

COMMUNITY CORRECTIONS PARTNERSHIP

Public Safety Realignment Plan
Budget Year 2020-2021

Mendocino County



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Community Corrections Partnership (CCP)

* Executive Committee Member

Penal Code	Member	Name	Title Organization
1230(b)(2)	Chief Probation Officer, CCP Chair*	Izen Locatelli	<i>Chief Probation Officer</i> Mendocino County Probation
1230(b)(2)(A)	Presiding Judge of the Superior Court or designee*	Kim Turner	<i>Executive Director</i> Mendocino County Superior Court
1230(b)(2)(B)	County Supervisor or Chief Administrative Office or designee	Darcie Antle	<i>Deputy Chief Executive Officer</i> Mendocino County Executive Officer
1230(b)(2)(C)	District Attorney*	David Eyster	<i>District Attorney</i> Mendocino County District Attorney's Office
1230(b)(2)(D)	Public Defender*	Jeffrey Aaron	<i>Public Defender</i> Mendocino County Public Defender's Office
1230(b)(2)(E)	Sheriff*	Matthew Kendall	<i>Sheriff-Coroner</i> Mendocino County Sheriff's Office
1230(b)(2)(F)	Chief of Police*	Justin Wyatt	<i>Chief of Police</i> City of Ukiah Police Department
1230(b)(2)(G)	Head of Department of Social Services	Jenine Miller	<i>Assistant Health & Human Services Agency Director</i> Mendocino County Health & Human Services Agency
1230(b)(2)(H)	Head of Department of Mental Health*	Jenine Miller	<i>Assistant Health & Human Services Agency Director</i> Mendocino County Health & Human Services Agency
1230(b)(2)(I)	Head of Department of Employment	Vacant	<i>Vacant</i>
1230(b)(2)(J)	Head of Alcohol and Substance Abuse	Jenine Miller	<i>Assistant Health & Human Services Agency Director</i> Mendocino County Health & Human Services Agency
1230(b)(2)(K)	Head of the Office of Education	Vacant	<i>Vacant</i>
1230(b)(2)(L)	Offender Rehabilitative Services Rep.	Jacqueline Williams	<i>Executive Director</i> Ford Street Project
1230(b)(2)(M)	Victim Interest Representative	Vacant	<i>Vacant</i>

REALIGNMENT BACKGROUND

2011 Public Safety Realignment is the cornerstone of California's solution to reduce prison overcrowding, costs, and recidivism. Enactment of Assembly Bill (AB) 109, and related legislation, resulted in fundamental changes to California's correctional system. Key components of public safety realignment included the following:

- Revised the definition of a felony allowing non-violent, non-serious and non-sex offenders to serve their sentences in local county jails instead of state prisons.
- Transferred responsibility for post-release supervision of lower-level offenders with the creation of a Post Release Community Supervision (PRCS) offender category.
- Established the PRCS-eligible offenders released from state prison on or after October 1, 2011, after serving a state prison term for a felony, shall, upon release from state prison and for a period not exceeding three years immediately following release, be subject to community supervision provided by the county agency designed by the county's Board of Supervisors.
- Authorized counties to use a wide range of community-based options for enhanced local custody and supervision provided by local public safety entities directly or through public or private correctional service providers.
- AB 117 required Community Corrections Partnership (CCP) to recommend a plan to the county Board of Supervisors for the implementation of 2011 Public Safety Realignment, which must be voted on by the Executive Committee of each county's CCP.

Post Release Community Supervision - Section 3451 of the California Penal Code

- This form of supervision is provided to offenders released from the California Department of Corrections and Rehabilitation (CDCR) to the jurisdiction of a county agency, pursuant to the Post Release Community Supervision Act of 2011. In all 58 counties, the Probation Department is the designated agency responsible for post-release supervision. CDCR must notify counties of an individual's impending release one month prior, if possible. Once an individual has been released on PRCS, CDCR no longer has any jurisdiction.

Mandatory Supervision - Section 1170(h)(5)(B) of the California Penal Code

- This felony sentencing law is intended to reduce the California state prison population by allowing non-violent, non-serious and non-sex offenders convicted of certain felony crimes to serve their sentences in local county jail, rather than state prison. Unless the Court finds, in the interest of justice, that it is not appropriate, the Court shall suspend a portion of the sentence for a period selected at its discretion. The portion of the sentence that is suspended is known as mandatory supervision. During the period of mandatory supervision, offenders shall be supervised by Probation in accordance with the terms, conditions, and procedures generally applicable to persons placed on probation.

REALIGNMENT HISTORY

- On **April 4, 2011**, Governor Jerry Brown signed Assembly Bill 109, making fundamental changes to California's correctional system. AB 109 realigned custodial and community supervision responsibility for non-serious, non-violent and non-sex offenders, as well as supervision of lower level adult parolees returning from state prison sentences to the counties. AB 109 did not initially contain funding for county agencies to implement the realignment shift and was not operative until funding was provided for counties.
- On **June 30, 2011**, Governor Brown signed a series of bills as part of the State budget that provided funding and made necessary technical changes needed to implement the public safety realignment program outlined in AB 109.

Legislation enacting the necessary financing and technical changes were contained in Senate Bills (SB) 87 and 89 and Assembly Bills (AB) 117 and 118. These four bills were extensive in nature and contained two designation requirements. By August 1, 2011, the Board of Supervisors had to designate the county entity responsible for providing mandatory supervision to local inmates sentenced under the realignment act, as well as those lower level inmates released on post release community supervision from the California Department of Corrections and Rehabilitation (CDCR).

- On **October 1, 2011**, implementation of the 2011 realignment legislation began.
- On **June 27, 2012**, Governor Brown signed a number of budget trailer bills (SB 1020, 121, 1022 and 1023) related to corrections and public safety to complete the fiscal year (FY) 2012-13 State budget. These bills provided changes to sentencing and procedures related to realignment, established funding structure for programs and services transferred to the counties, and set each county's allocation for the next two fiscal years.
- On **November 6, 2012**, California voters passed Proposition 30, providing constitutional protection of funding for public safety services related to realignment.

MENDOCINO COUNTY BOARD OF SUPERVISORS



From left to right, top row: Vice-Chair Dan Gjerde and Supervisor Ted Williams; Bottom row: Supervisor John McCowen, Supervisor Carre Brown and Chair John Haschak.

On **July 26, 2011**, the Board of Supervisors (BOS) designated the Probation Department as the entity responsible for providing Post Release Community Supervision to inmates released pursuant to the Post Release Community Supervision Act of 2011.

On **October 1, 2011**, implementation of the 2011 realignment legislation began.

The Mendocino County Board of Supervisors has annually approved each year's CCP plan since implementation in 2011. The FY 2020-21 plan was accepted by the BOS on **May 5, 2020**.

PROGRAMS AND SERVICES

The CCP believes in a balanced approach to managing people convicted of a felony offense. To ensure public safety and provide treatment the following are some of the positions funded by the CCP: five Deputy Probation Officers, six Correctional Officers, one Sheriff's Services Technician, one Mental Health Clinician, and one local Police Officer. These positions are responsible for supervising high risk offenders, performing home visitations and home searches, drug testing, apprehending offenders who violate the terms and conditions of their supervision, staffing the jail, and providing treatment and substance abuse programming.

Supervision

The Probation Department is responsible for the supervision of offenders released from county jail on mandatory supervision or released from CDCR on Post Release Community Supervision. Probation Officers perform assessments to determine supervision levels and to identify criminogenic needs, risk factors and protective factors. Probation Officers refer offenders to services designed to reduce recidivism and crime, along with enforcing terms and conditions of release. Probation Officers enforce terms and conditions of release by performing searches, conducting field visits, utilizing graduated methods of rewards and sanctions, preparing violation reports, writing new law violation reports, drug testing and monitoring progress in treatment during the length of supervision.

Incarceration

Mendocino County is responsible for housing inmates who would have served their sentence in state prison prior to realignment. This includes parole and PRCS violations, as well as lengthy sentences in local prison for both straight and split sentences. To supervise these inmates and transport them to in-custody services, the CCP provides support for corrections officers in the county jail to offset the additional costs incurred.

Alternative Custody

In lieu of incarceration, offenders qualifying for alternative sentencing may be placed on home detention or additional alternative sentencing programs including electronic monitoring or a work-release program.

Mental Health Clinician

Health & Human Services Agency provides a Mental Health Clinician to provide clinical services to Mandatory Supervision, Post Release Community Supervision and other probation clients in conjunction with the Probation Department. Depending on identified needs, all participants receive outreach and engagement services, with appropriate linkages to community resources and/or treatment services.

Sober Living Environment

The CCP has engaged with a community-based organization, The Ford Street Project, to provide Sober Living Environment through their Ukiah Recovery Center. Referrals to this program come from the Probation Department and the Public Defender's office. Services provided include furnished living accommodations, daily meals, supervised vocational/work groups and medication management. Coordination with the Day Reporting Center (DRC) ensures that DRC clients are meeting their recovery and re-entry goals.

Day Reporting Center

Mendocino County opened our Day Reporting Center (DRC) in 2012 and utilize GEO Reentry Services LLC to provide this service. The DRC is built on evidence-based principles to address the criminogenic risks and needs that contribute to criminal behavior. The program and services reduce recidivism by focusing on higher-risk offenders using cognitive behavioral treatment. The various components of the DRC include: risk and needs assessments, behavior change plans, cognitive behavioral treatment (individual, group, computer-based), moral reconnection therapy, daily check-ins, breath alcohol testing, random drug testing, cognitive behavioral interventions for substance abuse, referral services, and Community Connections program. GEO provides detailed data and analysis on program performance and outcomes.

District Attorney and Public Defender

Both the District Attorney and Public Defender have been impacted by realignment through both violation hearings and new law offenses. Funding is provided to these departments to offset costs associated with realignment, particularly parole and PRCS hearings which were previously handled by state parole board and not local court.

Data Analyst

CCP funds a 0.50 FTE Department Analyst. The purpose of this position is to identify specific data elements for measurement, develop appropriate interfaces with departments/agencies to collect data, develop reports that measure outcomes, and share data to agencies as appropriate.

2020-21 APPROVED BUDGET EXPENDITURES

Sheriff's Office	\$1,099,060
- 6.0 Corrections Deputies	
- 1.0 Sheriff's Services Technician	
- Parole Hold Costs	
Probation Department	\$ 748,402
- 5.0 Deputy Probation Officer II	
- 0.5 Deputy Probation Officer III	
- 0.5 Supervising Deputy Probation Officer	
- 0.25 Probation Division Manager	
- 0.5 Department Analyst II	
Health & Human Services Agency	\$ 117,940
- 1.0 Mental Health Clinician	
District Attorney	\$ 106,884
- 0.55 Deputy District Attorney IV	
- 0.45 Legal Secretary	
Public Defender	\$ 67,572
- 0.50 Deputy Public Defender IV	
- 0.50 Legal Secretary	
City of Ukiah Police Department	\$ 125,000
- 1.0 Police Officer	
Programs/Services (not including staff)	\$ 433,232
- Day Reporting Center	
- Sober Living Environment	
- Electronic Monitoring	
- Incentives & Sanctions	
TOTAL EXPENDITURES	\$ 2,698,090

The CCP Budget for FY2020-21 was accepted by the Mendocino County Board of Supervisors on May 5, 2020 at a planned expenditure level of \$3,602,136. Due to subsequent information from the Governor's May Revise on projected available funds, the CCP agreed to a reduced budget as outlined above to be in alignment with the revised projections.

COMMUNITY CORRECTIONS PARTNERSHIP - BYLAWS

I. CCP MEMBERSHIP

A. Composition

The Community Corrections Partnership, hereinafter CCP, of Mendocino County is chaired by the Chief Probation Officer and composed of the following membership:

The Presiding Judge of the Superior Court (or the designee)
 The Chief Probation Officer
 The CEO of the County (or the designee)
 The District Attorney
 The Public Defender
 The Sheriff
 Chief of the Ukiah Police Department
 Director of HHSA (or the designee)
 Mendocino County Office of Education (M.C.O.E.)
 Representative of a Community Based Organization (CBO)
 Representative of the interests of victims

The Executive Committee of the CCP is comprised of the following members:

The Presiding Judge of the Superior Court (or the designee)
 The Chief Probation Officer
 The District Attorney
 The Public Defender
 The Sheriff
 Chief of the Ukiah Police Department
 Director of HHSA (or designee)

B. Vacancies

The occurrence of any of the following events shall cause a vacancy in a position on the CCP:

1. The member's death.
2. The member's resignation from his or her position.
3. Should a member suffer a prolonged illness or injury, the individual formally taking that member's place in his/her official capacity shall have the same rights and responsibilities as the original member.

C. Compensation

Members of the CCP shall not receive a per diem for serving on this Board, nor shall they be entitled to reimbursement for expenses on behalf of the Partnership.

D. Officers and Staff

1. The Chief Probation Officer is the Chair of the CCP. The Chair shall preside over all meetings, and is a voting member of the Executive Committee. Should the Chair be unavailable for the meeting, the Assistant Chief Probation Officer shall chair the meeting. (This individual shall only run the meeting but shall have no right to vote). If both the Chair and the Assistant Chief Probation Officer are absent, the members present shall elect a Chair pro tem for the meeting. Staff will take and prepare the minutes.
2. Members of the Probation Department shall serve as staff for the CCP. Staff shall prepare, post, and distribute agendas and other materials for meetings.

II. MEETINGS OF THE CCP

A. Quorum/Vote

1. A quorum shall consist of a majority of the members of the Executive Committee. Any vacant positions shall not be counted for the purpose of determining a quorum. All actions which require a vote of the Executive Committee shall occur when there is a quorum, or be tabled until the next meeting in which a quorum is available. Minority vote and comments shall be recorded.
2. A minimum vote of five Executive Committee members shall be required to approve utilization of reserve funds established by the CCP. Minority votes and comments shall be recorded.

B. Conduct of Business

Business shall be conducted in accordance with the usual semi-formal procedures for a committee, with a motion, second, and vote. Members must be present to vote. However, an Executive Committee member may vote by proxy if all of the following requirements have been met:

- 1) The authority to vote by proxy is in writing; and 2) notice of the vote by proxy must be given at least 72 hours in advance of the meeting (i.e., by the time of the posting of the agenda). A vote by proxy is binding on the member of the Executive Committee and not subject to change by that member.

C. Brown Act

1. Meetings of the CCP shall be subject to the open meetings law for local legislative bodies, the Ralph M. Brown Act (Gov. Code sec. 54950 et seq).
2. As a statutorily created Committee, charged by law to develop a Realignment Plan that will recommend a county-wide programming plan for the realigned population, for consideration and adoption by the Board of Supervisors; said realignment plan previously adopted by the BOS; and responsible for presenting a budget to the BOS annually, the CCP shall meet regularly on a Friday, in the Farm Advisor's conference room.
3. The agenda for each regular meeting shall be posted at the Board of Supervisors chambers at least 72 hours ahead of time, and will also be available on the Mendocino County Probation Department website.

D. Public Comment

Time restrictions:

- a) The CCP shall include a separate public comment time on any agenda posted at least 72 hours ahead of time. This time shall be for comments by the public on items not on the agenda but within the CCP's jurisdiction. The public comment item shall be limited to three (3) minutes per speaker and to a total of fifteen (15) minutes for the item.
- b) CCP shall permit public comment on all agenda items before any Executive Committee vote on the item. Public comments on individual items shall be limited to three (3) minutes per speaker, and to a total of fifteen (15) minutes for the item.
- c) If it appears that all members of the public desiring to comment cannot be accommodated during the allotted times, the presiding officer may shorten the individual comment time, or may extend the time allotted for the item.

III. DUTIES OF THE CCP

- A. As noted above, the CCP, and specifically the Executive Committee, per statute, Penal Code Section 1230.1, shall recommend a local plan to the county Board of Supervisors for the implementation of the 2011 public safety realignment. (Said Plan previously adopted by the BOS.)
- B. Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidence based correctional sanctions and programs, including, but not limited to, day reporting centers, electronic and GPS monitoring programs, pretrial release programs, victim restitution programs, counseling programs, community service programs, education programs, and work training programs.

IV. TERMINATION OF CCP

At the present time, Penal Code section 1230.1 is in effect, and remains in effect until such time further legislation is enacted.