

Modoc County - Public Safety Realignment & Post-Release Community Supervision (AB 109) Updated Plan - 2021

Community Corrections Partnership Executive Committee

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OVERVIEW OF 2011 PUBLIC SAFETY REALIGNMENT ACT (AB 109)

BACKGROUND

On April 4, 2011, Assembly Bill 109 was signed into law and referred to as 2011 Public Safety Realignment. AB 109 was later modified by AB 117 with both bills together creating extensive changes to existing law which aimed at reducing the number of offenders incarcerated in state prison and “realigning” non-violent, non-serious, and non-sexual offenders to counties who are now responsible for their incarceration and/or supervision. This realignment and change in law is a partial response and solution to the state’s budget crisis and a U.S. Supreme Court order requiring the state to reduce prison overcrowding. Public Safety Realignment was proposed as a method to lower state prison inmate population in the safest possible way by allowing for county level management and supervision of those particular offenders, as opposed to the alternative option of massive releases of state prison inmates to communities with no further supervision or accountability.

The intent of the realignment is to allow maximum local flexibility within the statutory framework. The legislation requires a local collaborative planning and implementation process which emphasizes community-based corrections and punishment, use of evidenced based practices, and improved strategies for the supervision of offenders in the community. Further, the legislation states “the purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidenced based strategies that increase public safety while holding offenders accountable.”

The provisions of the public safety realignment were operative on October 1, 2011 and were prospective. This means, as offenders are sentenced on or after October 1 or released to community supervision on or after October 1, they will be the responsibility of the county, if they meet the criteria for the realigned population. No one in prison on October 1 will transfer to county jails and no one currently on state parole supervision will transfer to the local jurisdiction.

SUMMARY OF LEGISLATION CHANGES

The provisions of 2011 Public Safety Realignment change the jurisdiction of specified offender populations from state to local control for sentencing and supervision:

Local Sentence:

- Revises the definition of a felony to specify that certain non-violent, non-serious, non-sexual offenses that previously went to state prison are now punishable for more than one year in county jail or other local alternative sentencing options and cannot be sentenced to state prison.
- Does not change length of sentences; entire sentence imposed will be served locally and can exceed three (3) years in some instances.
- Options at sentencing for specified felony offenses include:
 - Jail instead of prison for the entire sentence;
 - Felony probation;
 - Jail with early release to alternative custody; or
 - Split sentence (sentence of jail custody combined with mandatory probation which cannot exceed the maximum sentence allowed by law).
- Options in custody:
 - The Sheriff retains all existing tools to manage this population as they do with the current population. In addition, counties may use new alternative custody options and electronic monitoring and home detention (1203.018 PC), and/or contract back with the state to house some inmates.

Summary of Legislative Changes Post-Implementation

SB823: Establishes the Juvenile Justice Realignment Block Grant program, intended to provide and fund services for juveniles who would otherwise have been eligible for DJJ. This fund pays for services, treatment, transportation, and secure housing for any eligible juveniles.

Proposition 47 (2014): Prison spending is focused on violent and serious offenses, maximize alternatives for non-serious, non-violent crime, and invest the savings generated from "the new act to support elementary and high school programs, victim's services, and mental health and drug treatment. The initiative seeks to accomplish these goals through four main strategies: (1) reducing most possessory drug offenses and thefts of property valued under \$950 to straight misdemeanors; (2) creating a process for persons currently serving a felony sentence for theft and drug offenses to petition the court for resentencing as a misdemeanor; (3) creating a process for persons who have completed qualified felony sentences to apply to the court for reclassification of the crime as a misdemeanor; and (4) forming a Safe Neighborhoods and Schools Fund generated by the savings achieved by the change in the sentencing laws

Proposition 57, “The Public Safety and Rehabilitation Act of 2016”: Creates two major revisions to criminal law by changing the rules governing parole and granting custody credits to inmates in state prison and requiring a judge to determine whether a juvenile may be tried as an adult.

Proposition 64 (2016): Eliminates the criminal consequences for personal level possession and cultivation of marijuana by persons 21 years of age or older. Specifically, newly added Health and Safety Code section 11362.1(a), subject to certain exceptions.

Post Release Community Supervision (PRCS)

- Any offender convicted of a non-serious, non-violent felony, and not deemed a high-risk sex offender, who is released from prison after October 1 will be supervised in the community by the probation department.
- All others will remain subject to state parole supervision provided by the California Department of Corrections and Rehabilitation (CDCR).
- CDCR must notify the county that the offender is being released to PRCS thirty days prior to release and is required to provide relevant background and assessment information concerning the offender.
- Level of supervision and case plan is determined by the probation department.
- General conditions of supervision are established by law probation department can add additional relevant conditions.
- An offender can be on PRCS for up to 3 years. However, offenders on PRCS may be discharged after 6 months of no violations and shall be discharged after a continuous year of no violations.
- Supervision agency can impose intermediate sanctions for violations of PRCS without Court involvement.
- Intermediate sanctions can include:
 - Short term “flash incarceration” in jail for up to 10 days;
 - Intensive community supervision;
 - Home detention with electronic or GPS monitoring;
 - Community service work;
 - Education and vocational programs;
 - Work release programs;
 - Day reporting programs;
 - Substance abuse treatment programs and drug testing;

- Community-based residential programs; and other appropriate counseling and treatment programs.
- The Court is responsible for any final revocation hearings for violations. The maximum sentence for PRCS revocation is 6 months confinement in county jail. Offenders cannot be returned to prison for violation of PRCS.

Parole Revocations

- All parole revocations for state parolees (except those with a life term) will be served in county jail but capped at 180 days and receive day for day credit.
- County cannot “contract back” with CDCR to house parole violators in state prison.
- After parolee completes jail sentence for a parole violation, they return to state parole jurisdiction for supervision in the community.
- Parole revocation hearings for state parolees will continue to be done by the Board of Parole Hearings (BPH) until July 2013 when the responsibility transfers to local courts.

Community Corrections Partnership (CCP)

AB 109/117 expands the current role of the Community Corrections Partnership (CCP), which was established in 2009 as an advisory committee for the implementation of the California Community Corrections Performance Incentives Act of 2009 (SB 678). The CCP is now also to be a policy planning body and to develop and recommend to the Board of Supervisors an implementation plan for 2011 Public Safety Realignment. AB 109/117 also added an executive committee within the CCP with the authority to approve the plan to be presented to the Board of Supervisors.

Membership of the CCP required by SB 678 includes:

- The Chief Probation Officer (chair)
- The presiding judge of the superior court, or his or her designee
- A county supervisor or chief administrative officer for the county
- The district attorney
- The public defender
- The sheriff
- A chief of police
- The head of the county department of social services
- The head of the county department of mental health
- The head of the county department of employment
- The head of the county alcohol and substance abuse programs

- The head of the county office of education
- A representative from a community-based organization with experience successfully providing rehabilitative services to persons who have been convicted of a criminal offense
- An individual who represents the interests of victims

As established in Penal Code §1230.1, membership of the executive committee of the CCP shall be:

- Chief Probation Officer (Chair)
- The Sheriff
- Chief of Police
- The District Attorney
- The Public Defender
- The Presiding Judge of the Superior Court
- The head of the county department of social services, or department of health services, as designated by the county board of supervisors.

On September 13, 2011, the Board of Supervisors of Modoc County designated the Director of Health Services as the seventh member of the Community Corrections Partnership Executive Committee.

Pursuant to Penal Code §1230.1(c), “The plan shall be deemed accepted by the county board of supervisors unless the board rejects the plan by a vote of four-fifths of the board, in which case the plan goes back to the Community Corrections Partnership for further consideration.”

Additionally, the legislation established Penal Code §1230.1(d), which states, “Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidenced-based correctional sanctions and programs, including, but not limited to, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs.”

The first meeting of the CCP was held on August 24, 2011. Attendees included: Chief Probation Officer Elias Fernandez, Assistant Chief Probation Officer Monica Seevers, The Honorable Francis Barclay, The Honorable David Mason, Supervisor Patricia Cantrell, CAO Chester Robertson, District Attorney Christopher Brooke, Public Defender William Briggs, local attorney John Lawson, Undersheriff Mary Acosta, Sgt. Dan Nessling, Alturas Police Department Chief Ken Barnes, Social Services Fiscal Officer Laura Shinn, Health Services Director Karen

Stockton, Alcohol and Drug Administrator Tara Shepherd, Assistant Superintendent of Schools Jim Schiffman, T.E.A.C.H., Inc. Director Carol Callaghan, and Victim-Witness Advocate Robin Farnam.

FUNDING

AB 118, the budget trailer bill that creates the funding framework for 2011 Public Safety Realignment, requires the county to create the County Local Revenue Fund 2011 (Government Code §30025(f) (1)). Within the County Local Revenue Fund 2011, each county must also establish a:

- Local Community Corrections Account
- Trial Court Security Account
- District Attorney and Public Defender Account
- Juvenile Justice Account
- Health and Human Services Account
- Supplemental Law Enforcement Account

The formula establishing statewide funding allotments for AB109 implementation in Fiscal Year (FY) 2011-12 assumes \$25,000 per offender for six months of local incarceration, with each of these offenders allocated \$2,275 for rehabilitative services while incarcerated or in alternative incarceration programs. This same level of funding will be made available for parole violators serving a 60-day revocation, albeit on a pro-rated basis. Offenders on PRCS are funded at \$3,500 per person for community supervision and \$2,275 per person for rehabilitative services (for a maximum of 18 months). The above formula establishing a statewide allotment was developed by the State Department of Finance and agreed to by County Administrative Officers (CAO) and California State Association of Counties (CSAC).

The level of local funding available through AB109 is based on a weighted formula containing three elements:

- 60% based on estimated average daily population (ADP) of offenders meeting AB109 eligibility criteria
- 30% based on U.S. Census Data pertaining to the total population of adults (18-64) in the County as a percentage of the statewide population; and
- 10% based on the SB 678 distribution formula

Below is the Department of Corrections and Rehabilitation estimate of the increased number of offenders annually who will be incarcerated or under supervision in Modoc County as a result of Public Safety Realignment.

CDCR Estimate of Average Daily Population at Full Rollout (Year 4) of AB 109 for Modoc County

	Total Inmates N/N/N, no prior S/V ADP1,2,5	Short-term Inmates N/N/N no prior S/V w sentence length <3 Years 1,2,3,5, 6	Long-term Inmates N/N/N no Prior S/V w sentence length >3 Years 1,2,4,5,6	Post Release Community Supervision Population Totals	RTC ADP, 30- day ALOS1, 7
Modoc	2	1	1	3	1

In summary, for Modoc County, the projected ADP for Total Inmates was 2 annually (1 is projected to have a sentence length of less than 3 years and 1 was projected to have a sentence length greater than 3 years).

The projected number of offenders for the PRCS population in Modoc County was 3 in the next 18 months. At the time the original plan was written, there was already an unanticipated packet from CDCR for someone being released in November 2012 who was sentenced from another county but lives in Modoc County. There is no way to know how many more of these prisoners there may be. In 2020 alone, we have received 2 out of county transfers to Modoc County and have transferred one out to another county.

The last number refers to state parolees who may experience a parole revocation and serve up to 180 day in the county jail. The CDCR estimate for Modoc County remains 1 offender annually.

Since its inception in 2011, the Department of Finance has revisited the formula a number of times. In 2014, the State Realignment Allocation Committee (RAC) focused on devising a means to redistribute base funding in FY 2014-15 given an approximately \$60 million drop in the funds available for allocation, while at the same time creating a permanent base funding formula beyond FY 2014-15. While the RAC also recommended an interim approach for allocating growth, the committee is supposed to revisit the issue in three to five years to set a permanent growth formula.

The Budget Act of 2016 (SB 826, Chapter 23), also appropriated \$7,900,000 to counties that submitted a report to the Board of State and Community Corrections by December 15, 2016

providing plans for the on-going allocation of funds, including future outcome measures, programs and services, and funding priorities as identified in the original plan accepted by the County Board of Supervisors. Modoc County applied for, and received, these funds to maximize revenues supporting the overall goals and objectives. This revenue source had originally been predicted to end on or around 2017, and therefore, most counties do not include these funds into their budgets as known revenue sources.

Data Collection and Analysis

A number of other factors must be considered regarding each county's statistics on the impact of realignment. These factors include such things as pre-AB 109 per capita rates of state prison commitments, availability of alternative treatment and programming, and general local views regarding rehabilitation of offenders vs. punishment. According to a Working Paper published by Stanford Criminal Justice Center, Stanford Law School, "Follow the Money: How California Counties are Spending Their Public Safety Realignment Funds," these factors are referred to as a "Control Orientation," and can be further evaluated in the context of AB 109 success.¹ In general, research finds that counties that shifted priorities away from past practice of control and surveillance and incorporated treatment programs and services for the justice-involved population demonstrated the greatest success. However, AB 109 success is largely measured in terms of the reduction in recidivism rates through management of lower level offenders at the community level in locally designed programs, rather than by a comparison of crime rate statistics. Using this standard and considering our size as one of the smallest counties, our approach would be considered successful.

As of November 2021, there were 19 PRCS offenders being supervised by the Probation Department. Of those, 3 terminated unsuccessfully, 2 terminated successfully, and 2 transferred to different counties within California. The number of PRCS offenders is well above the number originally projected in 2011. These high-risk offenders may have not been serious or violent offenders but several were domestic violence offenders with injury to the victims. These domestic violence offenders are one of the reasons the Batterer's Intervention Program (BIP) is being funded through the CCP committee funds.

Adult Parole numbers do not fluctuate very much in Modoc County. As of November 2020, there are 11 Parolees in Modoc County. Six of the offenders are high risk sex offenders. The regional

¹ Menu SLS |Publications. "Follow the Money: How California Counties Are Spending Their Public Safety Realignment Funds." *Stanford Law School*. Stanford Criminal Justice Center, n.d. Web. 15 May 2017.

office in Redding, California has three agents assigned to the offenders in Modoc. They do not exclusively have Modoc offenders on their caseloads.

LOCAL PLANNING AND DEVELOPMENT

Goals and Objectives

In 2019, the CCP Executive Board updated the Goals and Objectives for Modoc County. The goals listed below were developed by the original CCP Committee in 2011 and updated by the Goals and Objectives Committee in 2019:

- Development of a jail facility that is safer for inmates and staff and provides for the safe and effective delivery of services.
- Reduce Recidivism
- Save Lives

In structuring the goals, the Committee kept in mind the Modoc County Board of Supervisors Strategic Plan Goals, specifically, Reduce Drug Use and Crime in the County. Some of the objectives have been met, including increasing the use of Narcan, development of a new jail facility with funds from BSCC, and increased programming available in the jail and upon release. Going forward, the CCP Committee will continue to work towards these goals while working with all the justice partners.

SHERIFF'S DEPARTMENT

At the time the 2011 Plan was being put into place, the Modoc County Sheriff's Office (MCSO) operated one jail with the capacity for 43 beds and about 25 of those beds were occupied. The daily population in the jail averaged between 10 and 22 prisoners. The ADP for 2021 was 28.8 inmates with the highest month being February 2021 with 32.5 ADP. People convicted of non-serious, non-violent, and non-sex offense felonies on or after October 1, 2011, are now serving their sentences in the county jail. These sentences were estimated to be between sixteen months and three years. The Department of Finance estimated 2 additional inmates annually based on the number of offenders sent to state prison in the past. MCSO estimated 5 additional inmates.

In 2021, MCSO Jail had 379 bookings. Of those inmates booked in the jail, 8 were PRCS offenders serving time on violations, 5 were serving time on Mandatory Supervision, and 3 were sentenced pursuant to PC 1170(h). A few Flash Incarceration sanctions lasting ten days or less were booked and 58 probationers were arrested on violations of their probation conditions. The

Sheriff retained all existing tools to manage this population. The legislation also allows counties to use new alternative custody options, electronic monitoring and home detention (1203.018 PC). Since 2018, the Sheriff instituted an Electronic Monitoring Program (EMP) in conjunction with the Probation Department. The EMP committee meets when a defendant applies for the program and approves or denies the requests. In 2021, the Modoc County Sheriff's Office had 2 people on Electronic Monitoring Program. One due to low risk of violation and a full time employment. The other was due to medical issues. In 2011, the Sheriff was unable to offer programming in the jail due to a number of factors. MCSO now offers behavioral health programming, drug and alcohol classes, anger management, and parenting which is partially funded with CCP monies.

Most recently, the Sheriff instituted an In/Out of Custody Inmate Work Program and Cognitive Behavioral Therapy. This was accomplished with Edward Byrne Memorial Justice Assistance Grant (JAG) funding. Inmates can attend training courses hosted by correctional staff that certify inmates in various trade areas, such as power tool use and safety, basic carpentry, exposure to construction concepts, food handling safety, and more. These certificates not only expose inmates to new information and skills but can also easily be used to bolster resumes for future employment. As anticipated in 2011, the biggest impact of the increased jail population came with increased need for physical and mental health services. MCSO has a close working relationship with the medical community. A nurse practitioner reports to the jail for regular "sick call". If an inmate has serious medical issues and can be determined not to be a safety risk to the community, the jail is able to do a release. If the inmate is a safety risk, Modoc County Sheriff's Department pays for the required medical care. Currently, Modoc County Behavioral Health responds to mental health and substance use disorder needs and mental health crisis in the jail. Medical and behavioral health services (mental health and substance use disorder services) are paid for with AB109 funds. Additionally, the CCP committee purchased a Catastrophic Inmate Medical Insurance plan to cover catastrophic medical needs.

PROBATION DEPARTMENT

Modoc County Probation Department (MCPD) is currently staffed by the Chief Probation Officer and Assistant Chief Probation Officer, two Probation Technicians and a Support Services Administrator. Staff positions are funded with AB109, SB 678, YOBG, JAG Grant, and Pretrial Pilot Program funds.

As of November 2021, the department supervises approximately 120 adult probationers, 75 adults on pre-trial supervision, and 8 juveniles. There are currently 12 PRCS offenders being supervised; 1 of the 12 has absconded and has an active warrant. There are 5 active Mandatory

Supervision offenders, 2 with active warrants for absconding. Additionally, 1 offender terminated Mandatory Supervision successfully in the month of November 2021. There is also currently one offender completing a sentence in the jail pursuant to PC 1170(h).

MCPD has a long history of collaboration with law enforcement, the Court, Modoc County Health Services, Social Services, and T.E.A.C.H., Inc. The department participates, with the Superior Court and other partner agencies in Modoc County, in several collaborative justice or problem-solving courts addressing adult and parental substance abuse, domestic violence, and juvenile delinquency. As such, the CCP committee started the CCP Treatment team. The team meets monthly to discuss offenders and any issues that need to be addressed such as necessities, violations, and treatment plans. This team consists of MCPD, Community Based Organization T.E.A.C.H., MCSO, Behavioral Health, and Public Health.

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

MCPD and MCSO use one or more of the following Risk and Needs assessments for supervision, booking, and/or pretrial: the Ohio Risk Assessment System and/or Static Risk Needs Assessment. MCPD will prioritize supervision and treatment resources for higher risk offenders who generally present multiple criminogenic areas needing to be addressed at significant levels. By placing a higher focus on the higher risk offender, the department will better utilize resources to promote public safety. Higher risk offenders have a greater need for pro-social skills and thinking and are more apt to demonstrate significant improvements through related interventions such as well-developed case plans, and placing offenders into sufficiently intense cognitive-behavioral interventions that target their specific criminogenic needs. Higher risk offenders are more likely to be frequent offenders than those who are of lower risk and treatment resources that are focused on lower-risk offenders tend to produce little if any net positive effect on recidivism rates.

In 2010, MCPD developed and implemented a Batterer Intervention Program (BIP). The BIP program is up and running, there are participants in the male program and 2 in the female program. MCPD contracts with certified facilitators. Participant progress is reviewed regularly by the facilitators and the PO with a quarterly collaborative court reviews. AB 109 funds are now used to fund the BIP program.

Research has shown that an interviewing technique called *Motivational Interviewing (MI)* is very effective in engaging offenders and substance abusers in treatment and in making positive changes. Staff at MCPD have all successfully taken MI training. MCPD is in the process of purchasing *Thinking for a Change (T4C)*.

Home detention with Electronic Monitoring and/or GPS is an alternative to incarceration that can be used by the Probation Department to provide offenders with structure, control and accountability, as well as to provide an extra layer of supervision to the community. These allow for the offender to remain in their home in lieu of being incarcerated in jail for technical violations, reserving beds in the County Jail for more serious and violent offenders. The Electronic Monitoring Program allows the offender to remain at home while wearing a device on their ankle. The offender's schedule may be set up to allow him/her to attend work and/or school on a daily basis; however, any appointments or instances where the offender must leave the residence must be approved in advance by the probation officer.

GPS allows a probation officer to determine the location of an offender who is wearing the receiver 24-hours-a-day. It is monitored by a call center that will follow predetermined instructions from the Probation Department and will alert the offender that they are out-of-compliance. The probation officer receives alerts and determines the appropriate course of action. The system has the ability to create inclusion (approved) or exclusion (stay away) zones as ordered by the judge or directed by the probation officer. GPS also allows for school and work schedules as well as curfew restrictions.

MCPD regularly implements the use of the SCRAM system which combines the electronic monitoring/GMS system with continuous alcohol monitoring. This system allows for an offender to be released on supervision while being continuously monitored for alcohol consumption. Alerts are sent to the call center who in turns reports the results to the supervising probation officer.

Pretrial Pilot Program

The Probation Department and the Sheriff sought to increase available alternatives to incarceration in order to manage anticipated population increases under AB 109. These additional alternatives provided for by AB 109 legislation include involuntary home detention and electronic monitoring for the pretrial population. Penal Code Section 1203.018 allows for the release of prisoners being held in lieu of bail in the county jail to an electronic monitoring program under specific circumstances. The Sheriff, Probation Chief, and the District Attorney may prescribe reasonable rules and regulations under which such a program will operate,

including determination of specific eligibility criteria that may limit the number and type of pre-trial prisoners eligible for this program. In 2019, Modoc County began a Pretrial Pilot Program as part of a grant from the Judicial Council of California. On April 1, 2020, the first assessments and pretrial reports took place. In an abundance of caution due to Covid-19, many inmates were being cited and released and/or given \$0.00 bail was instituted. Although Modoc County employs the ORAS assessment for all offenders booked into the jail as a means to assist in the decision-making process many of the low risk and/or sober offenders are cited and released due to Covid-19 concerns and population limitations of the jail.

As of FY 21-22, the Pretrial Program was implemented for all California Counties. Modoc County has partnered with our technology provider Corrections Solutions Software, to implement a reporting protocol for the Judicial Council.

Community Work Service

Community work service (CWS) is another alternative to incarceration for technical and minor violations of supervision. It can also be a way for offenders to work off court fines. T.E.A.C.H. (Community Based Organization) provides staff to supervise offenders and track their hours. JAG funds were initially used to begin the CWS program and a second JAG grant has not only assisted in continuing the program but has enhanced it as noted above in the Sheriff's Department. This program allows for all offenders regardless of income, to complete CWS hours. Offenders who are assigned a specific number of hours to complete within a specified timeframe as part of their probation conditions, can also complete their hours through the CWS program. The benefits of community service for the offender is that they can give back to the community, fulfill a court order, learn new skills, or utilize the skills they already have to help others.

Alcohol and Drug testing

Currently all probationers are required to report to MCPD on some regular schedule. For some that may mean simply mailing in a monthly report form. For most it means reporting in person on a regular schedule and be tested for drugs and/or alcohol. Some 85% of prisoners in the State of California report a substance abuse problem so we can assume that the majority of those returning on PCRS and those felons serving their sentences locally will require testing for alcohol and drugs on a random basis. MCPD has a contract with Cordant, a certified laboratory in California. All staff are trained in collection procedures and maintaining the required chain of evidence. Additionally, all MCSO officers and deputies have been trained in the collection of samples to assist MCPD. As part of a federal drug court grant, testing supplies are available at both MCSO and APD.

Caseload Size

Probation was designated as the county agency responsible for supervision of the PRCS offenders. Intensive Community Supervision for high risk PRCS offenders includes routine home visits, office visits, home detention with electronic monitoring, residential substance abuse treatment, outpatient behavioral health treatment (sex offender treatment, mental health treatment, and substance use treatment), urinalysis testing, restorative justice programs, community service, family strengthening strategies, pre-release case planning (assessments and supervision planning pending release from custody), referral to education, referral to vocational training/employment services and housing resources, and imposition of a flash incarceration sanction of up to ten days in jail for violations of release conditions.

The American Probation and Parole Association (APPA) recommends, as best practice, a 20:1 caseload ratio given the assessed higher-risk level of the PRCS population. In order to meet these standards, the Modoc County Probation Department would need to hire an additional Probation Officer to maintain best practices and maintain court ordered investigations. At this time, caseload ratios are 75:1 (low/med. Risk), 25:1 (high risk domestic violence) and 45:1 (med/high risk including sex offenders) for all adult probation supervision.

RISK ASSESSMENT TOOL

Probation has invested in establishing evidence-based supervision and intervention practices proven effective at reducing recidivism and improving outcomes. At the heart of evidence-based practices are concepts of risk, need and responsivity (the practice of assessing and identifying criminogenic risk factors contributing to ongoing criminal behavior, which can be changed through application of culturally, developmentally and gender appropriate interventions, teaching new skills and building on offender's strengths to mitigate criminality). These principles are applied in the use of the Static Risk Needs Assessment (SRNA). Risk and need factors are assessed prior to sentencing using the SRNA assessment tool which then guides the most appropriate supervision conditions to reduce the likelihood of recidivism.

The SRNA risk/needs assessment tool is administered to every supervised offender – consistent with the above referenced principles and in turn, helps the officer and offender address the offender's needs for successful completion of their term of supervision. These processes in turn guide supervision intensity, treatment/program referrals, case management efforts, and offender activities.

An important component and effective part of this redesign has been the full support of Health Services including Mental Health and the Substance Use Disorder Clinicians. Originally, the Substance Use Disorder services were contracted out for the first six years. This became too costly and Behavioral Health was able to step in and provide services at a reduce cost beginning

in 2017. In 2020, Modoc County Behavioral Health engaged in the Drug Medi-Cal Regional Model with Partnership Health Plan. This regional model has allowed for expanded service delivery to those with substance use disorder, to include recovery services and has allowed greater access to residential treatment with bed availability being shared throughout the other counties. This is particularly important to Modoc as there are no residential facilities in Modoc County.

Additionally, to increase offender accountability and community safety, the CCP Executive Committee also partially funds a Deputy Sheriff and a Police Officer to work collaboratively with Probation to assist in community supervision and work with the CCP Treatment Team. This level of inter-departmental cooperation has proven to be a valuable and effective method to reduce recidivism and ensure public safety.

In addition to intensive supervision and collaborative case planning, the Probation Department employs a variety of alternatives to incarceration when addressing violations. Using the collaborative model of Drug Court, the Modoc Superior Court has added a Batterer's Intervention/Domestic Violence Review Court and a Mental Health Court with judicially supervised treatment as an alternative to incarceration. This model uses multi-disciplinary team case management strategies to provide support, education, and services needed to curb drug and alcohol addiction, criminal thinking, and promote a life of recovery and sobriety.