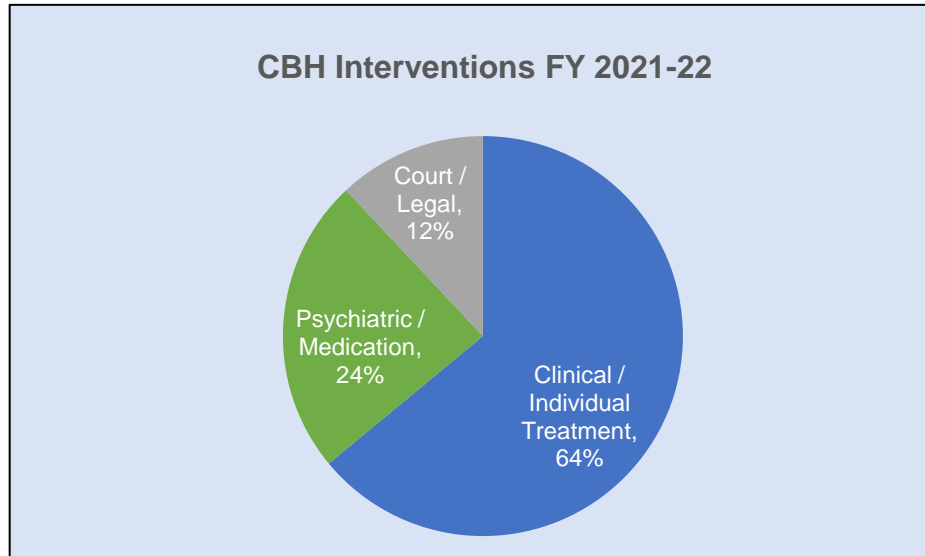
Within the Kern County Sheriff's Office (KCSO) Detention Facilities, (which include Central Receiving Family (CRF), Justice, and Pre-Trial), the KernBHRS Correctional Behavioral Health Team (CBH) provides onsite behavioral health services to the incarcerated population. The team links these individuals to KernBHRS outpatient teams, contract providers, outside agencies (Probation and Parole) and Community-Based Organizations to provide continuity of care upon release to the community. CBH is an access point within the KernBHRS System of Care, as well as an adjunct team as they look for opportunities to link individuals for continued treatment once released from custody. Prior to release from custody, discharge planning for continued treatment, such as immediate service appointments and bridge medications, are set up for post release. The CBH team worked throughout the COVID-19 pandemic and were diligent to follow all CDC guidelines. While meeting the needs of individuals post release. Staff and individual's safety were of uttermost importance during these challenging times as face to face services continued. The CBH Team collaborates with the Kern Linkage Division treatment teams: Adult Transition Team (ATT), Forensic Services Team (FST), Supportive Pathways Opportunities (SPO) Team, as well as Substance Use Division treatment teams including: Gateway and Substance Treatment and Recovery Team (START). Coordination and continuity of care are established by linking individuals to these community-based specialty mental health, and substance use treatment teams to address severe and persistent mental illness and provide services that focus on the reduction and elimination of re-entry into the jail/prison system. CBH has established a strong relationship with Kern County Sheriff's Office (KCSO) and the Kern Hospital Authority, Kern Medical (KM), allowing for access to holistic treatment for the incarcerated population by addressing mental health, substance use and physical care needs while incarcerated and continuing upon release into the community. CBH also provides after hour services for support to KCSO for consultation, discharge planning, and/or reporting out to the facilities for 5150 evaluations if needed.

Over the past fiscal year, CBH has facilitated bridge medications for individuals discharging from all facilities (CRF, Justice, Pre-Trial), when transitioning to out of custody resources, including Access and Assessment Team, Co-Response Team, KernBHRS outpatient teams, contract providers and/or a support person. Discharges to the Psychiatric Evaluation Center (PEC) and or the Crisis Walk-In Clinic (CWIC) are provided for individuals who have been ordered released from custody but are not yet stable and require additional support upon their release. CBH has the ability to complete 5150 evaluations in-house to negate unnecessary transports to crisis services, alleviating an increase in inpatient bed space. If a transport is necessary to either PEC or CWIC, CBH works with those teams and KCSO for the coordination of this linkage. The goal is to provide continuity of care and a "warm" handoff to easily access behavioral health services without a lapse between release and outpatient services.

In October 2020, KCSO developed the Inmate Stabilization and Assessment Team (ISAT) to work collaboratively with CBH and KM to ensure medication compliance, cleanliness of cells, managing the Direct Observation Unit, managing suicide watch and bed space, and conducting daily welfare checks of all Admirative Segregated inmates. The ISAT Sergeant and CBH Supervisor meet weekly to discuss cases and develop plans of care and treatment. Having ISAT staff available has ensured CBH has a specific point of contact, has made for easier access to individuals, improved follow through, increased medication compliance, consistency and more accurate referrals. Since the initiation of ISAT, there has

been a decrease in deaths by suicide as well as suicide attempts within the KCSO Facilities. There has been an increase in involuntary medication administration as there has been more consistent follow through with court orders regarding medications.

Table 2:



CBH provided a total of 26,269 services to incarcerated individuals during FY 2021-22 (Table 2) inclusive of treatment services that were court ordered or related to other legal activities, psychiatric evaluations, medication management, other psychiatric/medication related services, clinical and/or individual treatment services.

### **Substance Use Disorder In-Custody Services**

The KernBHRS in-custody substance use program is supported by the KCSO in collaboration with CBH. The program increases in-custody and out-of-custody linkage to treatment for all individuals within the jail system. Staff providing substance use disorder services are certified drug and alcohol counselors. During the 2020-2021 fiscal year, three group cohorts completed 103 groups with nine participants graduating from the program. Due to the COVID-19 pandemic restrictions, face-to-face and group services were suspended and modified to reduce participant numbers to abide by the CDC guidelines. The program utilizes evidenced-based treatment modalities such as Cognitive Behavioral Therapy (CBT), Aggression Replacement Therapy (ART), The Matrix Model, Seeking Safety, and Moral Reconciliation Therapy (MRT). By participating in these groups, individuals learn skills and resources to better equip themselves for real life situations they will encounter upon release. Individuals practice skills and evaluate their effectiveness towards achieving their goals in preparation for challenges they may face during reintegration into society and gain skills needed to successfully achieve their goals.

### **Adult Transition Team**

The Adult Transition Team (ATT) serves individuals with serious and persistent mental illnesses who also have a lengthy legal history, which may include multiple incarcerations and those returning from State Hospitals who have received competency restoration services. ATT staff include Recovery

Specialists, Therapists, and Substance Use Disorder Specialists who utilize evidence-based treatment approaches. This team works closely with the Kern BHRS CBH team, and the primary point of entry is facilitated by an ATT liaison stationed within the Sheriff's Detention Facilities. This staff conducts screenings and assessments while individuals are incarcerated, to assist with linkage to outpatient services. Individuals who meet the criteria for services with ATT are linked with a Recovery Specialist to establish rapport and assist the individual in their transition from jail to the community prior to release. Referral sources include self-referrals, detention staff, family members, CBH, family advocate, probation and parole officers, the Public Defender, and District Attorney's Office. ATT service goals are to improve the mental health and substance use status of individuals served, and reduce recidivism days of hospitalization, incarceration, and homelessness.

Throughout the last fiscal year, ATT continued to provide services during the COVID-19 pandemic. However, unlike the previous year, ATT was able to increase even more face-to-face services for their individuals, while still offering telehealth options for those who requested to continue to social distance. ATT staff made asserted efforts to see high risk individuals by coordinating with housing providers and inpatient facilities to schedule and facilitate safe face-to-face visits. Furthermore, ATT staff worked collaboratively with housing providers, families, The Conservators Office, and other agencies to enhance support for individuals who required intensive services during the countywide shutdown. Additionally, ATT has reinstated their group services, including a Dialectical Behavioral Therapy (DBT) group and a socialization group with several others currently in the development process.

When treating individuals, ATT staff utilize the following Evidence-based programs and modalities: Cognitive Behavioral Therapy (CBT), Solution Focused Therapy (SFT), Motivational Interviewing (MI), and Dialectical Behavioral Therapy (DBT). ATT staff have also been trained in the New Direction curriculum that utilizes CBT interventions to target criminal thinking and antisocial behaviors. Staff engage individuals by providing case management and skill-building interventions in the field to foster relationships and encourage continued treatment. Recovery Specialists assist individuals in accessing community resources, financial benefits, and low-income housing, depending on the individual's need. ATT staff strive to improve critical thinking to endorse recovery and stability. After-hour services are supported by on-call staff to ensure individuals' needs are met beyond regular office hours. Furthermore, when necessary, ATT staff provide face to face services on the weekends or holidays to ensure those in the most need receive adequate follow up and care.

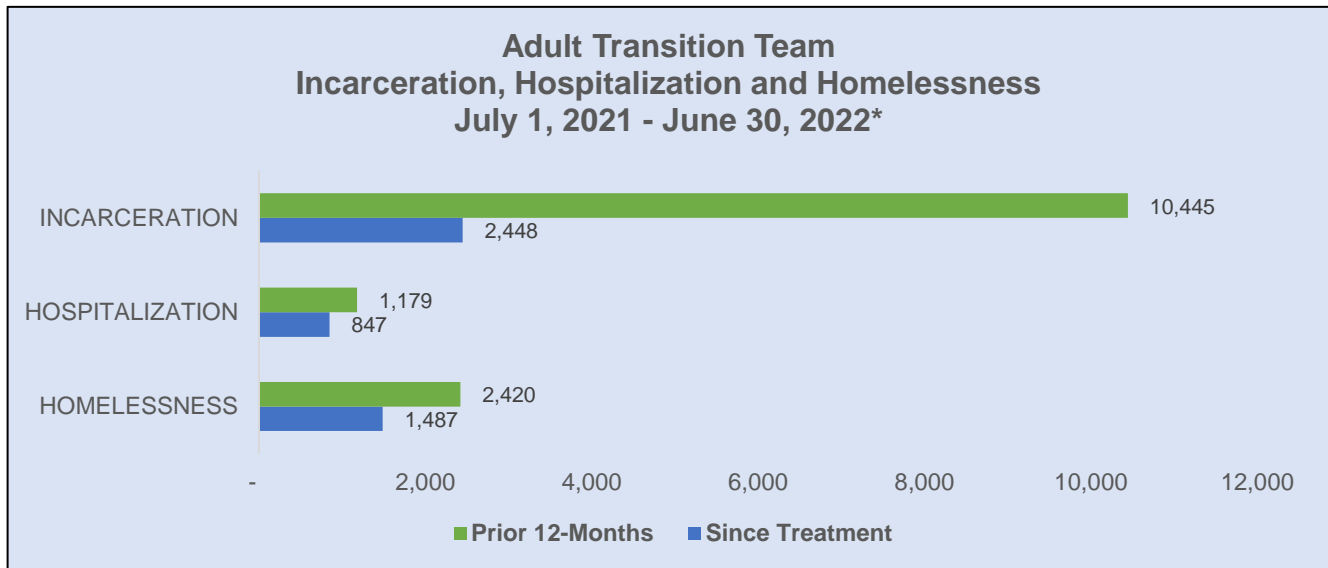
ATT has also provided services to individuals who have been approved for diversion services through the court. The ATT Diversion program serves individuals with severe mental illness who are referred by the Court after one or multiple serious crimes have been committed. The program also ensures linkage to appropriate resources including housing, transportation, and benefits. The one to two-year program is designed to reduce recidivism of individuals who suffer from serious mental illness and/or substance use and are involved in the criminal justice system, reduce incarceration due to program failures, and enhance public safety by providing necessary mental health care. Treatment is closely monitored by Recovery Specialists and Therapists. Those individuals who are successful in their treatment have their charges dismissed at the conclusion of the program.

ATT measures its AB109 recidivism outcomes by comparing the number of days individuals spend in-custody, in an inpatient psychiatric setting, or are homeless during the 12 months prior to service



initiation with the number of days in these categories while in treatment following release. The target goal is to reduce the number of days in these categories by 30%. From July 1, 2021 to June 30, 2022 (April, May & June 2022 data are pro-rated). ATT served 92 unduplicated individuals with severe mental illness, many of whom had a secondary diagnosis of a substance use disorder and were homeless. In aggregate, the number of days incarcerated decreased by 76%, psychiatric inpatient setting reduced by 28% and homeless days decreased by 38% (Table 3). KernBHRS staff work together with the Homeless Collaborative and partner agencies to coordinate efforts to address housing needs.

Table 3:



\*FY 2021/22 (April, May & June 2022 data are pro-rated)

**Supportive Pathway Opportunities**

Supportive Pathway Opportunities (SPO) was created as a diversion program for individuals at risk or found incompetent to stand trial (IST) for felony offenses. Although, this new program is not funded by AB109, this is an available referral option for eligible AB109 individuals. SPO is funded through the Department of State Hospitals (DSH) and provides quarterly reports to DSH regarding individuals treatment progress. SPO works with the CBH team in identifying individuals in-custody who are awaiting placement at a state hospital who would be appropriate candidates to participate in their outpatient diversion program as a means of reducing the waitlist/wait time, as well as providing the intensive care and support individuals would benefit from.

KernBHRS will serve a total of 56 individuals over a three-year period, 28 through SPO and 28 through Mental Health Systems (MHS). The SPO team will provide mental health and substance use treatment using a Forensic Assertive Community Treatment (FACT) model. FACT is a service delivery model intended for individuals with serious mental illness who are involved with the criminal justice system. The model is designed to assist individuals in reducing criminological behaviors and increasing community-based self-sufficiency. Some of the individuals in the program may have co-occurring substance use and physical health disorders. The SPO program aims to help each individual with mental health/substance use disorders achieve recovery, stabilize chronic symptoms, and reduce recidivism.

Currently, SPO is engaging with and providing intensive services to 32 individuals through face-to-face contact, offering case management, assessments, treatment planning, advocacy, linkage to community resources, coordination of services, and monitoring individual activities. Of these individuals, six are receiving services from MHS. The focus of the program is to improve self-sufficiency for individuals served. Furthermore, SPO offers comprehensive and defined services that vary in level of intensity and address the unique needs of each individual. During FY 2021-22, there will be 15 successful individual graduations.

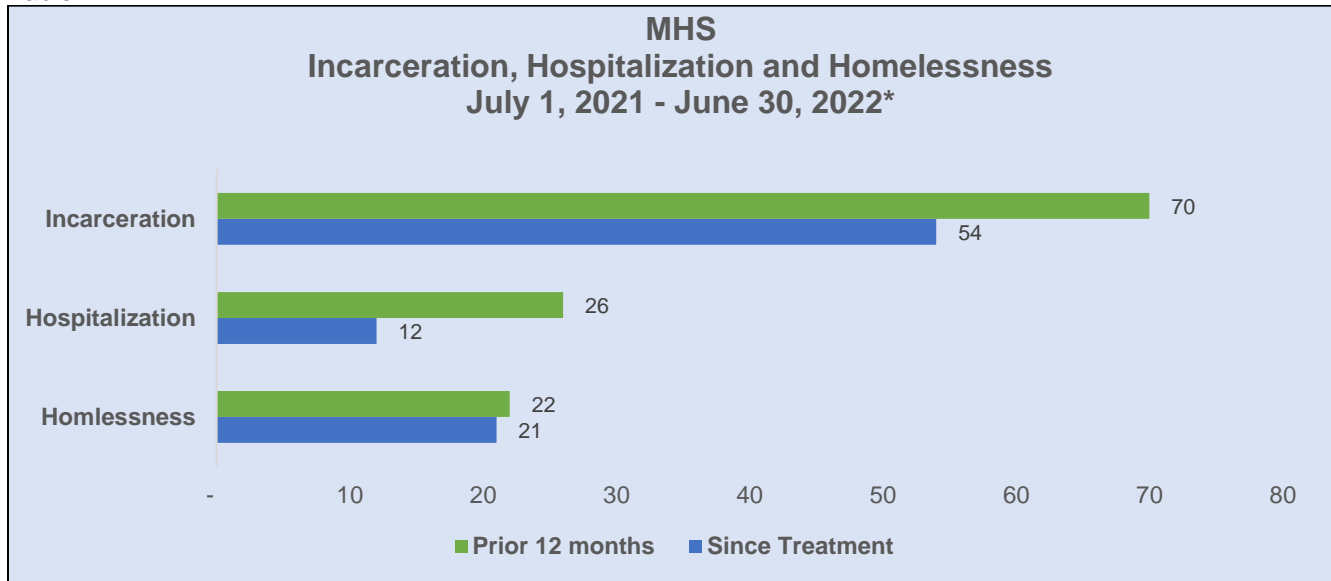
### **Mental Health Systems**

The Mental Health Systems (MHS), Kern ACTion is contracted with KernBHRS to provide intensive outpatient treatment to AB109 individuals who do not respond to traditional outpatient treatment. The service delivery model known as Assertive Community Treatment model (ACT) assists these AB109 individuals with severe and persistent mental illness which contribute to severe functional impairment in several life areas, and who have a history of criminal justice system involvement. The goal is to reduce frequent psychiatric hospitalizations, homelessness, reoccurring incarceration, and assist individuals in developing meaningful activities in the community and to improve their lives through mental health recovery services.

Individuals work collaboratively with MHS Kern ACTion staff to develop personal goals. Treatment consists of self-empowerment, skills building, staff role modeling, and side by side support to name a few interventions developed collaboratively. Services are provided in locations that meet the needs of the individual served in addition to services at the Kern ACTion office. The outpatient team works closely to combine their knowledge and skills to provide the individual with the services they need for as long as they need them, 24 hours-a-day, 7-days-a-week including after hours on call availability.

From July 1, 2021 to June 30, 2022 (April, May & June 2022 data are pro-rated), AB109 individuals received 641 individual therapy and rehabilitation services and 198 med management visits. There were 12 hospitalizations and 54 incarcerations for these individuals. There was a total of 28 crisis services which include MET/PEC/CWiC contact. There were 21 homeless individuals. During this time period, MHS Kern ACTion had continued restrictions related to the COVID-19 pandemic which included, an inability to provide groups, and at times, an inability to see individuals who were in a facility that was on isolation protocol, including CRF, Pretrial, and Justice facilities in the community. MHS will continue to collaborate Correctional Behavioral Health in assessment and engaging individuals still incarcerated and in following individuals upon release from custody. MHS outcomes are shown in table 4 below:

Table 4:



\*FY 2021/22 (April, May & June 2022 data are pro-rated) – July 1, 2021 to June 30, 2022

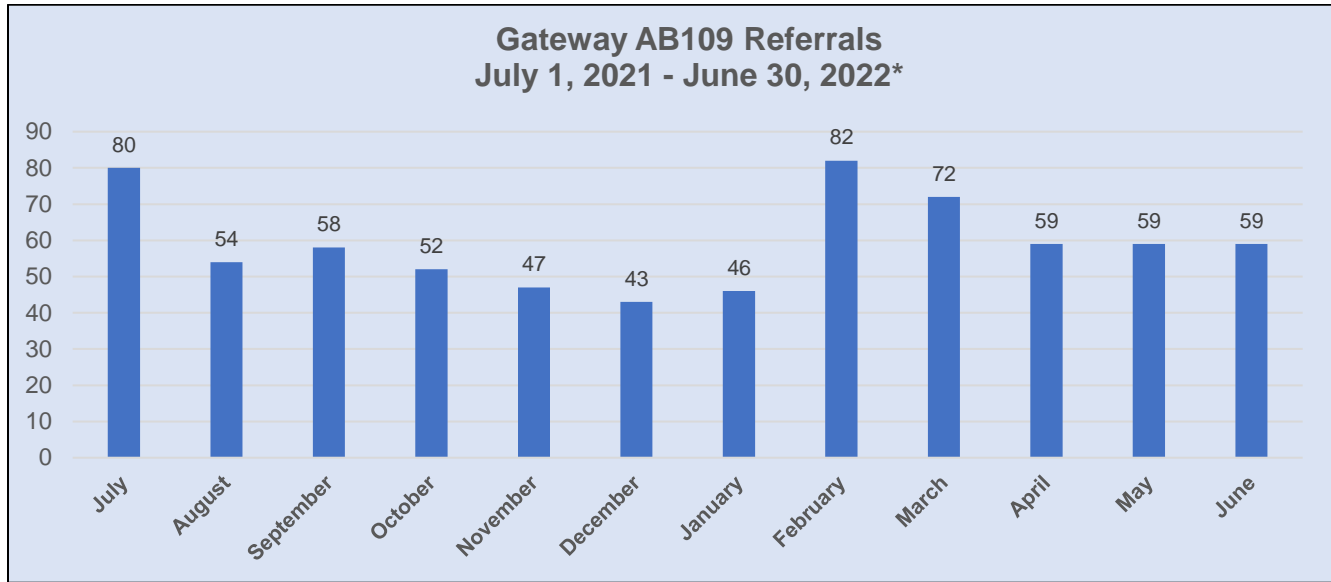
**Substance Use Disorder Outpatient Services**

**Gateway**

Substance use disorder outpatient services for AB109 assigned individuals are primarily provided through KernBHRS contracted service providers. Individuals are linked to service providers through the Gateway Team. The Gateway Team is the central screening and referral service for SUD treatment for both metropolitan Bakersfield and outlying areas of Kern County. Gateway offers screening and referral services 24-hours-a-day, 7-days-a-week through the SUD Access Line. The SUD Access Line allows individuals to complete their screening and obtain a referral for treatment services over the telephone. In continued efforts to reduce barriers to treatment and increase accuracy of referrals, KernBHRS began utilizing Co-Triage. This is provisional referral tool that reduces the time needed to engage and refer individuals and increases accuracy of referrals made.

The Gateway Team also has several locations where individuals may be screened in person throughout the community. Screenings are also conducted in the in-custody and psychiatric inpatient settings and at local hospitals. In addition to screening and referral services, the Gateway Team provides case management to inmates participating in the in-custody treatment program, and Gateway case managers provide community re-entry kits to individuals and assist with linkage to additional community services and resources. During this reporting period case management referrals were reduced due to COVID-19 impacts and precautions in-custody. The in-custody treatment program saw fluctuations in its ability to operate based on COVID-19 surges throughout FY 2021-22 and directives on face-to-face group services within jail facilities.

Table 5:



\*FY 2021/22 (April, May & June 2022 data are pro-rated)

As shown in Table 5 above, there were a total of 534 unduplicated criminal justice involved individuals referred to outpatient SUD services through the Gateway Team between July 1, 2021 to June 30, 2022 (April, May & June 2022 data are pro-rated). We saw referrals drop in tandem with our most recent COVID-19 surge in December and slightly recover for the continued months.

FY 2021-22 saw Drug Medi-Cal Organized Delivery System (DMC-ODS) providers continuing to cope with the COVID-19 pandemic by providing telehealth services and managing staffing shortages due to illness and attrition. Several providers began offering small in-person group services but had to shift based on increased surges throughout.

Despite these challenges, the average number of individuals in SUD treatment increased 10.5% from July 2020 (2,539) to April 2021 (2,728). In addition to the increase of individuals accessing the SUD treatment system of care, the number of individuals receiving case management services increased 10.5% from July 2021 (2,460) to March 2022 (2,673). In addition to the increase of individuals accessing the SUD treatment system of care, the number of individuals receiving case management services increased from July 2021 (841) to March of 2022 (1,783). Of the 2,624 individuals receiving case management services, 459 were criminal justice involved individuals.

**Crisis Intervention Services**

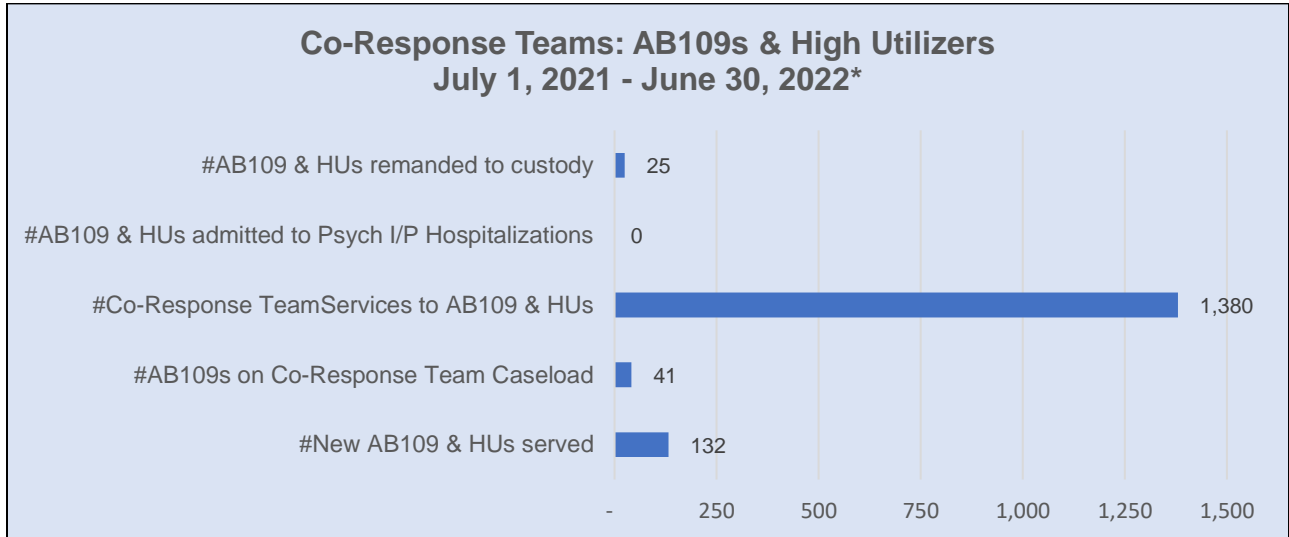
**Mobile Evaluation Services**

The KernBHRS Mobile Evaluation Team (MET) has historically acted as an adjunct to law enforcement with community response, and it has been standard for MET to be dispatched through law enforcement. Since the launch of the AB109 Co-Response Team in June 2015, MET, in conjunction with KCSO and the Bakersfield Police Department (BPD), has taken on a more proactive role in reducing crises and recidivism. There are now two Co-Response Teams in place: one for KCSO and one for BPD. Each Co-Response Team consists of a law enforcement officer and a staff member of MET. The MET staff

of the Co-Response Teams are senior-level, experienced members of the team. Individuals served are High Utilizers (HU) of law enforcement 911 services who, without early intervention, may become hospitalized or incarcerated. This joint response approach places the law enforcement officer and MET staff in the same vehicle, increasing the level of collaborative crisis care services.

During the COVID-19 pandemic, services continued, and staff maintained all directives recommended through the State and CDC guidelines to help keep staff and individuals safe. The Co-Response Teams provided initial contact to 132 new AB109 and HU individuals during the period of July 1, 2021 to June 30, 2022 (April, May & June 2022 data are pro-rated). The caseload of the Co-Response Teams as of June 30, 2022, included 41 AB109 and HU individuals. Overall, the Co-Response Teams provided 1,380 services to AB109 and HU individuals. Zero EMP and High Utilizers were admitted to inpatient psychiatric hospitalizations and 25 AB109 and HU individuals were remanded to custody during this period.

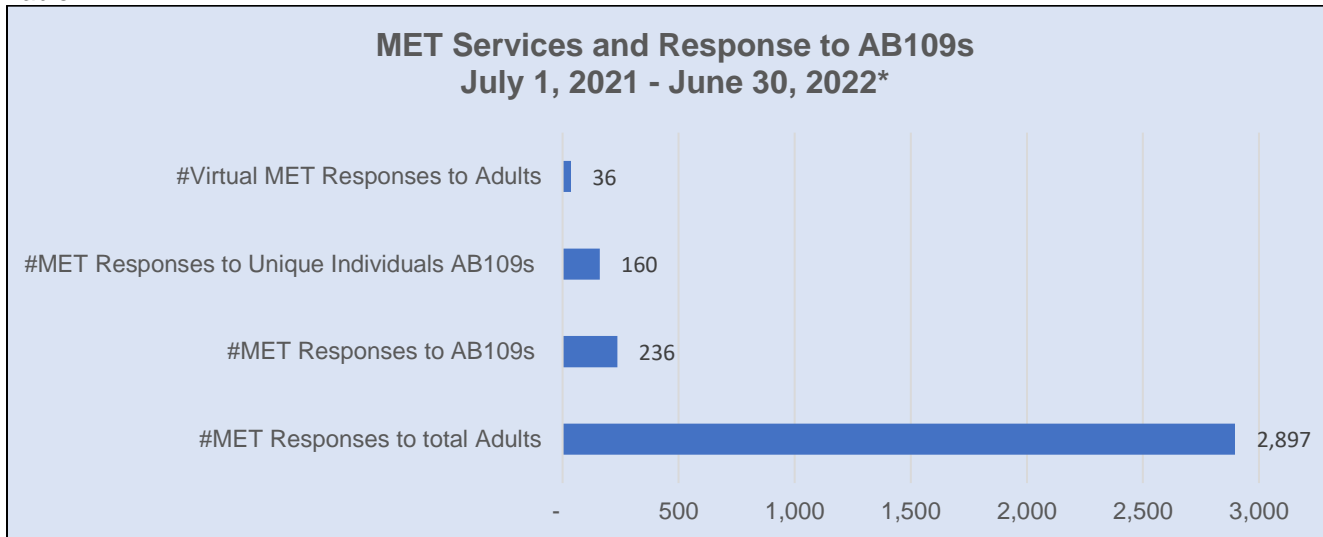
Table 6:



\*FY 2021/22 (April, May & June 2022 data are pro-rated)

In addition to Co-Response Team services, traditional MET services continue to be provided throughout Kern County. At the request of law enforcement, MET provides community-based crisis intervention services including evaluation and transportation for involuntary psychiatric care. Between July 1, 2021, and June 30, 2022 (April, May & June 2021 data are pro-rated), MET and/or Virtual MET responded to 2,897 adults with local law enforcement, 236 of these responses were provided to 160 unique individuals known and assigned as AB109, and 36 Virtual MET Responses to Adults (Table 7).

Table 7:



\*FY 2021/22 (April, May & June 2022 data are pro-rated)

### The Crisis Intervention Team

The Crisis Intervention Team’s (CIT) goals are to improve officer and individual safety when the scene is a mental health crisis and redirect individuals with mental illness from the Judicial System to the Behavioral Health System. The CIT 40-hour class, CIT Advance Officer 8-hour class, CIT Steering Committee, CIT Electronic Monitoring Program (EMP) Subcommittee, and CIT High Utilizer Subcommittee specifically focus on closing the gaps between law enforcement and behavioral health agencies who often encounter the same individuals in the community that need behavioral health services. Through the collaboration of the CIT’s work, services are enhanced for the AB109 population.

The CIT 40-hour class and CIT Advance Officer 8-hour class provide training to law enforcement on how to identify behavioral health behaviors to assist officers in linking individuals to behavioral health and substance use disorder services. The class provides resources that may reduce recidivism by offering referrals to address their behavioral health needs. Between the period of July 1, 2021 to March 31, 2022, two CIT 40-hour classes were completed (September 2021, March 2022) and two CIT Advance Officer 8-hour classes last February 2022.

The CIT Electronic Monitoring Program Subcommittee is a collaboration between KCSO, BPD and KernBHRS to assist Co-Response Teams find solutions for participants who have behavioral health issues during their participation in the EMP program. The Co-Response team’s goal is to prevent the AB109 participants who have substance use and behavioral health disorders from recidivism to incarceration. The CIT EMP Subcommittee met monthly during the period of July 1, 2021 to March 31, 2022.

The CIT High Utilizer Subcommittee is a multi-agency collaboration between the City Co-Response team, BPD, KernBHRS and MHS ACTION to develop solutions to effectively empower individuals identified as High Utilizers to use behavioral health resources instead of 911 services. The CIT High Utilizer Subcommittee aims to avert the High Utilizers from possible hospitalizations and/or incarceration.

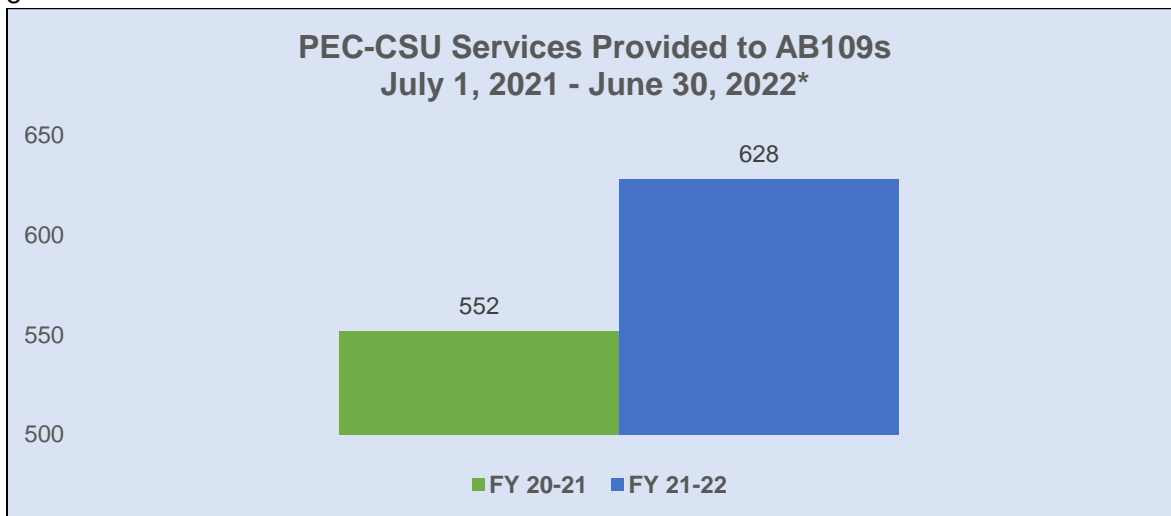
## Access and Assessment Center

The Access and Assessment Center serves as the centralized access system for adults entering mental health treatment outside of the criminal justice setting. During the period of July 1, 2021 to June 30, 2022 (April, May & June 2022 data are pro-rated), the center served 42 AB109 assigned individuals of which two declined services. For these individuals, the Access and Assessment Center provided 25 mental health screenings, 27 mental health assessments, with 15 no shows to their scheduled assessment appointment, and one canceled by individual. Due to the ongoing COVID-19 pandemic telehealth appointments were provided on a case-by-case basis with the majority of the services returning in person. Of the AB109 individuals who received mental health assessments, 19 were linked to services within the KernBHRS system of care, including contracted rural providers.

## Psychiatric Evaluation Center and Crisis Stabilization Unit

The Bakersfield Psychiatric Evaluation Center – Crisis Stabilization Unit (PEC-CSU) and the Ridgecrest CSU (Ridgecrest Mental Health Urgent Care Center) are the designated facilities to receive involuntary psychiatric holds from law enforcement and KernBHRS designated staff. The Ridgecrest CSU serves the communities of East Kern. Individuals may be voluntarily admitted to the Bakersfield PEC-CSU or the Ridgecrest CSU during a crisis. The PEC-CSUs determine if there is a need for hospitalization or if the individual can be treated and released back to the community. Discharge from the CSUs is coordinated with the individual's current service provider for the community release or a notification is provided that the individual was admitted to a psychiatric inpatient facility. During the period of July 1, 2021 to June 30, 2022 (April, May & June 2022 data are pro-rated), the Ridgecrest CSU provided services to 32 AB109 identified individuals. Between July 1, 2021 to June 30, 2022 (April, May & June 2022 data are pro-rated), the Bakersfield PEC-CSU provided services to 628 AB109 identified individuals in crisis who were designated with an AB109 individual category (Table 8). Many of these individuals had more than a single crisis encounter during the fiscal year. These services contribute to the impaction of this 24-hour facility.

Table 8



\*FY 2021/22 (April, May & June 2022 data are pro-rated)

**Housing Support Services**

Housing is often a significant barrier for individuals re-entering the community after incarceration. A welcoming, recovery-oriented home environment is important for successful reintegration back into the community. The Housing Services Team (HST) coordinates KernBHRS’ System of Care (SOC) housing subsidy assistance services and makes recommendations to teams by identifying emergency and temporary shelter placements. This assistance allows individuals to focus on participating in outpatient treatment to include the goal of planning for permanent housing. KernBHRS secured \$215,000 AB109 FY 2020/21 funds for short-term emergency housing targeting individuals released from jail and/or hospitalization who would be homeless upon discharge.

Specialty Transitional Housing	AB109 Totals		Housing Services Team- Short Term Funding	AB109 Totals	
	FY 2020-21	FY 2021-22		FY 2020-21	FY 2021-22
FY 2021-22 as of March 31, 2022			FY 2021-22 as of March 31, 2022		
Client Vouchers Processed	56	23	Claims Processed	46	11
Days Vouchered	1,129	612	Individual Clients Processed	27	8
Unique Client Count	16	5			
Amount Spent	\$32,692.00	\$17,136.00	Amount Spent	\$24,919.43	\$6,506.99

KernBHRS, along with partner agencies, meet with the AB109 housing providers on a monthly basis to discuss issues, concerns, and success stories. As part of these meetings, regular presentations are provided to educate providers on programs or current events. For example, an overview of the COVID-19 vaccine by Kern County Public Health was provided to discuss eligibility requirements for residents at AB 109 housing providers. Another presentation was provided on “Ban the Box” laws, which prohibits employers from asking if an individual has any felony convictions when applying for work.

Throughout the COVID-19 pandemic, BHRS Housing Services provided bi-weekly COVID-19 monitoring reporting with AB 109 Housing Providers to ensure the health and safety of individuals and staff. These updates concerning any new cases or potential exposures are reported and provided to system of care partners. The providers have been diligent in consistently reporting incidents and collaborating with Housing Services during this time.

As part of the Quality Standards Program, Housing Providers who receive individual referrals from KernBHRS Housing Services, are required to participate in regular site visit monitoring. Over the past year, Housing staff has been able to maintain these site visits virtually to continue to support residents and providers and address any topics of concern. In addition, site visits have proven over time to reduce the number of complaints while fostering positive relationships with housing providers. On-site, in-person site visits will resume in the current year.

\$13,500 in AB109 funding was secured for a grant writer and consultation firm in preparation to apply for a Prop 47 grant which provides funding for mental health services, substance use disorder treatment, and diversion programs for people in the criminal justice system. The grant was announced on February 14, 2022, and Kern Behavioral Health and Recovery Services, along with Kern County Probation, Public Defender and the Kern County Sheriff’s Office, is in the process of applying.



## **Moving Forward**

KernBHRS continues to expand and shape services for AB109 assigned individuals with a focus on the recommendations outlined in the CCP Strategic Plan, the Kern County Stepping Up Initiative, and with consideration for capacity and service needs identified by the Department.

Throughout the COVID-19 pandemic, KernBHRS has continued to strive towards promoting a high standard of care. By concentrating on individual care despite the many barriers resulting from the COVID-19 pandemic, KernBHRS provided in-person crisis services, individual therapy, medication management, psychiatric services, groups and case management. Coordination with community partners and treatment providers continued throughout the COVID-19 pandemic to ensure individual's gained access and had transportation to housing, resources for basic needs, and essential appointments. KernBHRS collaborated with local agencies and departments to establish treatment plans, provide warm hand offs for continuity of care, and coordinated access to housing for incarcerated and at-risk individuals in an effort to reduce risk and decrease recidivism, homelessness and hospitalization.

### **Fiscal Year 2022/23 Spending Plan**

In FY 2022/23, KernBHRS has been designated to receive \$7,782,788.00 in Public Safety Realignment funding to support mental health and substance use disorder programming and administration. Over the past year, the department has experienced changes in personnel and contracts, making it necessary for funding shifts to support costs associated with in-custody mental health and crisis services. For the next year, KernBHRS proposes to allocate costs as outlined in the chart below. KernBHRS will continue to identify ways to improve upon the programs established for the AB109 population. Additionally, KernBHRS will continue to develop, implement, and monitor data collection methodologies to maximize resources and funding available.

**Kern Behavioral health and Recovery Services  
AB109 Budget Justifications / Spending Plan FY 2022/23**

Salaries and Benefits			
Service	Position	FTE	Annual Cost
Correctional Behavioral Health-Jail Personnel	BH Program Supervisor	1	170,421.40
	BH Recovery Specialist	13	1,486,860.31
	Behavioral Health Therapist	9	1,244,579.76
	Psychiatrist	1.5	750,000.00
	Office Services Technician	3	247,285.95
	Licensed Vocational Nurse	13	1,400,843.60
Administration			1,589,997.31
Contracted Services			
Adult SOC Contractors			780,111.00
Special Projects / Housing Contractors			220,000.00
Pharmacy Contractors			215,319.00
SUD Contractor			
Total Projected Expenditures for FY 2022/23			\$8,105,418.33
CCP Base Allocations to KernBHRS for FY 2022/23			\$7,782,788.00
Total Projected Expenditures Exceeding Allocation for FY 2022/23 (*KernBHRS to absorb this projected expenditure cost)			(\$322,630.33)

KernBHRS continues to plan to absorb any expenditure exceeding allocations to provide the most comprehensive treatment services for this population.

## **Employers' Training Resource**

Employers' Training Resource (ETR) began FY 2021/22 with a return to on-site staffing. However, since our facilities have been closed to the public, we have continued to use many of the remote/alternative strategies developed during the first year of the pandemic. This includes preliminary contact with those referred to us via telephone and providing as much assistance as possible to individuals while they work to obtain the documents necessary for enrollment.

Although our in-custody job-readiness classes resumed in November of 2020, it has been limited to smaller cohorts referred from only one program due to Covid-related situational factors at Lerdo. Through 3<sup>rd</sup> Quarter FY 2021/22, 24 out of 34 in-custody inmates have graduated from Positive Steps America's Job Center of California (AJCC). Plans for FY 2022/23 include having our instructor deliver standalone workshops, such as education regarding the Fair Chance Act ("Ban the Box") and inviting employers to deliver presentations on how to obtain employment in their industries, subject to the ability of Lerdo staff to accommodate them. Additional workshops are not only opportunities to reach more inmates with valuable information but increase their familiarity with ETR staff and may encourage more inmates to accept referrals to us at release.

We have continued to provide a one-on-one, tailored version of the post-release Positive Steps class to referred clients as well as to residents of SLEs during outreach events. We have delivered the "Ban the Box" workshop at SLEs and have continued to coach individuals through the process of diplomatically asserting their rights under this law. Many individuals who were (apparently) not interested in a referral on release day have asked for fresh referrals after attending one of our presentations.

Through 3<sup>rd</sup> Quarter, we have received 352 referrals, formally enrolled 42 clients under AB 109, and had 21 obtain work or go into training. Enrollment numbers do not include those who are referred during one quarter and enrolled during a subsequent quarter. We are exploring ways to capture these enrollments such as using a "lookback" to enable us to count the enrollments without double-counting the referrals. We understand the desire to enroll clients as quickly as possible, but for those referred near the end of a fiscal quarter, it can be logistically impossible to complete an intake/enrollment prior to the start of the next quarter.

The GED testing center at the Beale Memorial Library was reopened as of October 13, 2020. Proctors have administered 165 GED test modules for 142 test takers.

Some planned activities, such as Financial and Digital Literacy workshops remained on the "backburner" as pandemic conditions prohibited us from opening our facility to the public on a large scale. We have since learned that our partners at the Bakersfield College Rising Scholars program (formerly Inmate Initiatives) will be able to conduct various short-term offerings including digital literacy at our 1600 E. Belle Terrace location as soon as we are able to open our classroom and have enough interest to start scheduling.

A major milestone this past year has been the launch of two Transitional Jobs programs with up to five more on the way. Transitional Jobs is an innovative training model that combines short-term, focused job-readiness and occupational learning with hands-on, subsidized work. Transitional Jobs programs

generally run cohorts of six months or less and most offer paid work from start to finish; others offer paid work after completing a set of core competencies. These programs must, by definition, be targeted to customers with inconsistent work histories and severe, often multiple barriers to employment, including, but not limited to offender status. The success of these programs hinges on training being provided by instructors who understand the population, create a structured, supportive environment, and provide an opportunity for clients to earn a wage while they train— addressing the dual challenge presented by clients who can be difficult to serve and have the most barriers, but who need to earn a wage as quickly as possible, in an industry with opportunities for career advancement.

The budget below reflects the activities and strategies ETR plans to follow over the course of Program year 2022-23 for the new allocation of AB 109 Base Funds. It is important to note that while Transitional Jobs will be a key element of services to our AB 109 population, the heaviest percentage of Transitional Jobs subcontracted training costs and wages will be proposed under our carry forward request(s). The budget below includes funding for various forms of training and subsidized work experience including, but not limited to Transitional Jobs, as well the majority of ETR staff and operational costs, plus the ongoing production of ETR/AJCC materials for the housing units, release packets and SLEs.

**Proposed Budget for Employers' Training Resource  
FY 2022-23 AB 109 Plan**

<b>Program Staff</b>			
<b>POSITION</b>	<b>NUMBER</b>	<b>FTE</b>	<b>YEARLY COST</b>
Program Specialist	2	.65	\$72,938
Job Developer	1	1.00	\$110,617
System Analyst	1	.04	\$5,660
Sr. Office Services Specialist	1	.05	\$5,146
Program Support Supervisor	1	.01	\$1,561
Office Services Technician	2	.04	\$3,670
Program Coordinator	1	.01	\$1,700

**Administrative Staff**

<b>POSITION</b>	<b>NUMBER</b>	<b>FTE</b>	<b>YEARLY COST</b>
Supervising Departmental Analyst	1	.85	\$108,195
Exec Dir/Assistant CAO	1	.01	\$1,900
Administrative Services Officer	1	.02	\$4,202
Sr. Workforce Dev. Analyst (Compliance)	1	.01	\$1,827
Accountant	3	.23	\$29,568
Fiscal Support Supervisor	1	.01	\$1,370
Fiscal Support Specialist	2	.05	\$5,185
Fiscal Support Technician	1	.02	\$2,110
Administrative Coordinator	1	.02	\$3,019
Program Coordinator (Marketing/Outreach)	1	.01	\$1,700
Marketing & Promotions Associate	1	.02	\$2,829

**Proposed Budget for Employers' Training Resource  
FY 2022-23 AB 109 Plan**

Program Staff Salaries	\$201,292
Administrative Staff Salaries	\$161,905
Overhead incl AB 109 room	\$72,131
Participant Training/OJTs/Transitional Jobs/PWEX	\$334,526
Supportive Services	\$20,000
Staff Training	\$700
Supplies	\$1000
Travel	\$500
<b>TOTAL</b>	<b>\$792,054</b>

## **District Attorney's Office**

The District Attorney's Office has seen increased workload responsibilities that have added to the workload increases attributed to AB109 and Proposition 47. The increased responsibilities have been the result of advances made in the investigative process, new legislation that reopens cases for further litigation, and changes to parole and custody credit calculations that have resulted in more prison inmates being released and subsequently reoffending.

The advent and increasingly widespread use of police body-camera units has resulted in a large amount of evidence on even the most simplistic criminal offense that must be downloaded, reviewed, and transcribed in order to effectively analyze cases and prepare for trial. While such evidence is a welcome boost to transparency and public safety, it places additional workloads on attorneys on both sides of the criminal justice spectrum. The increased workload required to prosecute cases applies not only to the most serious crimes, but also crimes that have been converted to local custody qualifying sentences or reduced to misdemeanors pursuant to realignment.

State legislation has also created increased burdens upon the District Attorney's Office, which, in combination with increased caseloads attributed to realignment, has resulted in additional need for qualified attorneys and staff to effectively represent the public safety interest involved in ensuring that validly obtained convictions are not dismissed or vacated without opposition when the facts warrant it.

The effects of AB 109 and Proposition 47 continue to manifest themselves within various areas of the District Attorney's Office. This has created a dynamic environment in which we strive to manage and contain the increases with minimal staffing increases provided by AB109 funding. Although the increased staffing from prior years has helped to address some of the changes, we continue to experience heavy workloads throughout the office which is taxing on staff and at peak times results in the use of overtime to meet legal deadlines. Increasing costs that exceed the increasing appropriations requires the District Attorney to absorb unfunded costs within the department's budget, which creates additional operational challenges to meet budget guidelines. Further gaps in funding could result in the reduction of funded positions in future years.

The District Attorney has made adjustments to counterbalance increased workloads, including the introduction of diversionary opportunities for many first-time low level misdemeanor offenses, and worked in partnership with the Public Defender, the Superior Court, and Behavioral Health to open an avenue of mental health diversion in appropriate cases. An additional development that has resulted in the wake of the pandemic is limitations in the labor market. The District Attorney's Office is seeing reduced interest and applicants for Deputy District Attorney positions but has redoubled recruitment efforts to ensure that Deputy District Attorney positions are filled in this fiscal year.

The total request from the Community Corrections Partnership is \$2,456,514. The District Attorney's proposal is to receive the same percentage of funding that was received in the previous year. As staffing and costs have gone up faster than the available appropriations, the District Attorney's Office does request that when/if additional funds become available, they are considered for additional funding. This request represents the minimum amount necessary to maintain the existing level of service within the

District Attorney's Office and the Kern Regional Crime Laboratory, in order to ensure the public safety needs of the citizens of Kern County are met.

<b>Position/Item</b>	<b>#</b>	<b>Salary</b>	<b>Benefits</b>	<b>Total</b>
Deputy District Attorney	8	\$126,000	\$78,000	\$1,632,000
Criminalist	1	\$95,000	\$78,000	\$173,000
Complaint Attorney	1	\$172,000	\$101,000	\$273,000
Total Personnel	10			\$2,078,000
Recurring costs, phones, computers, licensing, Internet access, cell phones, vehicles, office furniture, training, Bar dues, MCLE, office supplies, etc.				\$378,514
<b>Total</b>				<b>\$2,456,514</b>

## **Public Defender's Office**

### **Realignment has Profoundly Impacted Public Defender Workload**

The overwhelming majority of criminal defendants are indigent, and the Public Defender represents a significant portion of these persons. Our mandate is Constitutional and statutory. Under the Sixth Amendment to the United States Constitution, persons accused of committing crimes, who cannot afford to hire private counsel, are entitled to appointed counsel. Pursuant to California Government Code § 27706, the Public Defender is charged with representation of persons qualifying for appointed counsel.

The Public Defender's approved FY 2022/23 allocation equals \$1,228,257.00 or 50% of the amount appropriated to the prosecution. The amount is intended to help our department keep comparative pace with the tenacious, aggressive, determined and professional efforts of our counterparts in the criminal justice system, the District Attorney.

### **Guiding Principles of Fairness Support the Department's Allocation**

Fairness and a "balanced allocation of resources" within the criminal justice system are recognized and operate as the controlling moral imperatives. Kern County Strategic Plan (2008), Section I, p. 5, Keeping Our Communities Safe; ABA Ten Principles of a Defense Delivery System (2002), p.3: "There should be parity of workload, salaries, and other resources (such as benefits, technology, facilities, legal research, support staff, paralegals, investigators, and access to forensic services and experts) between prosecution and public defense."

The Public Defender and the defense roles are reactive. Consequently, the impact of Realignment on the department reflects and is directly traceable to the District Attorney's work. Specifically, with the exception of dependency, mental health and conservatorship work, the Public Defender's workload is a function of law enforcement activity in identifying, apprehending and prosecuting suspected offenders. As noted, while the Public Defender does not defend all cases the District Attorney prosecutes,<sup>1</sup> the Public Defender represents the significant majority of alleged offenders.

Moreover, while the District Attorney's office performs certain functions with no analog to the defense (e.g., review and filing of complaints), so too the Public Defender performs work not visited on our prosecutorial counterparts. For example, lawyers with the Public Defender's office must investigate their own cases, while law enforcement often provides a completed investigation for the prosecutor. Separately, deputy public defenders are expected to and spend substantial time and energy interviewing and advising every client, including those housed at pretrial and correctional holding facilities.

---

<sup>1</sup> Some criminal defendants possess sufficient resources to hire their own counsel and, in other cases including co-defendant cases, the Public Defender has a conflict of interest which compels appointment of alternate counsel.



### Implementation Plan

It is not possible to precisely align or attribute a particular defendant or crime to Realignment. Consequently, the department utilizes the AB 109 allocation to meet – as effectively as we can – the department’s significant Realignment driven caseload. Graphical depiction of the approximate/equivalent funding capacity provided by the department’s allocation is as follows:

Position Title	Number	Salary	Benefits	Total
Deputy Public Defender IV	3.2	\$473,616	\$324,723	\$798,339
Sr. Public Defender Investigator	2	\$176,490	\$133,270	\$309,760
Legal Secretary	1	\$50,146	\$44,017	\$94,163
Office expenses, licensing, computers, vehicles, phones, copiers, paper, etc.				\$25,995
Total				<b>\$1,228,257</b>

### **Material Disclosures - Consistent with Prior Years**

- 1) **Use of Funds:** Pen. Code §1230(b)(3) provides in relevant part that AB 109 funds shall be used to provide supervision and rehabilitative services for adult felony offenders. As in prior years, the department’s intended use of the funds relies on the understanding that legal advocacy and representation of indigent individuals in criminal proceedings may be appropriately characterized as involving rehabilitative efforts and services.
- 2) **Supplemental versus Supplanting:** Pen. Code §1233.7 provides that AB 109 monies shall be used to supplement, not supplant, any other state or county appropriation. The department is informed and believes the CAO’s recommended Net General Fund Contributions are calculated without regard to whether or not departments receive an AB 109 allocation. Consequently, the department’s allocation request reflects supplemental rather than supplanting funding. (Compare to a situation where the recommended contribution was reduced dollar-for-dollar based on any subsequently obtained allocation).
- 3) **Accounting of Funds:** If approved, the department intends to again apply the AB 109 funds on a pro-rata (i.e., quarterly) basis. As noted, while the department recognizes a significant caseload is attributable to Realignment, it is impossible to identify all cases or alleged crimes caused by Realignment.

## **Street Interdiction Team (SIT)**

The Street Interdiction Team (SIT) is a multi-departmental law enforcement task force consisting of numerous law enforcement agencies throughout the County of Kern. SIT periodically plans and operates enforcement teams in different regional areas to address specific community needs.

Though SIT was previously functional, with the advent of AB 109, it was reactivated to address street-level crime. With the funds made available through the CCP, SIT operates in Kern County cities such as Arvin, Bakersfield, California City, Delano, McFarland, Ridgecrest, Shafter, Taft, and Tehachapi. In order to affectively address street-level crime, SIT does the following:

- Focuses on improving collaborations with law enforcement agencies throughout Kern County
- Establishes front-line operations in cities and towns throughout Kern County
- Meets on a monthly basis to discuss current AB 109 activities and impacts

The COVID pandemic continues to affect our efforts and made FY 2021/22 a challenging year for SIT with a total of four operations (5 days, 35 hours) in Kern County as of May 11, 2022. The Delano Police Department, Kern County Sheriff, Ridgecrest Police Department, and Shafter Police Department worked with the Kern County Probation Department which is part of the Memorandum of Understanding with the County and were reimbursed for overtime in relation to AB 109 SIT operations. Other outside agencies assisted SIT by providing their assistance at no charge.

Depending on criminal activity and need, SIT teams have conducted multiple operations in a specific area over a short period of time. This has provided for a successful showing of force and cooperation throughout Kern County. SIT operations draw an assembly of federal, state, and local law enforcement agencies who provide a multitude of experience, information, and resources to ensure the most effective regional policing strategies. SIT offers regional law enforcement agencies some relief in addressing AB 109 impacts and pooling resources for intelligence gathering, leveraging of resources, and agency collaboration and cooperation in tracking offenders as they move throughout Kern County and the State. As a result, the decline of criminal activity has been noticeable following the utilization of these operations. As of May 11, 2022, SIT operations had 154 planned targets; 62 arrests; 3 handguns and shotguns seized including ammunition; varying amounts of marijuana, methamphetamine, cocaine, heroin, prescription drugs, and drug paraphernalia seized. The total request is \$390,287.

## **Community-Based Organizations (CBO) Program**

In FY 2012/13, the CCP allocated a total of \$983,304 to CBOs through a competitive Request for Applications (RFA) process to assist in the overall success of Realignment in Kern County. This process focused on reentry services such as residential/transitional housing, employment and educational programs, and case management services. Residential/transitional housing programs create a structured living environment for individuals reentering the community, employment and educational programs provide individuals with valuable tools to succeed in the workplace, and case management services develop and maintain case plans for individuals. In 2013, the CCP voted to extend these contracts for another two years, for an additional \$3,387,608.

In FY 2015/16, the CCP released a competitive Request for Proposals (RFP) in the amount of \$5,102,115 seeking qualified organizations to provide community-based services for AB 109 individuals in Kern County. This process focused on sobriety and recovery support; providing a continuum of care between in-custody services and community-based services; educational, employment, and/or vocation services; transitional housing; transportation support services; Medi-Cal/ACA enrollment assistance; and other evidence-based programs, proven practices, and/or best practices aimed at reducing recidivism. There were six (6) CBOs that were awarded 35-month contracts.

In addition to AB 109 funding, the California State Budget Acts of 2014 and 2015 allocated a total of \$12 million to California counties to fund local Community Recidivism Reduction Grants as defined in Penal Code Section 1233.10. Kern County received a total of \$375,000 from the Board of State and Community Corrections (BSCC) to fund community recidivism and crime reduction services for the adult offender population.

In order to distribute funds to the appropriate entities, a Request for Applications (RFA) specifying the County's requirements was prepared and distributed in September 2015. The funding was allocated to nongovernmental entities with a maximum of \$50,000 per entity per funding year. The County could withhold up to 5 percent of the total County allocation for administrative costs equating to \$18,750, leaving a remaining balance of \$356,250 available to award to eligible applicants. This funding provided services in the following areas: SLE housing, case management, mentoring, Medi-Cal/ACA enrollment, GED preparation, and DUI education.

On June 28, 2018, the CCP released a competitive RFP totaling \$5,531,091 which resulted in multiple contracts for calendar years 2019-2021. On October 4, 2018, the CCP awarded contracts to the following organizations providing services to male and female offenders reentering the community through SLEs, educational, employment, and/or vocation services, DUI education, and case management services:

- Bakersfield Recovery Services
- Freedom House Transitional Housing
- Garden Pathways, Inc.
- Minnie Marvels Sober Living for Women and Children
- New Life Recovery and Training Center
- Positive Visions for Men, Inc.

To ensure the CBO's success in providing streamlined services, the Sheriff's Office, Probation Department, and KernBHRS continue collaborating by doing the following:

- Monthly collaborative meetings
- Bi-Annual individual CBO meetings
- Annual individual CBO meetings
- Monitoring data tracker elements and quarterly reporting
- CBO provider trainings
- Exchange of key information for improved offender services
- Tracking drug testing
- Encouraging CBO representatives to interview potential candidates at the Lerdo Detention Facility
- Fostering an open line of communication and addressing provider's question, concerns, and request as they arise
- Monthly and/or quarterly site visits to CBOs in order to monitor contracts. Meetings were conducted virtually due to the pandemic

The CBO Program is designed in a way that provides flexibility to react to the needs of the community and respond under the direction of the Executive Committee. The CBOs have assisted the Probation Department, Sheriff's Office, and KernBHRS in creating and improving a continuum of care, allowing offenders to receive much needed services. In March 2020, the CCP approved a transfer of \$10,000 from the CBO Program fund balance into a Contingency fund balance to be used to provide temporary services to offenders with unique needs and multiple barriers. A portion of funds were used to provide temporary SLE services to an individual with multiple barriers. Due to the unique needs of the individual, a Personal/Professional Services Agreement (PPSA) was initiated with a provider outside of the CBO Program. The individual was able to be placed in housing promptly because of the funding that was readily available for that specific use.

The current CBO Program contracts were initially set to expire on December 31, 2021. However, because of the pandemic and the uncertainty accompanied with this unknown environment, the CCP approved a one-year extension of the contracts, with the option to extend an additional year if desired, for the eight (8) current CBO Program providers. This established a new expiration date of December 31, 2022. Continuity and stability of these crucial services to offenders is imperative to support a successful reentry into the community. The one-year extension will allow the CBOs to continue to support offenders without having a lapse or reduction in services. An allocation of \$1,346,988 from the CBO Program fund balance was approved to fund the one-year extension.

The CCP continues to focus on utilizing CBOs to help offenders gain access to the services and tools they need to become productive citizens of the community. The CCP is committed to the partnership with the CBOs and the collaborative work that makes Kern County a safer place to live. In calendar year 2020/21, the CBOs provided 36,468 bed days to AB 109 clients. The CCP continues to support the CBO program and authorized Probation Department staff to work on a new Request for Proposal (RFP) for services. Probation Department staff are currently working with BHRS and KCSO to release a new RFP for CBO services in June or July 2022. This will ensure that vital services continue to be provided to AB 109 clients after the current round of CBO contracts expire December 31, 2022. The new CBO contract term will be for calendar years 2023-2025. The total request is \$1,566,889.

## **Veterans Service Department - Veterans Justice Outreach**

The Kern County Veterans Service Department (VSD) has a dedicated Veterans Service Representative (VSR) designated to provide benefit advocacy and case management to veterans (and their families) at any stage in the criminal justice system. The initiative provides access to Department of Veterans Affairs (VA) benefits, California Department of Veterans Affairs benefits, as well as referrals to other community groups in an effort to eliminate barriers to successful reintegration into the community and reduce the recidivism rate of veteran offenders.

Having a dedicated point of contact for these veterans and their families has not only allowed for a smooth transition to benefits for the veteran once released from custody, but also allowed for consistent case management with a dedicated VSR. Moreover, having a single point of contact for justice involved veterans has allowed for a more robust relationship between our VSR and the other service providers in the veteran community.

The VSR works with VA medical staff to enroll veterans in VA healthcare and arranges transportation to the VA domiciliary on the VA Medical Center's West Los Angeles campus, as well as connect veterans with the Vernon Valenzuela Veterans Justice Program operated out of the Bakersfield Vet Center. Our VSR works closely with California Veterans Assistance Foundation to secure housing for those veterans' experiencing homelessness or who are at risk of becoming homeless. Referrals are also made to Kern Patriot Partnership, a program designed to assist veterans find employment. And our VSR works with spouses of veterans to request apportionments of the veteran's monthly benefits to ensure those funds are distributed to the veteran's family while the veteran is incarcerated.

Since the implementation of the program, our dedicated VSR has assisted 194 local veterans and family members with 25 veterans assisted in FY 2021/22 and 14 apportionments submitted on behalf of veterans' dependents. Our VSR assisted nine veterans with their VA compensation or pension benefits, three veterans were enrolled in diversion programs in partnership with the VA, and five veterans were assisted with permanent housing. Furthermore, our VSR has received numerous correspondence and replied to them with valuable information for veterans regarding potential benefits as they prepare for release.

The VSD is excited by our continued success and looks forward to continuing to assist veterans and their families as they navigate the criminal justice system and move forward on life's journey. Based on our continued success, the total request from the Community Corrections Partnership for FY 2022/23 is \$147,593, which will be spent on personnel to work with justice-involved veterans and their families.

The budget below reflects the activities and strategies the VSD will follow over the course of FY 2022/23.

<b>Position/Item</b>	<b>Total</b>
Veterans Service Representative (FTE: 1.0)	\$123,956
Veterans Service Manager (FTE: 0.2)	20,679
Administrative Coordinator (FTE 0.1)	10,332
<b>Total</b>	<b>\$154,967</b>

## Contingency Funds

The plan calls for the unallocated money, in the amount of \$74,614, to be placed in the contingency fund for unexpected expenses and/or additional items the CCP chooses to fund.

## Allocation of Realignment Funds

The CCP has spent numerous hours developing a plan that addresses the pressing issues of Realignment in Kern County. In order to achieve the goals, the allocation of AB 109 funds is based on the CCP's plan as described herein utilizing the FY 2022/23 allocation from the State of California.

The base allocation amounts for FY 2022/23 totals \$57,395,195.

<u>Department/Entity</u>	<u>Base Allocation%</u>	<u>FY 2022/23 Base Allocation</u>
Sheriff's Office	39.27%	\$ 22,539,093
Probation Department	35.56%	\$ 20,409,731
Behavioral Health & Recovery Services	13.56%	\$ 7,782,788
District Attorney's Office	4.28%	\$ 2,456,514
CBO Program	2.73%	\$ 1,566,889
Public Defender's Office	2.14%	\$ 1,228,257
Employers' Training Resource	1.38%	\$ 792,054
Street Interdiction Team	0.68%	\$ 390,287
Veterans Service	0.27%	\$ 154,967
Contingency	0.13%	\$ 74,614
<b>Total Base Allocation</b>	<b>100%</b>	<b>\$ 57,395,195</b>