



A Tradition of Stewardship
A Commitment to Service

Napa County

Community Corrections

Partnership

FY 2022-2023

PUBLIC SAFETY REALIGNMENT PLAN

Table of Contents

- I. PURPOSE 2
- II. CCP MEMBERSHIP 2
- III. INTRODUCTION 3
- IV. POPULATION 3
- V. GOALS, OBJECTIVES & OUTCOMES 5
- VI. SUMMARY 9

I. PURPOSE

The purpose of the Community Corrections Partnership (CCP) is to advise the Probation Department on the development and implementation of an ongoing *Community Corrections Program*, as provided for in the *Community Corrections Performance Act of 2009* (California Penal Code Sections 1228 through 1233.7). In 2011, the CCP recommended a local plan to the Board of Supervisors for the implementation of the 2011 public safety realignment, as provided for in Section 1230.1 of the Penal Code. Beginning in 2020, each County Probation Department is required to submit a yearly report on the implementation of that plan to the Board of State and Community Corrections (BSCC).

II. CCP MEMBERSHIP

A. Executive Committee – Standing Members

- 1) Amanda Gibbs, Chief Probation Officer
- 2) Cynthia P. Smith, Presiding Judge of the Superior Court
- 3) Oscar Ortiz, Sheriff
- 4) Allison Haley, District Attorney
- 5) Rob Abernethy, Public Defender
- 6) Jennifer Yasumoto, Director of Health & Human Services
- 7) Cassandra Eslami, Deputy Director of HHS / Behavioral Health Director
- 8) Barbara Nemko, County Superintendent of Schools

B. Other Partnership Members

- 1) Brad Wagenknecht, Board of Supervisors
- 2) Jennifer Gonzalez, Napa Police Department Chief
- 3) Sundry Pech, Program Manager, Geo Group, Inc.
- 4) Alejandra Mendieta-Bedolla, Victim Services Coordinator

C. Other Criminal Justice Partners

- 1) David Morrison, Interim County Executive Officer
- 2) Doug Parker, Deputy County Counsel
- 3) Victoria Wood, Superior Court Judge
- 4) Mark Boessenecker, Superior Court Judge
- 5) Scott Young, Superior Court Judge
- 6) Elia Ortiz, Superior Court Judge
- 7) Monique Langhorne, Superior Court Judge
- 8) Bob Fleshman, Court Executive Officer
- 9) Joseph Solga, Superior Court Judge
- 10) Cullen Dodd, Undersheriff
- 11) Paul Gero, Assistant District Attorney
- 12) Daniel Sanchez, Senior Management Analyst
- 13) Dina Jose, Director of Corrections
- 14) Craig Burch, Chief Deputy Probation Officer

III. INTRODUCTION

In an effort to address overcrowding in California's prisons and assist in alleviating the State's financial crisis, the Public Safety Realignment Act (Assembly Bill 109) was signed into law on April 4, 2011. AB109 transferred responsibility for supervising specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to California counties. AB109 did not contain the 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 legislative bills as part of the State budget that provided funding and made necessary technical changes to implement the Public Safety Realignment Act, which went into effect on October 1, 2011.

AB109 transferred responsibility for supervising non-violent, non-serious, non-sex offenders (non/non/non's) or Post Release Community Supervision (PRCS) upon release from State Prison to County Probation in lieu of being supervised by State Parole. Further, any non/non/non's sentenced after October 1, 2011, are no longer eligible to serve their prison sentence in State Prison and instead must serve it at the County Jail (Penal Code 1170(h)). The third population realigned from state to local responsibility is parolees who are no longer revoked to State Prison; their revocation period is instead served at the County Jail and is capped at 180 days. AB109 allows counties maximum flexibility in developing intervention and sanctions at the local level.

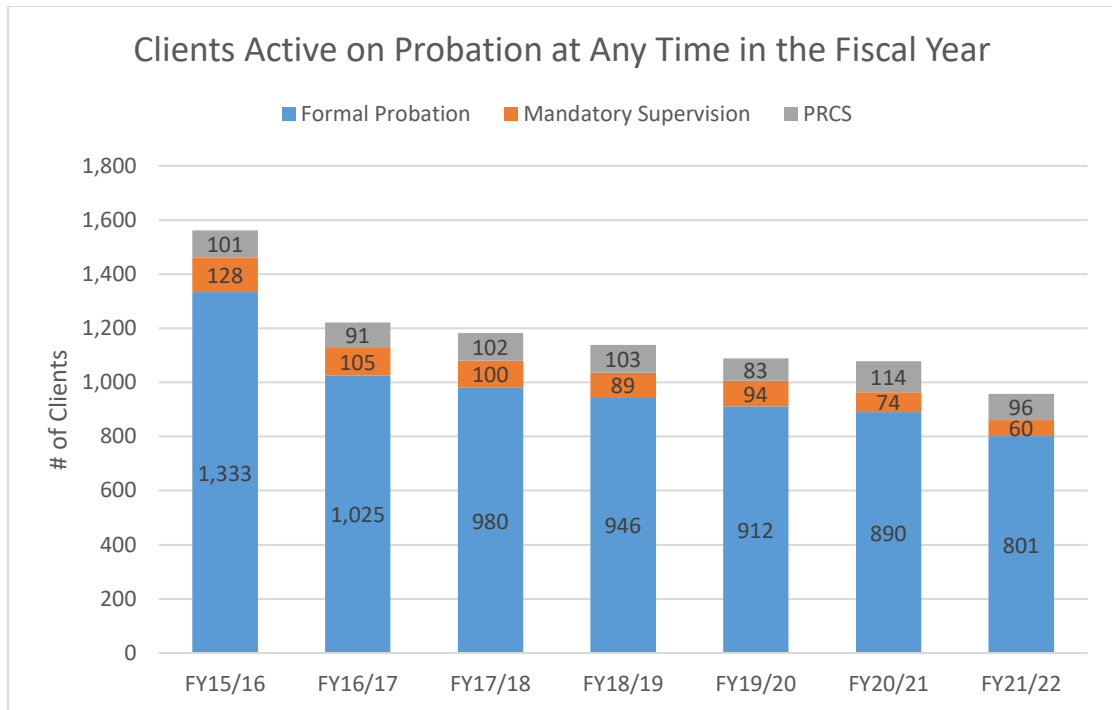
IV. POPULATION

AB 109 Offender Population Terms and Definitions

- *Non-Violent/Non-Serious/Non-Sex Offenders (Non, Non, Non):* AB109/AB117 revises the Penal Code to allow certain offenders convicted of specified crimes to serve their "prison" terms in the county jail, effective October 1, 2011. The population serving sentences locally are those convicted of certain non-violent/non-serious/non-registerable sex offenses. These offenders may be sentenced to a period of mandatory supervision as part of their sentence and would be under the supervision of the Probation Department.
- *Post Release Community Supervision (PRCS):* Non/Non/Non offenders released from State Prison after October 1, 2011, are placed on Post Release Community Supervision under the jurisdiction of county authorities. These offenders are released from State Prisons to community supervision on their regularly anticipated parole date.
- *Mandatory Supervision and Local Prison:* Those individuals sentenced under PC 1170(h) serve sentences in the local jail that previously would have been served in state prison. The majority of cases are given a "split sentence" under 1170 (h)(5) PC which grants a term of supervision (Mandatory Supervision) to be

supervised by the local probation department under conditions similar to formal probation.

This report focuses on clients in the categories above, felony offenders, and those who are supervised by the Napa County Probation Department. Over the last year (FY 21/22) the Probation Department actively supervised a population of 965 clients, including only those on felony probation, mandatory supervision, and PRCS. Over the last six years there has been a steady decline in the felony probation population on active supervision due in part to legislation like AB 1950, which reduced the length of probation for most cases. While the population of formal probation cases has decreased, the number of PRCS clients has only fluctuated marginally. There was a temporary spike in PRCS releases in FY 20/21 because CDCR implemented an expedited release protocol to reduce the spread of COVID 19 in state prison. There has also been a decrease in Mandatory Supervision cases during the same timeframe as local court processes were modified to manage cases during the pandemic. It is anticipated these numbers will start to increase again in the next FY.



*Legislative changes including AB1950 have contributed to the decrease in numbers.

Column Labels

	FY15/16	FY16/17	FY17/18	FY18/19	FY19/20	FY20/21	FY21/22
Total	1,574	1,233	1,188	1,146	1,097	1,085	965

V. GOALS, OBJECTIVES & OUTCOMES

Principles

Public Safety Realignment places significant responsibility on the local jurisdiction and brings with it numerous challenges, however, by allowing for flexibility it also presents opportunities. The local Community Correction Partnership (CCP) is committed to mitigating challenges and seizing these opportunities to improve the local criminal justice system. The CCP uses the following criteria to guide our local efforts and provide focus of the designated resources:

- *Safety and Crime Prevention:* Assure any proposed program or policy promotes a shared safety approach in collaboration with community partners to minimize risk to the community.
- *Accountability:* Assure that the proposal is consistent with the deterrent and retributive functions of law enforcement, both for participants and for the public at large.
- *Recidivism:* Deliver evidence-based programs that are data driven and shown to produce a reduction in recidivism. Recidivism is measured by returns to incarceration for supervision violations and failures to appear as well as by the commission of new offenses. These multiple measures will allow Napa to measure success in terms of jail bed use as well as community safety, and to account for pretrial defendants as well as sentenced offenders.
- *Cost:* Determine what investment is required by the county to establish and maintain a sustainable program. Collect and examine data to ensure enough people would qualify for or be referred to maintain fidelity of the program and justify expenditure

Criminal justice research and our local public safety experience identify core program elements that should be addressed to support the principles listed above. The Executive Committee, through service agreements, community collaboration, and program development efforts will focus on resources and services that meet these criteria.

Services and Implementation

Community Supervision: Probation staff investigates, assesses and supervises offenders. Staff establishes conditions of community supervision in order to assist the offender to be successful in the community, thus minimizing the risk to reoffend. Probation also provides a Deferred Entry of Judgement Program.

Transition Plan for those returning from Prison: All offenders returning from prison have a range of assessments as soon as possible. Referrals to community agencies are

made based on the results of the assessment. A multi-agency assessment team has been established and in the coming year, the team will be reviewing the best way to utilize their collective resources to best manage the needs of the reentry population. Priority will be placed on high utilizers of the system including assessment of their individual needs including homelessness and mental health as well as community safety.

Pretrial Program: Using a combination of SB 678 and Realignment Funds, the Probation Department originally developed a Pretrial Services Unit. It was expanded in 2019 when Napa County Probation and Napa Superior Court were selected by the Judicial Council of California to participate in the California Pretrial Pilot Project and is now sustained through a combination of SB 129 and Realignment funds. Probation Officers interview and assess defendants, as they are booked, and provide a report with recommendations to the Court so judges can quickly make informed decisions about release. They also provide monitoring and offer services to ensure defendants return to court and are less likely to be re-arrested. Safeguards such as electronic monitoring and stay-away orders can be put into place for cases with more significant community safety concerns. Pre-filing diversion programs and community referrals are reviewed and implemented as needed.

Sentenced Offenders: Risk assessments are conducted before sentencing when a presentence report is being completed. Results of the assessment highlighting the risk and needs of the offender are included in the report to assist in evidence-based sentencing. Referrals to programs are based on assessment data and could include additional assessments, education and treatment programs, community referrals and linkages, housing assistance, and a pre-release program.

Less restrictive settings that may be used include electronic monitoring, home detention, work release, and day reporting—including the program-oriented day reporting program at the Community Corrections Service Center (CCSC), with appropriate variations for new clients. These variations address the needs of realigned offenders who may pose higher risk than current program clients, as well as less risky offenders who serve all or part of their sentences on day reporting or electronic monitoring in lieu of total confinement. Addressing the behavioral health needs of offenders can support such alternatives. The CCP funds correctional officers to support community safety. The CCP also funds a victim advocate in the District Attorney's office to assure compliance with Marsy's Law prior to releasing inmates into an alternative to custody program.

Mental Health Services: The CCP has dedicated Mental Health funding to those in custody to provide services that assist with offender stabilization and community re-integration. Mental Health services are also provided through Mental Health Court where offenders are provided intensive case management services designed to improve public safety by reducing recidivism; and increase their participation in effective treatment. Additionally, the CCP funds counselors imbedded with local law

enforcement to be responsive to mental health issues in the community and connect clients needing intervention with appropriate resources. In the next fiscal year the CCP will continue to review the need for implementation of Mental Health Diversion and evaluate the need for CCP funding. Additionally, a review of implementation requirements for The Community Assistance, Recovery, and Empowerment Act (Care Court) will be completed.

Napa County Community Corrections Service Center (CCSC): The CCSC uses evidence-based practices to motivate clients to change behaviors, and to provide them the skills they need to be successful in the community. Clients are assessed and connected to community services and targeted programming in a coordinated fashion to promote successful reentry into the community. The CCSC also provides services such as drug and alcohol assessments and testing, cognitive behavioral therapy, both individual and group, employment and housing assistance and referrals to other community resources or service providers as needed.

Specialized Caseloads: The Probation Department has a number of specialized caseloads and specialty Courts to address the specific needs of offenders. These include Drug Court, Mental Health Court, and domestic violence and sex offender caseloads. Within the next year an assessment will be completed to determine if there is a need to develop specialized caseloads to address multiple time DUI offenders. The officers assigned to these caseloads have target training specific to these assignments.

Probation Violations responded to by the Probation Department: The Probation Department has designed a matrix of sanctions and rewards, ranging from counseling through “flash incarceration” to revocation of community status, which provides guidance on responses to violations based on the needs of the offender and the severity of the violation, as well as reward positive behavior. Objectives include preserving jail space for people committing new crimes and reducing the chances of repeated violations and revocation.

Reentry Facility: Further options for sentenced offenders included designing and building a staff-secure residential facility to support enhancing foundational life skills for low-level offenders and support community reintegration. The program has been delayed indefinitely due to the effects of the global pandemic and the implementation of emergency bail programs and sentencing laws which have resulted in a smaller custodial population who are eligible for the program. The proper utilization of this program will continue to be evaluated over the next year.

Crime Analyst: In an effort to organize, assess, and link existing data to generate actionable information and intelligence to support crime prevention and community safety, the CCP funds a crime analyst contracted through the Northern Regional Information Center.

University of Cincinnati (UCI): Napa County developed an Adult Correctional Systems Master Plan in 2007. Central to this plan is the commitment to utilize comprehensive evidence-based practices (EBP) throughout the criminal justice system. It is important for all partners in the Napa criminal justice system have continual training in the best practices in reducing recidivism, which will help foster a coordinated approach to improving outcomes with the AB 109 population and other offender groups. The CCP has approved funding for the University of Cincinnati, a leader in evidence-based research and training, to provide foundational training and technical assistance in the next FY for Napa County's criminal justice stakeholders.

Data Reporting and Outcomes

One of the legislative intents of AB 109 is to maximize the role of evidence-based intervention strategies to reduce criminal recidivism. Correctly assessing the needs of the offender population and then providing appropriate services are key to addressing public safety and recidivism concerns in Napa County. To ensure strategies are implemented to fidelity and producing desired outcomes, the CCP will measure and assess data and programs and adjust services and implementation as necessary. Napa County's Criminal Justice Case Management System is integral in data collection and reporting, however, there are additional resources needed to fully build a data system that can capture and aggregate the scope of data needed to fully assess stakeholder needs. Long-term planning efforts will work to develop a data sharing agreement amongst partners, and resource IT services to address the data capturing, tracking and analysis needs to promote best practices and positive outcomes.

The responses and interventions listed below currently used by Napa County and are considered to be evidence-based responses or other promising practices:

- Validated Risk Assessments
- Risk based supervision
- Motivational Interviewing
- Behavioral Interventions
- Cognitive Behavioral Therapy (CBT)
- Pre-Trial Programs
- Reentry Services and Day Reporting Center
- Community-based programs targeting criminogenic needs
- Substance Abuse Treatment
- Mental Health assessments, referrals and treatment
- Sanction/Reward Matrix
- Random Drug Testing
- Flash incarceration
- Electronic GPS Monitoring
- Community Service
- Transportation assistance
- Reward cards

- Collaborative Courts
- Residential Treatment

Approved Realignment Budget for FY 2021/2022

Probation Supervision	\$ 1,632,751
Deferred Entry of Judgement	\$ 153,000
Alcohol and Drug Counselor	\$ 120,000
Mental Health Jail Program	\$ 392,000
Mental Health Treatment	\$ 185,000
Corrections Staffing	\$ 2,644,340
District Attorney - Victim Witness	\$ 327,000
City of Napa	\$ 130,000
Residential Treatment	\$ 48,000
Training	\$ 80,000
Non-Profit	\$ 18,624

VI. SUMMARY

The Napa County Public Safety Realignment Plan provides a comprehensive approach to addressing public safety by implementing strategies to address criminal recidivism. To do so, the plan focuses on the promotion of public safety through crime prevention and reduction; holding offenders accountable through evidence based approaches, custody, and custody alternatives; supervision and rehabilitation of offenders; and the use of assessments, programs, and services to promote rehabilitation. Accomplishing this in the most cost effective manner through data driven decision-making continues to be the Partnership’s primary strategic goal.