# Sacramento County Community Corrections Partnership

# **Public Safety Realignment Plan**

Assembly Bill 109 and 117 2011 Public Safety Realignment Legislation

November 1, 2011



Prepared by: Sacramento County Local Community Corrections Partnership (CCP) Committee

# Sacramento County Community Corrections Partnership Public Safety Realignment Plan

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# SECTION 1: EXECUTIVE SUMMARY

# 2011 Public Safety Realignment Plan

# Overview, Impact, Funding Allocations and Implementation Recommendations

AB 109 Offender Realignment shifts designated convicted felony defendants to California counties. Each county must develop a Public Safety Realignment Plan approved by the Board of Supervisors before funding can be reallocated to local law enforcement and other county justice agencies. The legislation assumes counties will handle this offender population in a different manner than the California Department of Corrections and Rehabilitation (CDCR) by utilizing a hybrid of incarceration time, community supervision, and/or alternative custody and diversion programs during the offender's sentence length. Each implementation plan must further identify evidence-based practices which can be established so that the community's public safety is not jeopardized because of these newly transferred offender populations. The Plan should outline specific programming and facility requirements needed to implement the custody, supervision, diversion program interventions and judicial processing of convicted State Prison felony defendants the criminal justice system must assume responsibility for after October 1, 2011.

The Public Safety Realignment Act expanded the role and purpose of the Community Corrections Partnership (CCP) which was previously established in Penal Code Section 1230 through SB 678 and pursuant to AB 117 an Executive Committee of the CCP is required to prepare an AB 109 Implementation Plan that will enable each county to meet the goals of the Public Safety Realignment legislation. The Executive Committee is comprised of the Chief Probation Officer (the Chair of the CCP); the Superior Court Presiding Judge; the District Attorney; the Public Defender; the Sheriff; a Police Chief; and the Administrator of Health and Human Services.

This document contains Sacramento County's Community Corrections Partnership AB 109 Public Safety Realignment Implementation Plan for the initial fiscal year (FY) 2011 – 12 covering the nine month period beginning October 1, 2011 through June 30, 2012.

## Projected New Offender Populations

The AB 109 legislation reassigns three groups of offenders previously handled through the State Prison and Parole System to California counties. The first group includes convicted offenders receiving sentences for new non-violent, non-serious, non-sex offender ("N3") crimes that will be served locally (one year or more). Offenders in this category will have no prior violent or serious convictions. The second group involves post-release offenders (up to three years) coming under Probation Department supervision for "N3" crimes released from State Prison. Offenders in this category may have had prior convictions for violent or serious crimes. The third group includes State parole violators who are revoked to custody. With the exception of offenders sentenced to life with parole, this group will be revoked to local County Jail instead of State Prison.

The California Department of Corrections and Rehabilitation (CDCR) estimates that in the initial first nine months of Realignment implementation (October 2011 to June 2012), the Sacramento County criminal justice system will receive approximately 396 new "N3" offenders sentenced to local incarceration in the County Jail, 243 State parole revocations committed to the local jail and 1,003 Post-Release Community Supervision (PRCS) offenders receiving supervision provided through the Probation Department.

Between July 2012 and September 2013, CDCR estimates the AB 109 Realignment will result in 613 additional new locally sentenced offenders, 982 new post-release probation assignments, and 567 State parole revocations to County Jail. Based on these estimates

from CDCR over the first two year implementation period, the Sacramento Probation Department is projected to receive a total of 1,985 Post-Release Community Supervision (PRCS) offenders (monthly average of 83). The Sheriff's Department is projected to receive 1,819 (monthly average of 76) "N3" felony offenders sentenced to jail time or some combination of jail time and community supervision and parolee jail commitments.

Estimated Average Daily Population (ADP) at "Full Implementation" of AB 109 of New Offenders in the Sacramento County Criminal Justice System

- 895 "N3" offenders serving felony sentences in County Jail (505 serving less than three years; 390 serving more than three years).
- 1,203 California Department of Corrections and Rehabilitation (CDCR) offenders receiving Post-Release Community Supervision (PRCS) provided by the Probation Department.
- **208** revoked offenders in County Jail on State parole or local probation violations.

## Funding Allocations

Based on the AB 109 statewide allocation formula, Sacramento County is projected to receive \$14,738,496 for Fiscal Year 2011-12. This includes the following allocation categories:

Sacramento County AB 109 Initial Public Safety Realignment Funding		
intended to	lic Safety Realignment Adult Population Shifts. This is cover the adult population shifts, including the transfer of fender and local PRCS supervision caseloads and sanctions.	\$13,140,278
divided equ	orney/Public Defender Activities. These funds are to be ally between the two departments to cover costs associated tion hearings.	\$471,018
help cover of	t-up Costs (one-time funding). These funds are intended to costs associated with hiring, retention, training, data nts, contracting costs, and capacity planning.	\$927,200
County pop	ng Grant (one-time funding): These funds are based on ulation and are intended to assist in the development of the lementation Plan.	\$200,000

## Realignment Program and Facility Recommendations

The proposed implementation strategies for the Sacramento County Public Safety Realignment Plan take into consideration the multi-faceted risk and needs characteristics of the new AB 109 offender populations and the necessary resources to achieve desired public safety outcomes. The Plan integrates strategies and "core" programs / facilities that include (1) alternatives to incarceration, (2) custody housing, (3) alternative custody diversion programs, (4) community supervision, (5) evidence-based assessments, treatment / programming, and (6) continuum of intermediate sanctions for program violations.

The Public Safety Realignment Plan also establishes the basic organizational structure during the first nine months of implementation to begin integrating expanded jail capacity

and programming across three components of the County's adult criminal justice system including (a) jail housing (Sheriff's Department), (b) community supervision (Probation Department), and (c) treatment / programming (contract providers). The increased treatment and programming will embody evidence-based assessment principles and include increased services directed to in-custody offender populations and offenders participating in new or expanded alternatives to incarceration and non-custody diversion programs including home detention and electronic monitoring.

	Program and Facility Recommendations	Program Impact & Offender Capacity
1.	Implementation of Pretrial Release and Supervised OR Program	24/7 pretrial screening of jail detainees & ADP of 50-75 supervised OR defendants
2.	Expansion of Sheriff's Department's Home Detention Electronic Monitoring (EM) Program	Average Daily Electronic Monitoring Pop: 300
3.	Implementation of Probation Department's Adult Day Reporting Center (ADRC)	ADRC and Intensive Supervision Units will have an ADP for 1,200 Offenders
4.	Reopening of Roger Bauman Facility (RBF) at Rio Cosumnes Correctional Center	Total Available Custody Housing Capacity: 275 Beds
5.	Expansion of RBF Inmate Services: Evidenced-based risk and needs assessment, cognitive behavioral therapy, mental health and alcohol/drug counseling, job/education assistance and development of transitional reentry plans	New Custody Services For "N3" Sentenced Defendants: 76 Offenders /Month

## Proposed Program Budgets

The CCP Plan includes 37 positions for Probation and 64 positions to the Sheriff's Department for a total of 101 positions. The Probation Department will receive a total of \$4,644,422 (\$4,180,332 for program budget; \$464,090 for one time start up costs). The Sheriff's Department will receive a total of \$9,544,083 (\$8,485,806 for program budget; \$500,000 for inmate services; and \$558,277 one-time start up costs).

Program and Facility Recommendations	<u>Personnel</u>	<u>Budget</u>	<u>Start-up</u> <u>Cost</u>
Implementation of Pretrial Release and Supervised OR Program	10.0 FTE	\$555,184	\$27,250
Expansion of Sheriff's Department's Home Detention Electronic Monitoring (EM) Program	15.0 FTE	\$1,945,888	\$329,248
Implementation of Probation Department's Adult Day Reporting Center (ADRC)	37.0 FTE	\$4,180,332	\$464,090
Reopening of Roger Bauman Facility (RBF) at Rio Cosumnes Correctional Center	39.0 FTE	\$5,984,734	\$201,779
Expansion of RBF Inmate Services: Evidenced-based risk and needs assessment, cognitive behavioral therapy, mental health and alcohol/drug counseling, job/education assistance and development of transitional reentry plans	To be determined	\$500,000	\$0
AB 109 Contingency Reserve Fund		\$47,973	

The CCP will receive \$200,000 for planning purposes of which \$30,000 will be utilized for a consultant, \$1,000 for office supplies, and \$121,027 will be used to cover program proposals and one-time start up cost overages. The remaining \$47,973 will be placed in a contingency fund.

The Sacramento County Community Corrections Partnership (CCP) recognizes the overall intent of the Public Safety Realignment Act, Assembly Bill 109 which takes effect October 1, 2011. The Partnership's member agencies recognize the magnitude of their responsibility for the Program elements contained in this Plan. The justice agencies and community organizations that have worked together for several months to finalize the Plan's program recommendations also recognize the scale of requirements and financial constraints, as well as the broader opportunity to provide a higher level of justice system effectiveness and public safety.

Sacramento's criminal justice agencies have a lengthy culture and history of interagency collaboration and leadership in justice reform for both the local juvenile and adult system. This includes a common commitment to key values and principles, including the use of evidence-based practices, community inclusion, data-driven decision-making, systemic reform, transparency in decision-making, and restorative justice ideals. Our justice agencies have strived to represent the best research and methods available to promote the highest possible level of long-term community public safety. Input from a variety of viewpoints was gathered from multiple sources, including CCP meetings, sub-committee workgroups, and stakeholder presentations. This input is woven throughout this Plan and will be considered throughout the continuing process of planning and implementation in subsequent years of the Realignment legislation.

As a next step in the planning process, the CCP will begin working to create public outreach and education workgroups. The goal of this process will be to better inform the community on the issues contained in the AB 109 Realignment process and including perspectives of community-based organizations who are deeply devoted to promoting best practices for integrating ex-offenders back into their neighborhoods. This will include perspectives of formally incarcerated defendants which is important in our overall effort to reduce recidivism in Sacramento County.

Additionally, the CCP will be undertaking steps to ensure the development and assessment of all policies and programs will be data-driven and mechanisms will be put into place to ensure the integrity and objectivity of the data collection, analysis and reporting of program outcomes and performance. Policies, practices, services, and supports will be assessed and evaluated to determine their effectiveness. Clearly stated and commonly agreed upon definitions will be used to measure recidivism and other offender and community outcomes. Program evaluation data will be widely shared and all CCP members are committed to ongoing revision and improvement of this Plan to achieve the greatest possible effectiveness within available resources.

# **SECTION 2: INTRODUCTION**

# 2011 Public Safety Realignment Plan

# Background and Overview of AB 109 Public Safety Realignment Act

On April 4, 2011, Governor Brown signed AB 109, the 2011 Public Safety Realignment Act. This 652 page law, alters the California criminal justice system by (a) changing the definition of a felony, (b) shifting housing for low level offenders from State Prison to local County Jail, and (c) transferring the community supervision of designated parolees from the California Department of Corrections and Rehabilitation (CDCR) to local county probation departments. Several companion trailer bills (AB 116, AB 117, and AB 118) followed clarifying the legislative intent, correcting drafting errors and providing initial implementation funding. The Act became operational for all county criminal justice agencies on October 1, 2011. The legislation provided funding for nine months from the State to the counties.

The Public Safety Realignment Act expanded the role and purpose of the Community Corrections Partnership (CCP) which was previously established in Penal Code Section 1230 through SB 678 pursuant to AB 117 an Executive Committee of the CCP is required to prepare an AB 109 Implementation Plan that will enable each county to meet the goals of the Public Safety Realignment legislation. The Executive Committee is comprised of the Chief Probation Officer (the Chair of the CCP); the Superior Court Presiding Judge; the District Attorney; the Public Defender; the Sheriff; a Police Chief; and the Administrator of Health and Human Services.

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## <u>Overview</u>

AB 109 Offender Realignment shifts designated convicted felony defendants to California counties. Each county must develop a Public Safety Realignment Plan approved by the Board of Supervisors before funding can be reallocated to local law enforcement and other county justice agencies. The legislation assumes counties will handle this offender population in a different manner than the California Department of Corrections and Rehabilitation (CDCR) by utilizing a hybrid of incarceration time, community supervision, and/or alternative custody and diversion programs during the offender's sentence length. Each implementation plan must further identify evidence-based practices which can be established so that the community's public safety is not jeopardized because of these newly transferred offender populations. The Plan should outline specific programming and facility requirements needed to implement the custody, supervision, diversion program interventions and judicial processing of convicted State Prison felony defendants the criminal justice system must assume responsibility for after October 1, 2011.

Both AB 109 and AB 117, bill taken together, create extensive changes to existing statutory law which is intended to reduce the number of convicted offenders incarcerated in California's State Prison system and "realigns" these offenders to local criminal justice agencies who are now responsible to manage the specified offenders. This realignment and change in law is viewed as a response and partial solution to California's budget crisis and a recent U. S. Supreme Court order requiring the State to reduce prison overcrowding. The 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 certain offender groups 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 set forth in these two pieces of legislation. The legislation requires a local collaborative planning and implementation process which emphasizes community-based corrections, intermediate sanctions and punishment, use of evidence-based practices / programs, and improved supervision strategies. 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 Act became operative on October 1, 2011 and are prospective. Consequently, as offenders are sentenced on or after this date or released to community supervision, they will be the responsibility of the county, if they meet the statutory criteria for the realigned population. No offenders in prison on October 1 will transfer to County Jails and no individual currently on State Parole supervision will transfer to the local jurisdiction. The Realignment Act mandates that felons convicted of non-violent, non-serious and non-sex offenses serve their prison sentence in County Jail instead of State Prison. Offenders sentenced to serve determinant incarceration terms, whether it is in State Prison or local custody as the new law requires, will serve a term directed by the Superior Court. For offenders sentenced to a term in local custody, the new law, however, permits a judge to split a determinant sentence between custody and "mandatory supervision."

Additionally, the law creates a new status called "Post-Release Community Supervision." The law requires that a county agency supervise any convicted felon released from State Prison with a committing offense that was non-violent, non-serious, and not a high-risk sex offense, or inmates committed after admitting one serious or violent prior. These offenders may have been serving a term that was enhanced with a prior serious or violent felony (strike prior), sanctions for violations of post-release community supervision will be served in County Jail for offenders, as well as for most formal paroled offenders, and will be limited to 180 days. In accordance with AB 109 and AB 117 (Chapter 39, Statutes of 2011), each county is required to designate a supervising county agency for the new Post-Release Community Supervision Program. On July 26, 2011, the Sacramento Probation Department was designated by the Board of Supervisors as the supervising county agency (See Appendix A: Board of Supervisors Agency Designation to Supervise Post-Release Community Offenders).

The shifting of community supervision and housing from the California Department of Corrections (CDCR) to Sacramento County requires a comprehensive plan to effectively implement these modifications to the community's criminal justice system without compromising public safety. The State has suggested that realignment plans maximize the investment of criminal justice resources in proven evidenced-based correctional sanctions and intervention programs.

Evidence-based practices are based on five primary principals. These principles address the questions of who, what, and how to apply the most effective correctional interventions. If followed, research shows that evidence-based practices and programs are effective in reducing recidivism. Evidence-based correctional planning should incorporate the following:

- 1. **The Risk Principle (who)**: Target resources to higher risk offenders. Ideally, sufficient resources would be applied to supervise, case manage and treat high and moderate risk offenders appropriately.
- 2. The Need Principle (what): Apply interventions that target each offender's particular criminogenic needs. Criminogenic needs are those areas that are dynamic (can be changed) and have been scientifically demonstrated to be correlated with likelihood of reoffense. These factors include: Antisocial attitudes and beliefs, Anticocial peers, Antisocial personality pattern, lack of positive family support, low levels of education or employment success, lack of prosocial leisure activities, and substance abuse.
- 3. *The Response Principle (how)*: Interventions should be applied based on the individual characteristics of the offender that may affect how s/he may respond to the

given intervention. Such characteristics include mental health issues, medical issues, intelligence level, readiness for change, etc.

- 4. **The Treatment Principle (how)**: The most effective correctional interventions are behavioral, focusing on factors that influence behavior, are action-oriented, and are appropriately reinforced. These include cognitive-behavioral approaches, structured social learning where new skills and behaviors are modeled, and family-based approaches where the family is trained in new skills and techniques.
- 5. **The Fidelity Principle (how)**: Evidence-based programs must be implemented as designed, often including structured measurements of model-adherence, extensive quality assurance mechanisms, pre- and post-evaluation, and other methodologies for ensuring fidelity.

Key provisions and elements of the AB 109 Public Safety Realignment Act include the following:

# Public Safety Realignment Act

- Felony Sentencing: Revises the definition of a felony to include certain crimes that are punishable in jail for 16 months, two years, three years or more. Some offenses, including serious, violent, and sex offenses, are excluded, and sentences for those offenses will continue to be served in State Prison.
- Local Post-Release Community Supervision: Offenders released from State Prison on or after October 1, 2011 after serving a sentence for an eligible offense shall be subject to, for a period not to exceed three years, post-release community supervision provided by the Sacramento County Probation Department.
- Revocations Heard and Served Locally: Post-release community supervision and parole revocations will be served in local jails (by law, maximum revocation sentence is up to 180 days), with the exception of paroled offenders serving a life sentence and who have a revocation term of greater than 30 days. The local courts will hear revocations of post-release community supervision, while the Board of Parole Hearings will conduct parole violation hearings in jail.
- Changes to Custody Credits: Jail inmates will be able to earn four days of credit for every two days served. Time spent on home detention (i.e., electronic monitoring), and Work Release will earn only actual custody credit (day for day).
- Alternative Custody: Supports alternatives to local jail custody with programs such as work release and home detention. Inmates committed to County Jail may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in the County Jail. Penal Code Section 1203.018 also authorizes electronic monitoring for inmates being held in the County Jail in lieu of bail. Eligible felony inmates must first be held in custody for 60 days post-arraignment or 30 days for those charged with misdemeanor offenses. Offenders placed on electronic surveillance pursuant to PC 1203.018 will earn only actual custody credit (day for day). The Chief Probation Officer, if authorized by the Board of Supervisors, may offer an electronic monitoring and/or home detention program to individuals who are granted probation or are under post-release community supervision as a sanction for violating supervision conditions.
- Community-Based Punishment: Authorizes counties to use a range of community-based punishment and intermediate sanctions other than jail incarceration alone or traditional routine probation supervision to hold offenders accountable and mitigate the need for Revocation Hearings.
- **Contract Beds**: Counties can contract back with the State to send local offenders to State Prison and/or Fire Camps. Counties are also able to contract with public community correctional facilities. Contracting does not extend to parole revocations.

Under the legislation, the Penal Code was amended to provide incarceration terms in County Jail rather than State Prison for over 500 specific felony offenses. As a result of the substantive change, terms of imprisonment will only be served in the State Prison system if the conviction crime is a serious or violent felony, or if the defendant has a prior serious or violent felony conviction, is required to register as a sex offender pursuant to Penal Code Section 290, or admits an allegation of stealing more than \$1 million, or if it is one of a list of 60 felonies for which incarceration in State Prison is mandated. Offenders ineligible to serve their incarceration in State Prison who will serve their term instead in County Jail are known as "non-non-non's;" non-serious, non-violent, non-sex offender (N3).

Under the new legislation, a sentencing Superior Court judge will also have the option of splitting the sentence of a non-serious, non-violent, non sex offender ("N3") between an incarceration term in County Jail and mandatory supervision. If the Court sentences these convicted offenders to serve their full term of incarceration in County Jail, the offender will not be supervised upon release.

The Realignment Act also shifts the supervision of offender population groups including (a) Post-Release Community Release (PRCS) offenders and (b) non-violent, non-serious, non-sex offenders ("N3") sentenced to serve a term in State Prison followed by mandatory probation, from CDCR's Department of Adult Parole to each county. To reduce recidivism, county agencies must adopt alternatives to incarceration, intermediate sanctions, and new supervision techniques for both offender populations. Key elements for each group include:

- Post-Release Community Supervision (PRCS) Offenders: Most felons released from State Prison on or after October 1, 2011 will be subject to county Post-Release Community Supervision. This includes felons serving a term after admitting one strike prior, low to mid risk sex offenders, "N3s" currently serving a prison sentence, and eligible parolees who are released after serving a term for parole violation. Offenders will be returned to the county of last legal residence, not necessarily the county where the crime was committed. The maximum term of post-release supervision is three years; however, offenders without violations may be discharged after six months, and those who remain violation free for 12 months must be discharged. CDCR will have no jurisdiction over any offender placed on Post-Release Community Supervision.
- Non-Violent, Non-Serious, Non-Sex Offenders Sentenced to Serve a Term in County Jail Followed by Mandatory Supervision: Felons sentenced to a term of imprisonment in County Jail pursuant to Penal Code Section 1170(h) may be supervised by the Probation Department if the Superior Court opts to split the term of imprisonment between custody and "mandatory supervision."

CDCR will continue to supervise parolees released from prison after serving a term for a serious or violent felony, murder, life, or certain sex offenses, as well as high-risk sex and mentally disordered offenders. With the exception of offenders who have served life terms, all other parolees who violate the terms of their parole, cannot be returned to prison, but can serve a maximum sanction of 180 days in County Jail.

Offenders placed on Post-Release Community Supervision will be subject to flash incarceration of up to ten days for violations of Post-Release Community Supervision conditions. For more serious violations, after a hearing before the Superior Court, an offender may be sanctioned by up to 180 days in County Jail.

Currently, the Board of Prison Hearings (BPH) adjudicates all formal parole violations. Effective October 1, 2011, the Superior Court will assume this responsibility for offenders placed on Post-Release Community Supervision. Effective July 1, 2013, the Court will hear all parole violations, with the exception of those who have served an indeterminate sentence (murder and specified sex offenders).

# **Projected New Offender Populations**

The AB 109 legislation reassigns three groups of offenders previously handled through the State Prison and Parole System to California counties. The first group includes convicted offenders receiving sentences for new non-violent, non-serious, non-sex offender ("N3") crimes that will be served locally (one year or more). Offenders in this category will have no prior violent or serious convictions. The second group involves post-release offenders (up to three years) coming under Probation Department supervision for "N3" crimes released from State Prison. Offenders in this category may have had prior convictions for violent or serious crimes. The third group includes State parole violators who are revoked to custody. With the exception of offenders sentenced to life with parole, this group will be revoked to local County Jail instead of State Prison.

The California Department of Corrections and Rehabilitation (CDCR) estimates that in the initial first nine months of Realignment implementation (October 2011 to June 2012), the Sacramento County criminal justice system will receive approximately 396 new "N3" offenders sentenced to local incarceration in the County Jail, 243 State parole revocations committed to the local jail and 1,003 "N3" offenders on Post-Release Community Supervision provided through the Probation Department.

Sacramento County			
Projected Impact of AB-109: Number of Defendants Not Sent			
to State Prison as New Admissions or Parole Violators			
With New Terms ("N3") and CDCR Institution Discharges			
to County Post-Release Community Supervision by Month			

	County Jail Incarceration			Post-Release
	New Parole Violator With		Community	
Month / Year	Admissions	New Term	Total	Supervision
October 2011	32	12	44	122
November 2011	41	20	61	117
December 2011	44	6	50	135
January 2012	46	32	78	118
February 2012	10	59	69	118
March 2012	56	40	96	88
April 2012	60	34	94	110
May 2012	56	16	72	104
June 2012	<u>51</u>	<u>24</u>	<u>75</u>	91
Sub-Total	396	243	639	1,003
Monthly Average	44	243	71	111
Monany Average		27	<i>``</i>	
July 2012	27	11	38	89
August 2012	30	36	66	71
September 2012	50	39	89	79
October 2012	64	42	106	89
November 2012	42	39	81	71
December 2012	29	23	52	78
January 2013	37	39	76	60
February 2013	26	45	71	66
March 2013	77	52	129	65
April 2013	29	32	61	53
May 2013	38	37	75	52
June 2013	37	39	76	58
July 2013	20	36	56	45
August 2013	58	55	113	51
September 2013	<u>49</u>	<u>42</u>	<u>91</u>	55
Sub-Total	613	567	1,180	982
Monthly Average	41	38	79	65
, , , , , , , , , , , , , , , , , , ,				
24 Month Total	1,009	810	1,819	1,985
Monthly Average	42	34	76	83

Source: California Department of Corrections & Rehabilitation (CDCR)

Between July 2012 and September 2013, CDCR estimates that the AB 109 Realignment will result in 613 additional new locally sentenced offenders, 982 new post-release probation assignments, and 567 State parole revocations to County Jail. Based on these estimates from CDCR over the first two year implementation period, the Sacramento Probation Department is projected to receive a total of 1,985 Post-Release Community Supervision (PRCS) offenders (monthly average of 83). The Sheriff's Department is projected to receive 1,819 (monthly average of 76) "N3" felony offenders sentenced to jail time or some combination of jail time and community supervision and parolee jail commitments.

CDCR also estimates that by June 2014 at "full implementation", the Sacramento County criminal justice system will be handling an average daily population (ADP) of new offenders that will include the following:

Estimated Average Daily Population (ADP) at "Full Implementation" of AB 109 of New Offenders in the Sacramento County Criminal Justice System

- 895 "N3" offenders serving felony sentences in County Jail (505 serving less than three years; 390 serving more than three years).
- 1,203 California Department of Corrections and Rehabilitation (CDCR) offenders receiving Post-Release Community Supervision (PRCS) provided by the Probation Department.
- 208 revoked offenders in County Jail on State parole or local probation violations.

The offenders anticipated for local County Jail custody, supervision and treatment under the AB 109 Realignment are expected to have high needs in the area of substance abuse, persistent association with negative peer influences, anti-social thinking, insufficient problem-solving skills, mental health issues, lack of vocational and educational skills, post-release homelessness, and/or other basic needs. (See Appendix C: California County Admissions to CDCR and Projected Average Daily County Population of AB 109 Offenders)

# State Funding For Realignment

The Legislature established an initial financial structure for funding the Public Safety Realignment with a 1.0625% allocation of State Sales Tax revenue to a local Community Corrections account. The formula establishing a statewide disbursement for these funds was developed by the State Department of Finance and agreed to by County Administrative Officers (CAO) and the California State Association of Counties (CSAC). The level of County funding available through AB 109 is based on a weighted formula containing three elements including (a) 60% based on estimated average daily population (ADP) of offenders meeting AB 109 eligibility criteria, (b) 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 (c) 10% based on the SB 678 distribution formula.

The Public Safety Realignment Funding is intended to cover all programmatic aspects of the adult population shifts including the incarceration of low-level offenders ("N3") non-serious, non-violent, and non-high-risk sex offenders in County Jail rather than State Prison, new supervision responsibilities for State prison inmates released to Post-Release Community Supervision, and sanctions for parole violators and offenders on Post-Release Community Supervision who are pending violation. The allocation for AB 109 Implementation is intended to fund the range of programmatic and detention options that best meet local County needs for these three new offender population groups.

The initial funding for Realignment also includes a separate funding allocation for the District Attorney and Public Offender to cover costs associated with the revocation hearings for those convicted offenders on Post-Release Community Supervision in FY 2011-12. Realignment will increase the workload of the District Attorney's Office. Under the legislation, prosecutors will be responsible for reviewing and prosecuting violations of Post-Release Community Supervision Offenders as well as any new criminal

cases arising out of conduct that may be the basis for these violations. This increased workload will require prosecutors to spend additional time reading investigation reports as well as making more revocation hearing appearances. Similar activities will be required by the Public Defender's Office. Based on this formula, Sacramento County is projected to receive \$14,738,496 for Fiscal Year 2011-12. This includes the following allocation categories:

	Sacramento County AB 109 Initial Public Safety Realignment Funding		
cover all as	lic Safety Realignment Adult Population Shifts. This is intended to bects of the adult population shifts, including the transfer of low- er and local PRCS supervision caseloads and sanctions.	\$13,140,278	
	mey/Public Defender Activities. These funds are to be divided veen the two departments to cover costs associated with nearings.	\$471,018	
cover costs	t-up Costs (one-time funding). These funds are intended to help associated with hiring, retention, training, data improvements, costs, and capacity planning.	\$927,200	
	ng Grant (one-time funding): These funds are based on County and are intended to assist in the development of the AB 109 tion Plan.	\$200,000	

The budget bill that created the funding framework for Realignment requires the County to create a 2011 County Local Revenue Fund. Within the Fund, the County must also establish a (a) local Community Corrections Account, (b) Trial Court Security Account, (c) District Attorney and Public Offender Account, (d) Juvenile Justice Account, (e) Health and Human Services Account, (f) Supplemental Law Enforcement Account. Future funding allocations for each county will be determined by the California Department of Finance and allocations directed to the appropriate County Local Revenue Fund account.

# Community Corrections Partnership (CCP) Planning and Oversight Responsibility

Across California, local corrections officials have been working to expand the use of evidence-based practices in sentencing, probation supervision and program interventions to reduce the State Prison felony population. Senate Bill 678 in 2009 established a Community Corrections Partnership (CCP) which is chaired by the local Chief Probation Officer. The CCP is charged with advising on the implementation of State SB 678 funded initiatives. AB 109 (2011) expanded the authority of the CCP to include the development of a Public Safety Realignment Implementation Plan and established an Executive Committee of the CCP as the approving authority for the Implementation Plan.

The Executive Committee of the CCP oversees the Realignment process and the implementation of the programming and other recommendations identified in the local Plan. The Executive Committee also advises the Board of Supervisors in recommending funding levels and programming for the various components of the Plan. This initial AB 109 Implementation Plan for Sacramento County was developed by the Executive Committee, CCP members, and other key partners. Voting members of the CCP Executive Committee include:

#### **Executive Committee:**

Don Meyer
Scott Jones
Laurie Earl
Jan Scully
Paulino Duran
Rick Braziel
Bruce Wagstaff

Chief Probation Officer Sheriff Presiding Judge Elect District Attorney Public Defender Chief of Police Administrator Probation Department Sheriff's Department Superior Court District Attorney's Office Public Defender's Office Sacramento Police Department Countywide Service Agency

CCP Member: Dennis Jones Jamie Lewis Cindy Besemer Steve Grippi Steve Lewis Fern Laethem Sam Somers Ann Edwards Mary Ann Bennett Tim Taylor Bill Walker Cynthia Keeth Kerry Martin	Court Executive Officer Chief of Corrections Chief Deputy District Attorney Asst. Chief Deputy District Attorney Chief Assistant Public Defender Executive Director Deputy Chief Director Director Asst. Superintendent Employment Specialist Executive Director Victim Witness Program Coordinator	Superior Court Sheriff's Department District Attorney's Office District Attorney's Office Public Defender's Office Conflict Criminal Defenders Sacramento Police Department Dept. Health & Human Services Department of Behavioral Health Sacramento Co. Office of Education Sacramento Employment & Training Agency Strategies For Change District Attorney's Office
<b>Staff:</b> Lynn Wynn Trish Meraz Fred Campbell	Principal Administrative Analyst Director, Criminal Court Operations Consultant	Criminal Justice Cabinet Superior Court Criminal Justice Research Foundation

The Community Corrections Partnership (CCP) Committee has been meeting regularly and recognizes the need for local criminal justice agencies and community partners to work together in order to effectively provide programs and intervention services needed to respond to Realignment legislation. The CCP will continue to meet regularly to monitor and report on the implementation efforts in response to AB 109. The CCP will also be working in the upcoming months to evaluate the implementation of programs and services and carry out community outreach efforts to inform the public about the progress of the legislation.

Several key guidelines have also been emphasized in the development of the local Sacramento Realignment Plan. From the inception of the CCP planning work, Members have recognized the need to address community concerns and to implement programming that is consistent with best practices that will hold offenders accountable while reducing the likelihood of recidivism. In order to maintain maximum public safety and to improve offender success rates, utilizing evidence-based interventions are a top priority for each funded program. In reviewing programs and service interventions for these new offender populations, the Committee has relied on research to identify the most cost-effective, evidence-based practices that have been shown to lower recidivism, victimization, and probation failure.

Treatment and other offender support programs are also critically important within the local criminal justice system and must be fully integrated into the areas of supervision and custody. Building effective working service delivery partnerships between community-based providers, the Sheriff's Department and Probation Department to respond to Realignment is a major goal in the ongoing implementation of the programs contained in this planning document. A central focus of the Plan's "core" programs is the building of a sound collaborative infrastructure that will expand and, overtime, result in positive outcomes for the local criminal justice system and offenders.

Another essential element embodied in the Plan concerns the use and expansion of alternatives to incarceration programs and non-custody alternatives whenever possible so as to maximize offender success and reduce jail overcrowding without compromising public safety. The CCP recognizes that the Realignment process will be highly dynamic and will require monitoring and a capacity to modify approaches and programming to meet emergency needs and address new opportunities. The Realignment Plan offers an initial set of strategies to manage the new and ongoing offender populations coming to Sacramento County. The Plan establishes the policies and practices across three important areas including jail custody housing, community supervision, and treatment / programming provided by qualified provider organizations. In response, the participating agencies during the implementation of this unprecedented shift from State to local correctional authority will identify and track outcomes and results that emerge from the AB 109 changes and strategies set forth in this Plan.

# SECTION 3: PROPOSED IMPLEMENTATION STRATEGIES

# 2011 Public Safety Realignment Plan

# Realignment Program and Facility Recommendations

The proposed implementation strategies for the Sacramento County Public Safety Realignment Plan take into consideration the multi-faceted risk and needs characteristics of the new AB 109 offender populations and the necessary resources to achieve desired public safety outcomes. The Plan integrates strategies and "core" programs / facilities that include (1) alternatives to incarceration, (2) custody housing, (3) alternative custody diversion programs, (4) community supervision, (5) evidence-based assessments, treatment / programming, and (6) continuum of intermediate sanctions for program violations.

	Program and Facility Recommendations	Program Impact & Offender Capacity
1.	Implementation of Pretrial Release and Supervised OR Program	24/7 pretrial screening of jail detainees & ADP of 50-75 supervised OR defendants
2.	Expansion of Sheriff's Department's Home Detention Electronic Monitoring (EM) Program	Average Daily Electronic Monitoring Pop: 300
3.	Implementation of Probation Department's Adult Day Reporting Center (ADRC)	ADRC and Intensive Supervision Units will have an ADP for 1,200 Offenders
4.	Reopening of Roger Bauman Facility (RBF) at Rio Cosumnes Correctional Center	Total Available Custody Housing Capacity: 275 Beds
5.	Expansion of RBF Inmate Services: Evidenced-based risk and needs assessment, cognitive behavioral therapy, mental health and alcohol/drug counseling, job/education assistance and development of transitional reentry plans	New Custody Services For "N3" Sentenced Defendants: 76 Offenders /Month

The Plan focuses on both pretrial detainees and convicted post-sentence defendants incarcerated in the County's Main Jail and RCCC Complex. The programming and facility capacity will permit the Sheriff's Department and Sacramento Probation Department to begin responding to the three groups of offenders previously handled through the State Prison and Parole system. The first group includes convicted offenders receiving sentences for new non-violent, non-serious, non-sex offender ("N3") crimes that will be served locally (one year or more). Offenders in this category will have no prior violent or serious convictions. The second group involves post-release offenders (up to three years) coming under Probation Department supervision for "N3" crimes released from State Prison. Offenders in this category may have had prior convictions for violent or serious crimes. The third group includes State parole violators who are revoked to custody. With the exception of offenders sentenced to life with parole, this group will be revoked to local County Jail instead of State Prison.

The Public Safety Realignment Plan establishes the basic organizational structure during the first nine months of implementation to begin integrating expanded jail capacity and programming across three components of the County's adult criminal justice system including (a) jail housing (Sheriff's Department),

(b) community supervision (Probation Department), and (c) treatment / programming (contract providers). The increased treatment and programming will embody evidence-based assessment principles and include increased services directed to in-custody offender populations and offenders participating in new or expanded alternatives to incarceration and non-custody diversion programs including home detention and electronic monitoring.

Because realignment effects case processing for each major segment of the County's adult / juvenile justice system (law enforcement, prosecution, defense, corrections, and courts) and will impact both custody and out-of-custody facility capacities, and rehabilitative programming simultaneously, development of the Realignment Plan has taken on an added complexity compared to previous state-wide criminal justice mandates or public safety laws. As a result, Sacramento County's Community Corrections Partnership Committee was charged with determining and identifying custody, supervision, diversion programming, and related case processing procedures in order to address the legislation. The Partnership Committee, worked to determine the impacts on, local workload, and the funding needed for (a) the transfer of lower level "N3" offenders, and (b) the realignment of Post-Release Community Supervision (PRCS) offenders requiring local supervision.

The Committee examined a range of suggested methods / ideas and interventions that could be implemented as new or expanded alternatives to incarceration programs. The Implementation Plan further identifies evidence-based supervision practices that will be established so that the community's public safety is not jeopardized because of high recidivism rates associated with these newly transferred offender populations. The Realignment Plan also identifies timelines and critical path items for implementation as well as cost estimates for the criminal justice system.

In order to aid the Partnership Committee in its work, a series of informational discussion topics were also assembled by the Committee's Consultant and summarized as part of the planning work. The discussion papers were intended to provide the Committee with baseline data and case processing trends that directly relate to the custody, community supervision, intervention programs and judicial activities Sacramento's criminal justice system should consider as it works to implement the legislation. The topical information reviewed by the Committee included trends and related data (2000 – 2009) for (a) county-wide population trends, (b) reported crime patterns, (c) crime rate comparisons, (d) total adult arrests, (e) felony and misdemeanor arrests trends, (f) male and female adult arrests, (g) number of arrests by jurisdiction, (h) arrest offense patterns, (i) adult arrest rate trends, (j) County Jail facility capacity ratings, (k) Main Jail daily inmate bookings, (I) Main Jail and RCCC ADP trends, (m) local, Federal and State inmate ADP trends, (n) pretrial and sentenced jail ADP levels, (o) male and female jail ADP trends, and (p) Main Jail daily booking and release patterns.

# Summary Profile of Sacramento County Jail System

The Sacramento County Sheriff's Department is responsible for the care and custody of all prisoners falling under the jurisdiction of the Sacramento County Court System. The Department also contracts with the U. S. Government to house federal inmates and with the State of California to house some State parole violators. The Department operates two jail facilities to house inmates, the Main Jail and the Rio Cosumnes Correctional Center (RCCC).

The Main Jail, located at 651 I. Street in downtown Sacramento, houses the majority of inmates that are in a "pretrial" status. RCCC, located at 12500 Bruceville Road, about 10 minutes south of Elk Grove, primarily houses overflow pretrial detainees and those inmates who are "post-trial" and have been sentenced to serve jail time in a County facility. The two facilities' security levels will permit the classification and housing of maximum, medium, and minimum custody male / female prisoners. Key characteristics of the two jail facilities include:

 Main Jail: The Sacramento Main Jail opened in April 1989. The Main Jail is located in the central business district of downtown Sacramento. It replaced an older facility on the same site that was crowded, antiquated, and operating under a Federal Court Consent Decree. The Main Jail is a Type II facility that houses nearly all the County's pretrial population, a number of federal pretrial prisoners, and INS detainees. The Jail operates in a nine story building comprised of two towers with a vertical spine between them. The Main Jail is built to accommodate inmates housed on seven floors (each floor includes two levels of stacked cells) and the Superior Court and Jail Administration support space located on the first and second floors of the facility. The two inmate housing towers are connected by a common vertical spine that includes quasi outdoor exercise space. The Jail has a total gross square footage of approximately 450,290 square feet. The Jail has a Corrections Standards Authority (CSA) rated capacity for 2,380 male and female inmates. The detention facility contains a total of 2,432 beds.

RCCC: The Rio Cosumnes Correctional Center (RCCC) serves as the County's branch jail facility housing overflow pretrial detainees and sentenced male and female inmates. RCCC houses inmates enroute to other jurisdictions, federal prisoners under contract with the U.S. Bureau of Prisons, and reciprocal prisoners from other counties. RCCC is the reception point for parole violators held pending revocation hearings, and is the central transportation point for all defendants sentenced to State Prison by Sacramento County Courts. RCCC is classified as a Type II facility that also accepts newly arrested persons 24-hours a day. The Galt Police Department, Isleton Police, CHP, and Sheriff's Department book the majority of their South area arrests into RCCC. The County operated the original facility as a road camp until the first facilities and infrastructure were built in 1959. Since that period, a number of major buildings and maintenance projects have been constructed that has formed the Correctional Center into the complex it is today. Currently, RCCC contains more than 18 temporary and permanent buildings of various vintages and uses. RCCC can house male and female inmates of all security classifications. The Detention Center has a total gross square footage of approximately 250,033 square feet. RCCC has a Corrections Standards Authority (CSA) rated capacity for 1,625 male and female inmates.

Summary Overview and Profile of Sacramento County Jail System				
Detention Facility Profile	Lorenzo E. Patino Hall of Justice (Mail Jail)	Rio Cosumnes Correctional Center (RCCC)		
Physical Plant Characteristics:				
Year Initially Constructed Construction Type Number of Stories Exterior Walls Interior Walls	1989 High-rise Building Nine Quarry Stone Concrete	1959 Campus Plan One and Two Concrete / Drivit CMU / Concrete / Gypsum		
Custody Housing Classifications:	Maximum Security	Maximum / Medium / Minimum Security		
Type of Inmate Cells:	Single & Double Occupancy Cells	Single / Double / Dormitory / Barracks		
Bed Inventory:				
CSA Rated Capacity Total Available Bunks Operating Capacity (90% of total bunks)	2,380 2,432 2,189	1,625 2,651 2,385		
Average Daily Inmate Population (ADP):	2,188 (2011)	1,919 (2011)		
Male Female	1,946 242	1,727 192		
Jail Operating Costs:	\$89,687,329 (FY 2009-10)	\$67,651,140 (FY 2009-10)		
Daily Inmate Cost Annual Inmate Cost	\$111.52/day \$40,705	\$96.97/day \$35,394		

The Sacramento Main Jail has a 2011 Corrections Standards Authority (CSA) rated capacity for 2,380 inmates. The Main Jail facility maximum capacity (total beds) is set at 2,432. The breakdown of Main Jail maximum bed capacity by housing floor for the West and East Towers are highlighted in the following Table.

Sacramento Main Jail Maximum Bed Capacity			
	201	11	
<u>Housing</u>			
Floor	<u>West Tower</u>	East Tower	<u>Total</u>
Oth	100	100	276
8th	188	188	376
7th	188	188	376
6th	208	188	396
5th	208	188	396
4th	208	188	396
3rd	208	188	396
2nd	27	69	96
Total	1,235	1,197	2,432

In order to maintain the jail's security classification process and ensure the safety and welfare of jail staff and visitors, the Main Jail can never safely operate utilizing all available beds / bunks. As a result, the Main Jail staff and Sheriff's Department have established an overall operating capacity at 90% of total beds / bunks. The current maximum operating capacity for the Main Jail is 2,189.

The RCCC has a 2011 Corrections Standards Authority (CSA) rated capacity for 1,625 inmates. The RCCC facility maximum capacity (total available beds / bunks) is set at 2,651. The current maximum operating capacity for RCCC is 2,386. The breakdown of RCCC rated capacity and total available beds / bunks is shown in the following Table.

Correctional Facility Capacity Ratings				
Facility	Corrections Standards Authority (CSA) Rated Capacity	Maximum Capacity (Total Beds / Bunks)	Operating Capacity (90% of Total Beds / Bunks)	
Main Jail	2,380	2,432	2,189	
RCCC:				
448 Unit (North)	224	344	310	
448 Unit (South)	224	344	310	
Honor Facility (C, D, G, H & M)	387	600	540	
Medical Housing Unit	0	19	17	
Christopher Boone Facility	120	192	173	
Roger Bauman Facility	200	275	248	
Medium Security (A, B, J, & K)	174	408	367	
Steward Baird Facility	<u>148</u>	<u>192</u>	<u>173</u>	
Sandra Larsen (Female)	120	277	249	
Total RCCC	1,625	2,651	2,387	
Total Jail System				
(RCCC & Main Jail) SactoRealignmentPlan/Paper1/Table13	4,005	5,083	4,576	

The Main Jail and RCCC combined Corrections Standards Authority (CSA) rated capacity for the Sacramento County Jail System is 4,005 beds / bunks. The maximum capacity (total beds / bunks) contained in both facilities is 5,083. The operating capacity for RCCC and the Main Jail (90% of total beds / bunks) is 4,576.

## Pretrial and Sentenced Jail Inmate Characteristics

As part of the planning work for AB 109, an analysis of the Sacramento County jail pretrial and sentenced population was developed. The analysis was intended to address the following question: "Given the characteristics of the jail's pretrial and sentenced inmates, are there prisoner groupings that could be diverted from incarceration to expanded alternative programs which stressed a high degree of monitoring and supervision of releases?"

Data developed from a point in time "snapshot" of the total Sacramento County jail population was taken on August 21, 2011. The profile included demographic, criminal history, and length of incarceration information for the pretrial and sentenced prisoner populations housed at the Main Jail and RCCC complex. As the profile data indicates, pretrial male and female inmates are approximately 35 years of age. Nearly 68% of the pretrial detainees are ethnic minorities compared to 65% of the sentenced population. Nearly 50% of the County Jail inmates have residencies in the City of Sacramento rather than in the unincorporated County area or other incorporated cities.

About 58% of the County Jail inmates are incarcerated for felony or misdemeanor crimes with the remaining 42% being detained as federal, parole, immigration, or on other agency holds. About 35% of the pretrial and sentenced population of local inmates have a current offense involving weapons, sex crimes or crimes of violence. Most inmates are in the County Jail for property, drug/alcohol violations, or other offenses of a non-violent nature. Criminal history data shows that on the average, pretrial felony inmates have eight prior arrests while sentenced prisoners have an average of 11 arrests.

The average pretrial bail is \$488,484. Approximately 10% of the pretrial population have bails under \$30,000 and 46% have bails between \$30,000 and \$150,000. One out of every four pretrial inmates have bail set at over \$300,000. Nearly 69% of the County Jail population is comprised of detainees currently on probation or parole. Pretrial and sentenced inmates have been convicted an average of 3 – 4 times. A large percentage of the convictions involved non-violent crimes which have included property, and drug / alcohol offenses. One out of every three inmates do, however, have a prior conviction for a violent or sex offense. The typical male / female pretrial / sentenced inmate also has an extensive history of failing to make Court appearances. On the average, detainees have 6.6 prior Bench Warrants issued through the Courts since 1988. From a security housing and classification standpoint, the majority of inmates have been designated as presenting no housing problems.

The characteristics of the pretrial and sentenced detainees were further examined to determine if there are realistic opportunities to expand release program eligibility criteria in light of the offense and criminal history records of incarcerated detainees. This was accomplished by establishing selected inmate characteristics for sub-population groups and applying the criteria for each group against the one-day "snapshot" of the 2011 pretrial and sentenced populations.

When the selected inmate characteristics are combined and analyzed according to the specific criteria, the data shows about 12% - 15% of the pretrial population could be viewed as viable candidates for some form of alternative to incarceration program. Among sentenced inmates, between 12% - 18% could be considered for some other type of alternative in lieu of jail confinement.

If the pretrial population was handled in an alternative fashion, approximately 281 beds could be made available to the jail system. Inmates included in the sentenced group, I handled alternatively, could make available an additional 150 beds at RCCC. Combined, these target jail sub-population groups could affect a minimum of 431 beds in the jail system.

It is quite possible that even among the majority of pretrial and sentenced inmates who have not met the criteria applied in this review could still be candidates for early release or other alternative custody programs which were designed from a standpoint of providing high levels of monitoring, control, reporting and supervision. (See Appendix D: 2011 Snapshot of the Sacramento County Pretrial and Sentenced Jail Inmate Population)

# Implementation of Pretrial Release and Supervised OR Program

In response to the lack of jail bed space in the County's Main Jail and RCCC facilities and based on the information included in the analysis of the pretrial and sentenced inmate profile, the Community Corrections Partnership is recommending the development and implementation of a new Pretrial Release and Supervised OR Program targeting pretrial detainees. The Program would be staffed by Sheriff's Department's Records Specialists who would be located at the downtown Main Jail. The staff would provide 7 days a week/24-hours a day pretrial screening of jail detainees booked into both the Main Jail and RCCC Complex.

The practice of pretrial release has existed for many decades, but the concept of releasing criminal defendants without cash, bond, or property security has only gained national and state momentum since the early 1990s.

## Significant Research Findings Concerning Pretrial Release Summary of Conclusions

- 1. The vast majority of defendants who are released awaiting disposition of their case return for all court appearances and remain arrest-free while on release.
- 2. Release on recognizance and other non-financial forms of release are as effective as, if not better than, financial methods of release in assuring appearance in court and minimizing pretrial arrest.
- 3. The establishment of effective pretrial release recommendation procedures can lead to significant reductions in the pretrial detainee population, without increasing the rates of rearrest or non-appearance in Court.
- 4. The expense of pretrial release programs can be favorably compared with the cost associated with unnecessary pretrial detention.
- 5. The outcome of the pretrial release decision (whether the defendant is released or detained prior to trial) can have a significant impact on his/her ultimate disposition and sentence.
- 6. The longer a defendant is on pretrial release, the greater the probability they will miss a Court appearance and/or be rearrested.
- 7. The risk of non-appearance or of serious pretrial crime does not appear to increase with the seriousness of the original charge.
- 8. Many non-appearances are due to system problems or to factors other than willful nonappearance by defendants.
- 9. The use of notification procedures, supervision, and/or conditional release can be used to increase the number of releases while reducing Court appearances and pretrial rearrests.
- 10. Objective criteria should be used in making release decisions. The criteria to be applied will vary among jurisdictions and therefore, should be developed and periodically validated at the local level.

The increasing success and expanded use of **Release On Own Recognizance (OR)** Programs in being able to supply the Courts with accurate information in a fast and efficient manner upon which better

informed decisions can be made during pretrial hearing processes has caused a coalition of prominent criminal justice authorities from both the offices of the prosecution, defense and judiciary to strongly endorse the implementation of these programs. Consequently, the development of OR Programs has reached the point where almost every major urban area has a functional Court-supported program.

Numerous issues concerning the cost-effectiveness of pretrial release alternatives as well as concerns about public safety must be addressed in discussions about the adoption of such programs, especially as they relate to reducing pretrial jail populations in overcrowded detention facilities. The summary of research highlighted below has been organized according to ten major issues which are relevant to individual release decisions and to system change. The research findings relate to measures of both Court appearance and pretrial rearrest.

Pretrial release agencies interview defendants, using objective criteria, to determine whether they should recommend a particular defendant's release on his/her own recognizance to the Court. The techniques generally used to make this determination is a point scale or validated risk assessment procedure. A number of items dealing with a defendant's ties in the community (i.e., employment, residence, and family ties) and relevant criminal justice factors such as prior record, current charge, or prior bail violations are included in the assessment. The information obtained in the interview is then verified by referring to records, employers and family members. If the defendant meets certain criteria, a recommendation is made to the Court for release. Most programs will make recommendations only when the information has been verified; other programs simply note on the recommendation to the judge if the information is unverified. For defendants achieving a low assessment, programs can make a special recommendation such as supervised OR release.

Many felony pretrial detainees initially may not qualify for a regular straight OR release because of either their economic, family or past criminal history characteristics. Many jurisdictions have found, however, that a significant percentage (10 - 15%) can be released pending Court disposition of the arrest if they are required to report weekly to an established supervised OR Program.

The Sacramento County criminal justice system has had prior experience with a Pretrial Release Program previously located at the Main Jail. The Sacramento Superior Court operated the Pretrial Services Program from 1983 until 2009 when declining OR releases and budget cuts caused the program to be discontinued. The program was developed to assist the Sacramento County Jail with the early release of custody inmates arrested on felony charges. The Pretrial Services Program provided Sacramento Superior Court officials with background data and verified information on individuals arrested and booked into the Main Jail which could be used to promote fair and just pretrial release review and determinations and to help determine whether to release a defendant on their own recognizance and whether there should be additional conditions placed on this release.

The county-funded Program operated 24-hours, seven days per week with use of court staff. Using objective criteria (point-scale system), court staff conducted interviews with freshly arrested felons to make recommendations to assigned judicial officers for the inmate's release on his/her own recognizance (OR) prior to arraignment. Objective criteria used included employment, residency, family ties in the greater Sacramento area and criminal history factors. The information gathered during the interview was then verified prior to presentation to a judge and if the inmate received sufficient points, an OR recommendation was made to the judge. If the judge authorized the release, the jail was notified of the pending release. For the serious felony cases, interviews were conducted as "information only. These cases were not referred to the judge for early release consideration.

One of the primary duties of the Pretrial Services Release Interviewer was the verification of information gathered during the OR interview process. Much of the information was verified through references supplied by the defendant, however, information concerning criminal arrest history was primarily verified through the use of computerized criminal justice information networks. The two basic forms the Pretrial Services staff were concerned with included the (1) Pretrial Release Interview Record, and (2) Interviewer Log. Defendants released through the Program were requested to sign an Agreement for Release on Own Recognizance document which stated the date, time, and department defendants were to appear in

Court for arraignment. The Pretrial Services Interviewers were also responsible for assigning the Court dates.

The purpose of the interview was to determine release eligibility and to provide verified information to the Courts regarding defendant's background for bail reductions. All felony detainees booked into the County Jail were interviewed with the following exceptions: (1) those charged with public intoxication, (2) those eligible for citation release, (3) federal detainees, (4) military prisoners, (5) immigration detainees, (6) enroute detainees to other agencies, (7) detainees with parole holds or probation violations, (8) Court commitments, and (9) defendants charged with murder or attempted murder. Booking interviews were conducted for both male and female inmates. Pretrial detainees booked at RCCC were also interviewed over the telephone.

Although successful early in its development, the Pretrial Program released fewer and fewer arrestees over the years. The former interview tool was not an evidence based instrument and may have contributed to the decline in those released on OR. As has been proven in research over the past 20 years, a Pretrial Program can be successful with an evidence based tool that provides an accurate risk assessment that will assist judges to make decisions on which offenders are likely to re-offend or fail to appear for court. Additionally, implementing a supervised OR component will further enhance a Pretrial Program for those who risk higher and require greater monitoring, if released, pending Court disposition of the arrest incident. With an improved assessment tool and supervised OR component, a Pretrial Program in Sacramento can once again be effective to meet the needs of reducing county jail population and minimizing the risk that the released person will not reoffend or fail to appear.

# Key Operational Characteristics of the Sacramento County Sheriff's Department Pretrial and Supervised OR Release Program

The Sheriff's Department's Pretrial and Supervised OR Release Program is being proposed to fulfill two basic functions for the Sacramento criminal justice system:

- To release from the Sheriff's custody, as soon as possible, all arrested persons pending judicial action in the Superior Court who have the characteristics which indicate they will appear in Court, as directed, and remain arrest-free while their matter is being adjudicated.
- To have readily available for the Superior Court verified information on arrested persons, who are not released; thereby enabling the Court, at the first or any subsequent hearing, to use that information to set a reasonable bail; or, in the alternative, to release the arrestee on his/her Promise To Appear.
- 1. **Intent and Purpose**: With the inevitable increase in the jail population created by AB 109, the Sacramento Sheriff's Department's Pretrial Release Program will reduce the percentage of offenders in the jail that are pending trial. Pretrial inmate population levels comprise about 61% of the Main Jail and RCCC bed space. In order to carry out the above two basic functions, the Pretrial Services Program will direct staff activities around the accomplishment and fulfillment of the following broad goals:
  - To interview all eligible defendants who do not object as soon as possible after initial booking and to make recommendations to the Court relating to the immediate release on own recognizance all defendants who meet the minimum qualifications established by Superior Court.
  - To maintain accurate records of the interview information obtained and verified on each defendant and provide this information to the Courts to facilitate the

processing of defendants through the Sacramento criminal justice system as rapidly as possible.

- To monitor the failure to appear rate (FTA) of all defendants recommended for release on own recognizance (OR) and to report to the Courts if the FTA rates exceed the Court's expectation.
- To analyze changes in the failure to appear (FTA) rate and to determine the probable cause of the change and corrective action required to maintain the FTA rate within the target range established by the Courts.
- To study and recommend to the Courts program implementation changes or other forms of pretrial release which will help the County to minimize the number of pretrial detainees in the Main Jail and RCCC facilities.
- 2. Staffing and Program Capacity: The average daily bookings at the Main Jail are 135 with an average of 81 of those being misdemeanors and 54 felons. The new Pretrial OR Release Processing Unit will need staffing seven days a week, which will require, at a minimum, (1) Sr. Records Specialist and (9) Sheriff Records Specialist Lv 2. Operating in 3 shifts; 7:00AM 3:00PM, 3:00PM -11:00PM and 11:00PM 7:00AM, the unit will have the capacity to interview and verify information for daily average arrests of up to 135 per day. This will require each interviewer to complete approximately 15 20 pretrial packets per day including verifying information and providing assessment information to a magistrate for OR consideration.

The Pretrial Release OR Unit will work jointly with the Magistrate Duty Program utilized currently by the Sheriff's Booking staff who contact the on-call magistrate each evening and on weekends and holidays to seek approval for Probable Cause (PC) for the detention of inmates. Additionally, the booking staff prepares PC packets for review by the Home Court magistrate each day during normal working hours. Not only will Pretrial Interviewers interview for potential OR's, they will also receive PC information from booking staff to provide to the on-call magistrate for authorization for detention.

Additionally, to increase the probability that OR'd defendants will appear in court for their first appearance, Pretrial OR Release Unit staff will use the existing resources currently available in the Criminal Justice Information System (CJIS) system to manually call defendants to remind them of their court date. The Program staff will also work with the Sheriff's Department's IT personnel to utilize the Department's current automated calling system so that it can replace this manual process and potentially expand it to include all subsequent court dates rather than calls only for reminders of the arraignment date.

- 3. **Pretrial Release Screening**: Offenders must be an adult, 18 years or older, or a juvenile certified by the Court as an adult, who has been arrested for a felony or misdemeanor offense. Detainees with no bail holds or foreign hold warrants (federal, ICE, Border Patrol, and State Parole etc.) will not be eligible.
- 4. Risk Assessment and Screening Tool: The Program will utilize the Virginia Pretrial Risk Assessment Instrument (VPRAI), which is an objective, research-based instrument that identifies a defendant's level of risk of failure (failure to appear and/or new arrest) if released pending trial. The factors considered in the instrument charge type, pending offenses, criminal history, failure to appear history, employment status/history, and history of drug abuse.

- 5. **Court Involvement:** If the Court orders the offender to be released on OR or Supervised OR, the Court will complete a Release Agreement and Order which includes the participant's name, case number, type of release, next Court appearance date and time, and the specific terms of release.
- 6. **Policies and Procedures**: The Pretrial Release Program will develop and implement a comprehensive set of Policies and Procedures which will direct critical Program Interviewer activities and defendant release procedures. The information will cover operational elements including (a) basic OR release procedures, (b) verifying interview information, (c) interview forms and other documentation, (d) contacting references procedure, (e) interviews and Court reports, (f) handling of special cases (mentally ill defendants; defendants with medical issues/problems, etc.), (g) verification process, (h) accuracy and completeness when reviewing the pretrial packet, (i) key shift procedures, (j) orientation of new employees, and (k) additional procedures.
- 7. **Pretrial OR Supervision Component:** The Sheriff's Department currently operates the Home Detention Electronic Monitoring Program for low-risk sentenced defendants in lieu of County Jail confinement. The Program has a capacity to handle an average daily population of 300 - 325 offenders. Currently, the Program is not operating at capacity and has the staffing to handle an additional ADP of between 50 - 75 offenders. The Sheriff's Department has indicated that they will work with the Courts to implement the Supervised OR Unit proposed for the Pretrial Release Program. The OR supervision Unit would be staffed through the Sacramento Sheriff's Department's Home Detention Program and would augment Superior Court Pretrial Release Program at least during the nine months remaining in FY 2011-12. Specific referral coordination and operational procedures for utilizing the EM equipment and monitoring requirements will be developed jointly between the Pretrial OR staff and Home Detention Program personnel. Pretrial defendants placed on EM will likely be monitored for an average of 90 or less days. This reflects the fact that felony pretrial cases are currently resolved without a trial in an average of 90 days.
- Operating Cost: Total salaries/benefits, services/supplies and professional contracts are estimated at \$555,184. One-time start-up cost total \$27,250. The total FY 2011 – 12 Pretrial Release Program budget is estimated at \$582,434.

# Expansion of Sheriff's Department's Home Detention Electronic Monitoring Program

The Sacramento County Sheriff's Department has operated the Home Detention Electronic Monitoring Program since October 1992. The administrative and booking center for the Program is located at the Department's Work Release facility at 700 North 5<sup>th</sup> Street, Sacramento, CA. The Home Detention Program allows selected individuals having a County jail commitment to participate in an electronically monitored (EM) alternative to incarceration program administered by the Sheriff. Home Detention participants are closely supervised by sworn Deputy Sheriffs utilizing electronic monitoring equipment. The Program is considered a constructive custody alternative. Participants are accountable for all of their time 24-hours a day, seven-days-a-week. Program participants may only leave their residence for work, school, and other pre-approved appointments. Home Detention applicants have been lower-risk, medium-security offenders who are sentenced on all in-county charges and who have not been denied or restricted for participation by the Court. Applicants must be a willing participant. Employment history and willingness to comply with work requirements have been key elements of the Program.

Program participants must be a County resident or live within a reasonable travel distance from the County boundaries, have a residence and a land-line telephone. Applicants should be employed or capable of obtaining gainful employment within a specified time period, be a continuing student, or have a disabling medical condition. Applicants with a conviction for sex crimes against minors, felony sexual

crimes, manufacture of illegal drugs, acts of violence against police or emergency personnel, crimes of great violence, or a stalking or domestic violence crime are not eligible for the Home Detention Program. Applicants who cannot cooperate due to personal histories indicating patterns of mental dysfunction, habitual social misconduct, addiction, violence, and failure to appear are usually not eligible for the Program. Program fees are assessed based on applicant's ability to pay and include daily equipment rental fees. The Home Detention Electronic Monitoring Program has a current average daily population of between 225 – 250 participants. The Program has a maximum capacity for 300 individuals supervised with the EM equipment.

The following information provides a summary overview of key elements associated with the proposed expansion of the Sheriff's Department's Home Detention Electronic Monitoring Program as a core Program component in the County's AB-109 Public Safety Realignment Plan.

## Proposed Expansion of the Sheriff's Department's Home Detention Electronic Monitoring Program

- 1. Intent and Purpose: Expansion of the Home Detention Electronic Monitoring Program is intended to provide the County's criminal justice system with a strictly monitored program designed to safely divert convicted higher-risk AB-109 offenders from County Jail incarceration to a community-based regiment of supervised home detention. Offenders selected for participation in the Program will undergo intensive supervision and they will be allowed to seek and maintain employment, and participate in approved therapeutic and / or rehabilitation counseling programs. Active electronic monitoring (EM) supervision systems will be utilized to ensure offenders' compliance with set limits on their location, activities and communications. Offenders will stay home at all times except for pre-approved scheduled absences. Program participants will wear an electronic device that emits a continuous signal to a series of tracking GPS satellites that monitor offender movement through a 24hour, seven-days-a-week Central Control station that immediately reports violations to Sheriff's Department staff. Depending on the circumstances of participants' offenses and terms and conditions associated with each individual, participants will be able to work or attend school, tend to family obligations, attend and participate in counseling appointments, alcohol / drug classes, community service, etc; travel to medical appointments and participate in any other Court-approved activities.
- 2. Initial Incarceration, Program Capacity and Duration of EM Supervision: The Sheriff's Department is in the process evaluating the feasibility of reopening the renovated Roger Bauman facility at RCCC for possible use as a intake and reception unit for sentenced AB-109 offenders. Such a reception unit would have trained staff to aid in the screening, classification and application process for determining which offenders could be diverted to the new expanded Home Detention / EM Program. The unit would also contain space for Probation to carry out evidence-based risk and needs assessments and development of reentry plans for eligible Program participants. Assistance with transportation, housing, mental health, substance abuse, and employment preparation needs of eligible offenders could also be initiated as part of the intake process.

Eligible AB-109 offenders who will participate in the expanded Home Detention Electronic Monitoring Program will likely be incarcerated between 30 – 90 days at RCCC. For FY 2011 – 12, the expanded community-based EM Program will have an initial average daily population capacity to supervise 300 offenders. Because participants' sentences will vary, the EM Program will be able to provide intensive supervision and monitoring for a period up to 14 months with the last two months of supervision involving assignment to Work Release coupled with a voice curfew monitoring and office check procedure.

3. **Program Eligibility**: The goal of the Program is to create an alternative custody option involving electronic monitoring and home detention that targets locally convicted and sentenced, non-violent, non-serious and non-sex offenders as defined in the Penal Code who, as a result of the AB-109 legislation, are not eligible for a State Prison commitment. The Program also is not targeting the 61 felony offenses that would otherwise fall into the non/non/non/ category which the legislation excludes and therefore, continue to be eligible for State Prison.

Some high-risk characteristics which would indicate unsuitability for electronic monitoring will include (a) a history of recent suicidal attempts and / or gestures, (b) severe psychiatric problems, (c) prior episodes of violent behavior toward family or others including police or emergency personnel. (d) extensive drug / alcohol abuse, (e) close proximity to victims, and (f) prior convictions for sex crimes against minors, felony sexual crimes, stalking or domestic violence crime and arson, There are several practical criteria for eligibility including (a) the offender must live in Sacramento County and have a place of residence that is acceptable and accessible to the Sheriff's Department's staff, (b) there must be electricity in the residence, (c) there must be full cooperation from all individuals residing at the residence, and (d) any adult residing with the Program participant must agree to sign a "Consent to Search" form and abide by Program rules.

- 4. Administration and Staffing: Administration, management, budgeting and overall daily program operations will be provided through the Sheriff's Department's Work Release Division Home Detention Program. There will be one Sergeant, ten (10) Deputy Sheriffs, four (4) Records Officers, and four (4) On-call Deputy Sheriffs assigned to the expanded Home Detention Program to handle the EMP cases. The officer-to-offender ratio will be 1:30. The duties of the EMP Deputies will be to provide (a) program orientation to accepted offenders, (b) to supervise the program participants in the field, (c) to arrest and place in custody when necessary any program participant who violates the terms and conditions of the Program's contract, (d) to serve as the Sheriff's Department liaison with other law enforcement and related community agencies, (e) to provide public information to other agencies and the community about the EM Program, (f) to act as the Sheriff's Department's liaison with the company providing the leased monitoring equipment, (g) to prepare incident / violation reports which may be needed during the course of an offender's participation in the EMP, (h) to verify local residents in home evaluations, (i) to install the equipment for the EMP, (j) to enforce the terms and conditions of the EMP contract including periodic testing, search and seizure, and monitoring of all counseling conditions, and (k) to maintain accurate offender case records.
- 5. Monitoring and Visits: The Sheriff's Department's Home Detention Deputies will monitor all male and female offenders participating in the Electronic Monitoring Program. The Home Detention Officers will use electronic monitoring, alcohol monitoring, drug testing, GPS monitoring, face-to-face office contacts and random visits to the offender's residence and place of employment to ensure compliance with Home Detention rules. The purpose of these visits is to (a) visually ensure the offenders are at home when they are supposed to be, (b) ensure the offenders are performed), (c) check on the offender's employment or service program status, and (d) check on the offender's general well-being, family and other relationship situations and to just see how they are doing while on Home Detention.
- 6. **Equipment Monitoring Vendor**: The Electronic Monitoring equipment vendor the program utilizes is Sentinel Offender Services headquartered in Irvine, CA. The firm has been providing offender EM monitoring equipment and related services since 1992. They provide a wide array of contract supervision services to Courts, Parole

and Probation Departments, Sheriff's Departments, and community supervision programs nationwide. They monitor pretrial and post-sentence adult and juvenile offender populations. They have a work force of more than 300 employees in 40 offices across the country. They provide EM tracking to more than 30,000 offenders on a daily basis. The firm currently has 15 monitoring contracts with California law enforcement and probation agencies. The contracts include Butte, Lake, Los Angeles, Riverside, San Bernardino and Sacramento County Sheriff's Departments.

- 7. National Monitoring Center: The actual technological monitoring of offenders is performed through Sentinel's National Monitoring Center in Irvine, CA. The Center is staffed 24-hours a day, seven-days-a-week (24/7) with a Supervisor on duty at all times and operators cross-trained to support the firm's supervision services and products. This staffing allows the Sheriff's Department to call and speak to one of the organization's monitoring staff at all times of the day or night. The Center's staff is cross-trained to support assistance requests for global positioning satellite (GPS tracking), radio frequency (RF), electronic monitoring, alcohol testing, and voice verification monitoring programs. All monitoring and tracking of EM Program participants is based on the Sheriff's Department's approved monitoring parameters and guidelines.
- 8. Proposed EM Equipment: The expanded Home Detention Electronic Monitoring Program intends to utilize the most advanced new generation Sentinel UniTrak GPS Unit. This is the EM industry's leading supervision tool. The UniTrak Unit provides active GPS tracking, allowing staff to track participants 24-hours a day, seven-daysa-week, acquiring position data once every minute. All alarms and violations are processed in a real time format for practically immediate notification. The active GPS tracking allows the Sheriff's Department to set inclusion and exclusion zones to restrict offender's movements around the community. Staff can modify the zones at any time through the system's web site. All alarms are automatically processed by the system's software. Based on the Sheriff's Department's requirements, all alarms are processed within required timeframes. The system's software allows the Sheriff's Department to create, edit, and delete zones for all program participants. As a benefit of the system, template zones can also be created and monitored across offender groups as needed. This allows Department personnel to designate certain sites across an entire area that can be applied to different populations. For example, the system can establish predetermined exclusion zones around schools, playgrounds, or related areas to keep entire program populations away from these "hot zones" without having to recreate the same zones on a continual basis. This type of zone setup can be used for selected high-risk participant populations. The GPS system does not require offenders have land-line telephones. The equipment is cellular-enabled allowing the Unit to operate through local cellular networks. This model is used when participants do not have residential telephone service. The Unit is equipped with anti-tamper technology and a robust memory for storing any data that cannot be immediately transmitted for any reason. The GPS Unit has an extended battery life of up to 30 hours and is designed to last for a minimum of 12 months before needing to be replaced.
- 9. Alcohol Monitoring and Drug Testing: The Home Detention Program will utilize Sentinel's MEMS 3000 Remote Breath Alcohol Test Unit. This unit allows Officers to remotely monitor offender's breath alcohol levels as an independent measure or in combination with a restrictive home detention schedule. By November 2011, a cellular-enabled alcohol testing unit will also be available for use by Program staff. The EM Program staff will also conduct random drug testing with offenders twice a month utilizing the Program's own drug testing procedures on collected inmate urine samples. The Home Detention drug testing screen is for four drugs: Cocaine, Opiates, Amphetamines, and Marijuana. The Sheriff's Department is currently in the

process of evaluating the outsourcing of the monthly drug testing to a contract vendor as a way of lowering the total cost of the drug screening done through the Program.

- 10. **Home Detention Violations**: The Home Detention Electronic Monitoring Program will utilize a progressive continuum of sanctions and responses to Program violations. Offenders who violate Home Detention rules will be dealt with immediately. Offenders may lose all privileges, change to another form of monitoring, be placed back into jail (flash incarceration up to ten days), or be sent back to jail to complete the remainder of their sentence.
- 11. **EM Operating Cost**: Total Program costs are estimated at \$2,745,888. The Department estimates that the Program should be able to collect approximately \$800,000 in Program participant fees. These funds will offset the total cost of the Program bringing the cost of the EM monitoring and supervision to approximately \$1,945,888. Other initial program start-up cost total \$329,248. When the proposed program reaches full capacity at 300 offenders per day, the average daily cost to supervise this offender population with equipment and drug testing expense will average \$33.89 a day.

The Sheriff's Department's existing Home Detention Electronic Monitoring Program charges offenders an initial program administration fee, daily equipment rental costs, and daily program monitoring fees based on an offender's overall financial ability to pay. The Department intends to conduct a review of each AB 109 offender's overall financial ability to pay these Program costs. Participants who do not have the ability to pay will be able to have the fees waived.

# Implementation of Probation Department Adult Day Reporting Center (ADRC)

The Sacramento Probation Department is proposing to use AB 109 Public Safety Realignment Plan funding to implement an effective Adult Day Reporting Center (ADRC) community supervision and intervention strategy which will serve the Post-Release Community Supervision (PRCS) offender population created by the new legislation. The Program will be developed and will operate in conjunction with the Department's existing Day Reporting Center(s) for local high-risk adult felony probationers.

The Adult Day Reporting Center (ADRC) is an intensive on-site, community supervision and intervention program for male and female offenders 18 years of age or older, who have been assessed as having a moderate to high risk to reoffend and have been identified as having high needs. Depending on the offender's assessed needs, the four phase program can last between 9 to 12 months with aftercare for up to an additional six months. ADRC includes drug testing, cognitive-behavioral treatment classes, referrals to community-based organizations, access to employment training and placement, and participation in work crews to provide restitution to victims.

The AB 109 Adult Day Reporting Center Program combines supervision accountability and a system of incentives and progressive sanctions with community-based public and private programming and evidence-based counseling services. ADRC will enhance the existing continuum of supervision and treatment services available to the local criminal justice system and probation officers. Supervision unit assignment will be made after an initial integrated screening and assessment that reflects criminogenic risk and need of the AB 109 offender population has been completed by specially trained probation Intake Unit officers. The assessment tool is validated and has been integrated into the routine processing of probation offenders prior to setting the monitoring and treatment supervision conditions in departmental caseloads.

Criminogenic needs are those attributes that, if treated, are most likely to decrease the likelihood of future criminality. The Probation Department uses the Level of Service / Case Management Inventory (LS/CMI) as the validated risk and needs assessment instrument to determine on offender's risk to reoffend and

their criminogenic needs. Supervision levels are assigned based on the offender's risk level. The LS/CMI accomplishes four basic objectives:

- 1. Determining an offender's level of risk for reoffending as a way to target resources to higher-risk offenders.
- 2. Identifying the risk and protective factors linked to criminal behavior so that the rehabilitative effort can be tailored to address the offender's unique assessment profile.
- 3. Developing an automated case plan focused on reducing risk factors and increasing protective factors.
- 4. Allowing Probation Officers to determine if targeted factors change as a result of the interventions.

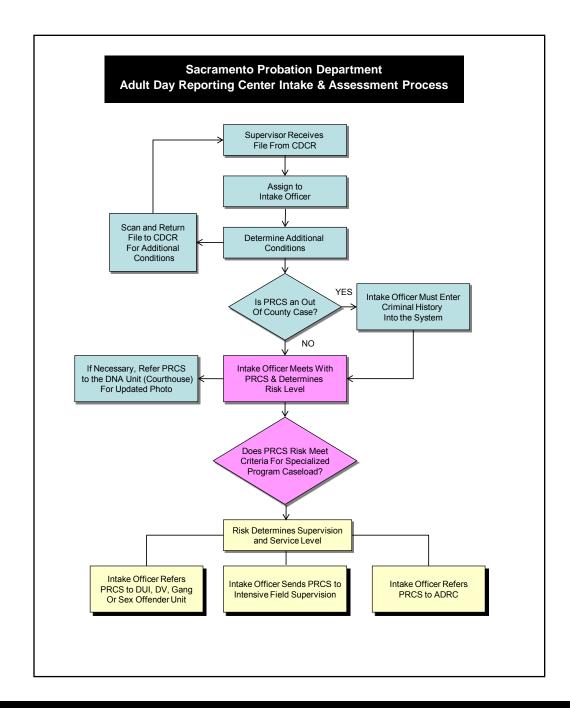
# Sacramento Probation Department AB 109 Adult Day Reporting Center

The Adult Day Reporting Center will create a continuum of services and sanctions that respond to offender needs while providing high intensity tracking and control. The Program approach involves community-based organizations and Probation Officers who work together to couple service intervention components and supervision. Program services are comprehensively structured, evidence-based, multi-pronged, and address different facets of an offender's presenting problems: behavioral self-control, substance abuse, educational and vocational needs, health and mental health, social services, family, and community support.

Field supervision procedures in the ADRC will emphasize development of an individualized case plan oriented toward addressing the assessed criminogenic risk and need of the Post-Release Community Supervision offender group to reduce recidivism and produce better offender outcomes. The ADRC will also use incentives and progressive sanctions that are designed and tailored to each participant that indicate the kinds of responses that will follow various acts of non-compliance or offending. The ADRC will promote probation, community-based provider and other county service agency collaborations to ensure continuity of supervision activities and effective service delivery to the new AB 109 offender population.

The ADRC will provide cognitive behavioral therapy, peer support, and basic living skills programs that improve offenders' behavior, attitudes, motivation, and ability to live independently, succeed in the community and maintain a crime-free lifestyle. The Center's programming and service linkages are intended to teach these offenders functional, educational, and vocational competencies based on employment market demand and public safety requirements. The ADRC staff will work to facilitate access to stable housing, transportation, substance abuse treatment, healthcare, and skill building programs that will aid the AB 109 population toward work experience and opportunities to secure jobs and other work assignments.

The Probation Department will utilize three levels of community supervision and service delivery to the AB 109 Post-Release Community Supervision offender group. These will include the (1) Adult Day Reporting Center, (2) Intensive Field Supervision Units, and (3) Specialized Gang, Sex Offender and DUI Units. Participation and assignment to these Probation Supervision Units will be made by the Intake Unit based on the information developed from The Level Of Service / Case Management Inventory (LS/CMI) validated assessment tool. The intake process for the program is highlighted in the following Chart.



# Key Operational and Community Supervision Elements of the ADRC

The purpose of justice reinvestment, according to AB 109/117, "is to manage and allocate criminal justice populations more cost-effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable". By utilizing a validated evidence-based programming model, the Probation Department's Adult Day Reporting Center (ADRC) will provide a cognitive-behavioral treatment program tailored to the individual offender's needs, to assist them in reducing their risk to reoffend; thus, providing decreased incarceration and prison commitments, increased community protection, and a reduction in the number of victims within the community.

Cognitive Behavioral Therapy/Treatment (CBT) is a problem-focused approach to helping people identify and change the dysfunctional beliefs, thoughts, and patterns of behavior that contribute to their problems. The underlying principle is that thoughts affect emotions, which then influence behaviors. This program will be used in conjunction with the existing Day Reporting Center(s) to manage the additional population created by AB 109. Each of the Adult Day Reporting Centers will provide services for AB 109 clients, depending on the offender's geographic location.

The ADRC will concentrate its community supervision resources on the period immediately following the person's release from custody and adjust supervision strategies as the needs of the person released, the victim, the community and the offender's family change. The Center's staff and program providers will facilitate offender's sustained engagement in treatment, mental health, and other supportive services. Job development and supportive employment will be a key element of the programming and service linkage activity Probation staff will undertake. Efforts will be made to address obstacles that make it difficult for an offender to obtain and retain viable employment while under community supervision. The structure of the ADRC will ensure that officers have a range of options available to them to reinforce positive behavior and to address, swiftly and certainly, failures to comply with conditions of release.

The following information provides a summary overview of the key elements associated with the Probation Department's AB 109 Adult Day Reporting Center (ADRC) as a "core" program component in the County's AB 109 Public Safety Realignment Plan.

## Sacramento County Probation Department Adult Day Reporting Center Program (ADRC)

- 1. **Post-Release Community Supervision Referrals**: The estimated impact of AB 109 with respect to the projected number of California Department of Corrections and Rehabilitation (CDCR) institution discharges to post-release community supervision status projected by the California Department of Finance shows that Sacramento County will process a monthly average of 111 offenders. For the nine month period from October 2011 through June 2012, the Probation Department will receive discharge packets for a total of 1,003 offenders transferred to Post-Release Community Supervision status. The Department of Finance projections also show that between July 2012 and September 2013, the Probation Department will process an additional 982 CDCR institution discharges. Over this 24-month period, the Department will receive a total of 1,985 released offenders from CDCR (monthly average of 83).
- 2. Intake Unit and Risk Assessment Process: The Intake Unit will be the first point of contact for offenders that are released from State prison and are eligible for Post Release Community Supervision (PRCS). This Unit will be responsible for inputting the PRCS offender information including a status designation into the local automated system, "Prob-Search", which will provide appropriate status notification to other local law enforcement agencies. The Intake Unit will also determine if updated photographic offender information is needed and make appropriate referrals for mug shots and DNA retrieval. The Intake Unit will be responsible for reviewing formal orders, and special conditions of supervision with the offenders, will provide appropriate referrals for treatment services and transitional housing and transportation needs. Probation Officers in the Intake Unit will complete a detailed risk assessment to determine the level of intervention needed for each offender. By using information from the risk assessment and the offender's needs, officers will determine if an offender is eligible for the Adult Day Reporting Center (ADRC) or meets criteria for a specialized caseload, the Intensive Community Supervision Unit, or a lower level of supervision.

The ADRC will use The Level of Service/Case Management Inventory (LS/CMI), an evidenced-based validated risk assessment tool. The LS/CMI is a comprehensive measure of risk and need factors, as well as a fully functional case management

instrument. It is designed to assist in management and treatment planning with adult offenders in justice, forensic, correctional, prevention, and related agencies. Officers conducting the assessments can also indicate areas of offender strength, which could serve as protective factors. The LS/CMI system's multi-component evaluation involves obtaining information from many sources about many aspects of the offender's life. Offenders are first interviewed (using Motivational Interviewing techniques) to gather information so the assessor can accurately complete the assessment. The LS/CMI consists of 11 sections and addresses the following areas:

- Criminal History
- Education / Employment
- Family / Marital status
- Leisure / Recreation
- Companions
- Alcohol /Drug Problems
- Antisocial Patterns
- Pro-criminal Attitude Orientation
- Specific Risk / Needs
- Prison Experience Institutional Factors
- Barriers to Release
- Case Management Plan
- Progress Record
- Discharge Summary

The LS/CMI is a reliable assessment instrument to identify both risk and need factors and allows staff to link the results to a supervision case plan. The instrument will be used to determine both the intensity of supervision and types of services Post-Release Community Supervision offenders receive.

- 3. ADRC Program Eligibility and Operational Capacity: Offenders released from local custody on Probation and PRCS offenders, either male or female offenders, 18 years of age or older who have been assessed as having a moderate to high risk to reoffend and have been identified as having high needs (i.e., education, companions, procriminal attitude, criminal history) and have not been assigned to an alternative counseling program are eligible to participate in the ADRC program. There will be up to 600 offenders served annually in the Program.
- 4. Administration and Staffing: The Intake Unit will be staffed by eight (8) Probation Department personnel. There will be one (1) Supervising Probation Officer, one (1) Senior Deputy Probation Officer, five (5) Deputy Probation Officers, and one (1) Senior Office Assistant. Community supervision and program services will be provided by the following staff: (1) Supervising Probation Officer, two (2) Senior Deputy Probation Officers, seven (7) Deputy Probation Officers, three (3) Senior Office Assistants, one (1) Senior Mental Health Counselor, and one (1) Public Health Nurse.
- 5. Facility and Site Locations: The Probation Department is currently operating the central area ADRC at 3201 Florin Perkins Road and is attempting to secure a lease for the south area ADRC at 7000 Franklin Boulevard, which should be presented to the Board of Supervisors for approval in November 2011 with a 30 day occupancy turn around. The south ADRC should be operational by October 2011. The Probation Department is attempting to secure a third facility in the north area of Sacramento for Post-Release Community Supervision referrals and local probationers who reside in this part of the County.

The ADRC facilities will be open to the public Monday through Friday 8:00AM - 5:00PM and will be occupied by staff Monday through Friday 7:00 am to 6:00 p.m. There will be approximately 60 - 100 offenders that may frequent the facility daily. The south area facility will be approximately 5,000 square feet, with a lobby area (approximately 300 square feet), 6 interview rooms (100 square feet each), work stations for staff (1,200 square feet) a break room, conference room, copy room, staff and public restrooms, resource center for participants (approximately 300 square feet), and 4 counseling rooms (300 square feet each). There will also be specific security needs such as facility

access control, intrusion alarms, bullet resistant enclosures, reception door buzzer, and a gated vehicle area for County cars. (See Appendix E: Potential South Sacramento ADRC Site Location)

6. **Community Supervision and Program Interventions:** The Probation Department will dedicate a variety of staff to provide supervision services to this high-risk population. The supervision of high-risk offenders will be directly linked to the implementation of the nationally recognized evidence-based supervision model and its core principles. The principles of Effective Intervention, the use of validated assessment tools, the application of Motivational Interviewing Techniques, the facilitation of Cognitive Behavioral Therapy (CBT) interventions, and the use of appropriate incentives has been proven to show positive effects on this population.

Depending on the offender's assessed needs, the four phase program can last between 9 to 12 months with aftercare for up to an additional six months. ADRC includes cognitive-behavioral treatment classes, drug testing, referrals to communitybased organizations, access to a job training and placement service provider, GED preparation and testing, workshops and participation in work crews to provide restitution to victims. The program will be staffed with a majority of armed officers who will provide direct supervision of offenders in the community, which includes searches, compliance checks and regular offender contact throughout all phases of the program. These officers will also track progress of the offenders while participating in the program. The officers will maintain a caseload of approximately 25 - 40 offenders. There will also be a Senior Mental Health Counselor and a Public Health Nurse at the program who can facilitate the transfer of State inmate medical records to local entities. The key elements associated with each phase of the supervision and program intervention components of the ADRC include the following:

**Phase I** - Each client works with the program's Multidisciplinary Team (MDT) which includes Probation, Mental Health, and service providers for employment training and evidence based curriculum to develop an Individualized Treatment Plan (ITP) to address the client's identified needs and develop a plan to reduce barriers that prohibit their ability to become successful. The Probation Department is currently negotiating a contract with a job training and placement service provider that can assist offenders in acquiring necessary documents to attain work; access employment related services they may be eligible for; training in resume and cover letter development; job skills and vocational curriculum with consistent, long-term support to individuals who have barriers to employment. Offenders attend designated counseling at a minimum rate of two times a week. Officers ensure a minimum face to face contact of 1 to 2 times a week, either in the office, the community, or the offender's home.

**Phase II** - A Senior Mental Health Counselor is available to provide support and individual, couples and family counseling. A service provider will deliver evidence based curriculum like the Barbara Armstrong Basics, Criminal Lifestyles and Substance Misuse and other evidence-based curriculum including: self-help education, decision making and communication skills. The curricula targets criminal lifestyles, and substance abuse. The function of these cognitive behavioral programs is to:

- Assist participants to understand the direct link between the ways that they think and the way they behave;
- Assist the participants to understand and accept that their behavior is their responsibility;
- Develop awareness of the impact of their behavior on others;

- Identify areas where the participants engage in harmful behavior to self and others and teach relevant skills to manage, eliminate, or reduce harm;
- Practice self-management skills; and
- Develop appropriate relapse prevention strategies.

Officers ensure a minimum face to face contact of 1 to 2 times a week, either in the office, the community or the offender's home. In addition, clients will work with an employment training and placement agency to improve their marketable skills to find and obtain employment.

**Phase III** – The focus of this phase is to transition the offender into services within the community and to continue reinforcing the skills and behaviors they have learned in Phase II. The MDT will continue to work with and track the client's progress by utilizing an intensive community supervision model. Needs-based substance misuse and anger management counseling will also be provided in this phase. Offenders attend designated counseling at a minimum rate of two times a week. Officers ensure a minimum face to face contact of 1 to 2 times a week, either in the office, the community or the offender's home.

**Phase IV** – During the last phase of the program, the offender is supervised in the community with support from the case manager. In the event of a relapse, the Probation Officer will have the ability to return the client back into the program for additional services as identified by the MDT. Officers ensure a minimum face to face contact of two times a month and then once a month by phone or in person during the aftercare portion of the program.

7. Use of Incentives / Rewards and Progressive Sanctions: Research indicates that positive reinforcement, incentives and rewards are powerful tools in the supervision process. By employing them for progress, along with sanctions for violations, ADRC Probation Officers can enhance offender motivation, support positive behavior change, and reduce recidivism. Focusing on the gains that offenders have made can promote adherence to supervision conditions and encourage positive responses. Examples of the incentives and rewards staff will use will include awarding certificates of achievement, reducing reporting requirements, removing conditions (such as home detention or curfew), or asking the offender to be a "mentor" to others. Just as with sanctions, incentives and rewards will be provided with certainty and in a timely fashion to have the greatest impact on behavior change.

If an offender demonstrates six months of successful behavior (no new arrests, violations, revocations, noncompliance, or sanctions), he/she may be terminated / discharged. If an offender completes the ADRC program, or treatment and/or is demonstrating progress during supervision, the case can be evaluated for a lower level of intervention. The Chart on the following page shows the graduated continuum of supervision levels and incentives ADRC Probation staff will emphasize:

Sacramento Probation Department Progressive Continuum of Incentives, Community Supervision, Program Interventions and Violation Sanctions				
Low Risk or Success During Supervision (Yellow)	Moderate- High Risk, High Need or Some Resistance to Supervision (Orange)	High Risk or Significant Resistance to Supervision (Red)		
<ul> <li>Lowest Reporting</li> <li>Kiosk/Possible Telephone Reporting</li> <li>Office visits with a probation officer as necessary</li> <li>No need for intensive treatment program</li> <li>Low to moderate sanctions for violations</li> <li>Incentives for early discharge</li> </ul>	<ul> <li>Increased Reporting</li> <li>Office and community supervision by probation officer as necessary</li> <li>Programs to address skill/emotional deficits(i.e drug treatment; anger management)</li> <li>More restrictive sanctions for violations</li> <li>Incentives to move to "yellow" level (downgraded reporting)</li> </ul>	<ul> <li>Highest reporting requirements</li> <li>Office, and community supervision</li> <li>Use of electronic monitoring/surveillance</li> <li>Cognitive programs as needed</li> <li>Most restrictive and swift sanctions for violations</li> <li>Incentives to move to "orange" level (downgraded reporting) but cannot move to "yellow" level</li> </ul>		
Overrides allowed with the approval of a Supervising Probation Officer Sex offenders are classified outside of the above grid				

Responding to violations with swift and certain sanctions will be another key element of the case management and supervision activities carried out by the Adult Day Reporting Center (ADRC) Probation staff. Many of the violations which will occur among the Post-Release Community Supervision offender group can be handled and offenders held accountable in the community without compromising public safety. High-risk offenders who present a threat will be returned to jail when they commit a serious violation or new crime.

There will be many participants whose minor violations would be better and more cost effectively met with responses that are both proportional to the seriousness of the violation and address the situations that may have led to the behavior. The Probation Department's ADRC has established guidelines that set out clear penalties that include low intensity interventions like additional frequency of reporting for minor violations and more restrictive options such as very short jail stays for serious infractions. The deterrent impact of the sanctions staff will use will be enhanced because they will be imposed as quickly as possible after they are detected. For appropriate violations, swift and graduated sanctions will be more effective at preventing relapse and future offending (and at the same time be less expensive) than revocation to County Jail.

As an alternative to revocations or violations, ADRC officers will be able to use flash incarceration (up to ten consecutive days), Adult Work Project / community service, Electronic Monitoring, restrictive curfew and increased supervision frequency as sanctions for offenders. The progressive graduated sanction response and level system the program will employ is highlighted in the following Table.

	Sanction Level	Sacramento County Probation Department Graduated Violation Sanctions and Level System For the Adult Day Reporting Center Program	
(Least Sever)	Level 1	Behavior contract, verbal admonishment by the probation officer, increased reporting to probation, field visitation by the probation officer, community service hours, work project, referral to counseling, or a more restrictive curfew.	
(Le	Level 2	Referral to Adult Day Reporting Center, increased supervision/frequency of probation contact, referral to specific need based counseling, referral to parenting class, referral to cognitive program, referral to a psychological evaluation, increased frequency of cognitive program, increase in outpatient treatment, or increased amount of community service hours, work project.	
severe)	Level 3	Placement on a specialized caseload, increased supervision/frequency of probation contact, electronic monitoring, higher frequency of reporting, residential treatment, or 1-3 day flash incarceration.	
(Most Severe)	Level 4	Issuance of a warrant, placement on intensive supervision caseload, 3-10 day flash incarceration, or formal violation/revocation.	

# Probation Department: Intensive Community Supervision Units

If AB 109 offenders do not meet the criteria for the Adult Day Reporting Center, they can be assigned to one of two (A and B) specialized high-risk AB 109 Intensive Field Supervision Units. The officers will frequent offenders' homes on a regular basis to ensure they are enrolled in treatment and are in compliance of established conditions. The officers will also conduct searches, administer drug tests and work with offenders to change criminal behavior and choices in an effort to reduce recidivism. Offenders will be supervised in the community, in their homes and at work.

- Intensive Supervision Unit Eligibility and Operational Capacity: Moderate to high risk offenders that are not eligible for the ADRC or a specialized caseload (i.e. Gang, Sex Offender or DUI Units) will be eligible for supervision by the Intensive Supervision Unit. Each of the two proposed Units will actively supervise up to 350 offenders.
- 2. Specialized Training: Officers assigned to these Units will receive specialized training that focuses on offenders released from prison. An example of this type of training currently offered would be "How to Supervise A Parolee vs. a Probationer" which addresses workloads and the responsibility of managing high-risk offenders. Although many probation professionals have had years of experience working with high-risk offenders, this specific course seeks to offer valuable insight in successfully supervising criminally sophisticated offenders from the perspective of a veteran parole agent of 20 years. Areas emphasized are understanding the institutionalized, "career-criminal" mindset; achieving and maintaining positive, professional relationships with offenders; understanding the unique needs of this population; and how to be an effective resource broker. It also covers proactive case management skills and tactics, and officer safety issues, including both physical and emotional survival.

Officers will also attend "Legal Impact of AB 109" which focuses on California's Public Safety Realignment Act which has made fundamental changes to the criminal justice system, including redefining a felony and shifting responsibility for the supervision and housing of many felons from the state to the county. This legal update course addresses

specific sentencing and probation violation options regarding the non-violent, nonserious, non high-risk sex offenders and covers all exceptions. All of the variations of sentencing credits that have occurred over the last two years are taught, as is a review of determinant sentencing law. This course answers all questions regarding the changes, including amendments to AB 109, and gives managers, supervisors and line staff the opportunity to discuss legal scenarios and realignment logistics (macro and micro) with a true subject matter expert.

Officers have already received Basic and Advanced Motivational Interviewing training, which includes developing a collaborative conversation for strengthening a person's own motivation and commitment to change. It is a person-centered counseling style for addressing the common problem of ambivalence about change by paying particular attention to the language of change. It is designed to strengthen an individual's motivation for and movement toward a specific goal by eliciting and exploring the person's own reasons for change within an atmosphere of acceptance and compassion.

Officers have also participated in specific training with an overview of the Level of Service/Case Management Inventory (LS/CMI risk assessment , as well as detailed instruction on how to use and interpret the various reports and assessments generated by this instrument. Upon completion of this class, officers are able to identify risk factors, complete the LS/CMI risk assessment and the other sections of the instrument, score and interpret a LS/CMI risk assessment, complete a case plan, and successfully pass a written exam and taped interview.

- 3. Administration and Staffing: A total of eight (8) Probation personnel will be assigned to each Intensive Supervision Unit. The position assignments will include one (1) Supervising Probation Officer, one (1) Senior Deputy Probation Officer, and six (6) Deputy Probation Officers.
- 4. Community Supervision and Program Interventions: The program will be staffed with a majority of armed officers that will provide direct supervision of offenders in the community, which includes searches, compliance checks and regular offender contact. This unit will also execute search and seizure orders as well as conduct warrant and compliance "sweeps" throughout the community. Officers will have a maximum of 50 offenders on a caseload. Officers will maintain a record of the offender's current residence, his/her compliance with orders, and any necessary sanctions applied. They will also have face-to-face contact with offenders 1 to 2 times a week, conduct drug testing if appropriate and will provide offenders with appropriate referrals for services and employment.

# Probation Department: Specialized Supervision Caseloads

Offenders that do not qualify for the Adult Day Reporting Center and have a moderate high to very high risk to reoffend with specific criminal issues are eligible for supervision on a specialized caseload, which already exists in the Probation Department. The specialized Units will include the following:

 Gang Unit: Offenders who are validated gang members with moderate to high risk to reoffend that are not eligible for the ADRC will be eligible to be supervised by the Gang Unit. This unit is one of the most experienced and knowledgeable law enforcement units within Sacramento County in the area of gangs. The Gang Unit works closely with the Sacramento Sheriff's Department, the Sacramento Police Department, the District Attorney's Office and other law enforcement agencies in a joint effort to suppress gang activities. This unit also provides intensive supervision, executes search and seizure orders and conducts gang enforcement sweeps.

- 2. Sex Offender Unit: Offenders with recent sex offenses or requirements to register as a sex offender will be eligible for specialized supervision in the Sex Offender Unit. The Sex Offender Unit provides intensive community supervision and office reporting to ensure sex offenders comply with 290 PC registration requirements, and assist probationers with counseling and treatment program referrals. Probation officers conduct home visits and searches of offenders' computers, homes, and vehicles on a regular basis to contain predatory behavior.
- 3. DUI Unit: Offenders that have more than 3 DUI convictions or at least 1 conviction for a DUI with bodily injury will be eligible for specialized supervision in the DUI Unit. Officers in this unit provide proactive field supervision, surveillance and enforcement of orders for targeted offenders. Officers work with other law enforcement agencies in DUI suppression efforts including surveillance, intensive supervision, warrant sweeps and sobriety checkpoints countywide.

Offenders that are low risk or have completed the ADRC, Specialized Supervision or Intensive Supervision Units and have demonstrated progress will be eligible for Office Supervision until they are discharged from the AB 109 Adult Day Reporting Center Program. Offenders (excluding sex offenders) that are low risk or have completed the ADRC, Specialized Supervision or Intensive Supervision Units and have demonstrated progress will be eligible for Kiosk reporting. Kiosk reporting consists of an initial visit with a probation officer and then Kiosk reporting. The Kiosk is an automated reporting system that utilizes advanced fingerprint recognition technology to identify probationers and authenticate transactions. It is a low cost, innovative, technological means of providing tracking and increased accountability for participants. There are two Kiosk Reporting systems physically in place within the Probation Department; one is located at 711 E Street, and the other is at 3201 Florin Perkins Road. These Kiosks can be operational by the end of October 2011 with the capacity to track up to 800 participants at each location at any given time.

The Adult Day Reporting Center Proposal includes costs that cover the 9 months operations for the two Probation Intensive Field Supervision Units (A & B) and six months for the ADRC North facility site. The operational cost for AB 109 Post-Release Community Supervision offenders who are handled in the Department's Specialized Supervision Units will be covered through the Department's existing budget allocations. ADRC one-time start-up cost will be funded from the AB 109 initial funding provided through the legislation.

Total ADRC Intake and supervision costs are estimated at \$2,285,102. Other costs for each of the Intensive Field Supervision Units are estimated at \$947,615. ADRC one-time start-up cost total \$464,090. The total FY 2011 – 12 ADRC cost is estimated at \$4,657,422.

A total of 21 Probation Department positions will be needed to staff the Intake Unit and provide the ADRC community supervision and program services outlined in the proposed plan. Each of the two Probation Intensive Field Supervision Units (A & B) will require eight (8) staff to carry out the regiment of supervision and program interventions detailed in the implementation plan. A total of 37 Probation Department positions will be needed for the Program.

# Reopening of the Roger Bauman Facility (RBF) at the Rio Cosumnes Correctional Center

The Rio Cosumnes Correctional Center (RCCC) currently operates as the County's branch jail complex and is located off Bruceville Road approximately 24 miles south of downtown Sacramento. It is surrounded by prime agriculture land. At one end of the property is a non-controlled airport consisting of two runways, the other end contains the Sheriff's shooting range. Interstate 5 is approximately 2 miles to the west of the facility.

Rio Cosumnes is on property once owned and operated by the Federal government as a camp for pilot training during W.W.II. In the late forty's, after the war, the property was deeded to the County. The County operated the original Facility as a road camp until the first new facilities and the infrastructure

were constructed in 1959. Since it was initially constructed, a number of major buildings and maintenance projects have been built that has transformed the Correctional Center into the complex it is today. Currently, RCCC contains more than 20 temporary and permanent buildings of various vintages and uses located on a 135 acre site. The structures contain a total of 366,896 square feet of custody housing, programming and support space. RCCC has a Corrections Standards Authority (CSA) rated capacity to house 1,625 male and female inmates of all security classifications. The complex contains 2,651 total bunks and has an operating capacity (90% of total bunks) for 2,385.

The arrangement of the buildings emanates from a single central fixed point, the flag pole. The Facility's building arrangement is referred to as a campus plan. That is, buildings are separated by common landscaped grounds (**see RCCC site plan**). Within the campus plan, there is a combination of linear style jail housing units utilizing security bar fronts, open dormitories and new generation podular, tiered housing units utilizing security glass barriers.

From the early days when the compound was predominately honor type inmates, RCCC has seen many changes. Due to changes in inmate profiles, the custody facilities have had to be modified to include many security type measures such as security fencing, tunnel fencing to and from intake/release, the addition of maximum security cells, decentralized services to curtail inmate escapes, housing control rooms with sophisticated inmate controls, and communications / electronics to aid in managing, observing and monitoring inmates at the highest level.

The individual detention facilities / housing units, types of jail bunks, and Corrections Standards Authority (CSA) rated capacity are shown in the following table.

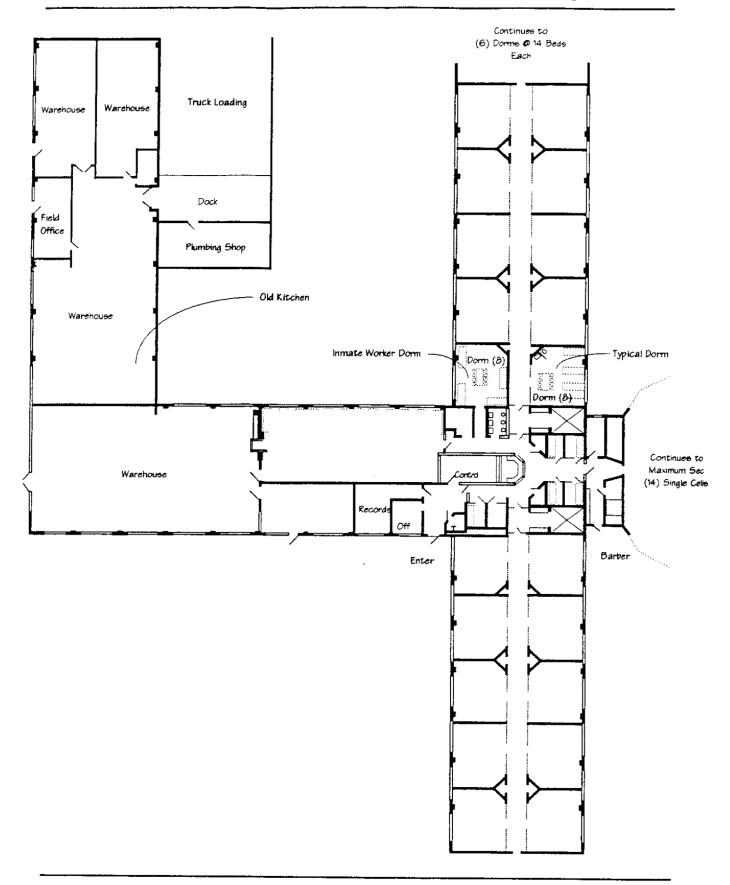
Rio Cosumnes Correctional Center (RCCC) Number and Types of Inmate Bunks					
Facility / Housing Unit	Type of Bunks	CSA Rated Capacity	Total Bunks		
Honor Facility (C, D, G, H & M) 448 Unit Christopher Boone Facility Steward Baird Facility Medium Security (A, B, J & K) Medical Housing Unit Roger Bauman Facility Sandra Larsen Facility	Minimum - Dormitory Medium - Dormitory Medium/Maximum - Cells Medium – Dormitory Minimum Dormitory Medium - Dormitory Medium - Dormitory Minimum/Med/Max – Dormitory/Cells	387 448 120 148 174 0 200 120	600 688 192 192 408 19 275 277		
Total		1,625	2,651		

The Roger Bauman Facility (RBF) was one of the first custody housing units built at RCCC. Since its original construction, RBF has undergone several remodels and building system upgrades. The facility was built under 1963 applicable physical plant standards. The facility was originally designed as a "linear dormitory" model custody housing unit. Consequently, many of the changes to the building have been incorporated with this design configuration.

The RBF structure is laid out with four wings with circulation from a Central Control staff station. The exterior and interior wall construction is painted concrete. The building ceilings are also painted concrete. The floors are sealed concrete and the roof system is a built-up, single-ply material. The housing wings are fire sprinkled with a fire monitoring station. The housing HVAC air conditioning, lighting, plumbing and fire suppression systems have recently gone through a \$2.5 million upgrade. The diagram on page 39 shows the basic floor plan, adjacencies and overall configuration of the Roger Bauman Facility. The space layout highlights the East, West and South wings of the building with a reference indicating where the building continues to the 14 single cells which are no longer in use.



# **Roger Bauman Facility - RCCC**



About 1971, the North Wing was added to RBF with 14 cells. This design placed the Housing Control Officer in the center of the housing area. Because of the limited dayroom space, subsequent mechanical problems with the cell door control system and the intensive staffing requirements in relation to the small number of bunks located in the wing, the Sheriff's Department no longer occupies this section of the building. The other East and West wings of the building contain multiple occupancy dormitory sleeping units containing between 5 - 8 rated beds each. The South wing has been converted to a inmate law library and can be used for other programming activities.

RBF contains a total of 19,150 square feet of functional use area that supports administration, Central Control, storage, programming, services, inmate housing / dayroom, and building circulation. The facility has multiple outdoor fenced recreation areas which inmates can access from the RBF housing units. The secure recreation yards are observable by staff stationed in an elevated observation tower overlooking the recreational yards.

Roger Bauman Facility (RBF) Functional Use Area Square Footages							
Functional Use Areas	Functional Use Areas RBF (%) Total Sq. Ft.						
Administration	207	1.1%					
Central Control	100	0.5%					
Maintenance/Storage/Utilities	972	5.1%					
Inmate Programs	1,750	9.1%					
Housing/Dayrooms	15,938	83.2%					
Circulation	183	1.0%					
TOTAL	19,150	100.0%					

CSA's Rated Bed Capacity is 200.

Past physical plant evaluations have noted that the structure is constructed of sound materials and allows for the housing of medium and maximum security inmates. The housing control station has good observation of two adjacent cells which can be used for a suicide watch. The facility has space for medical exams and work stations for healthcare staff. The South wing of RBF is flexible in design and can accommodate space for inmate programs. The North wing of the facility, which is out of service, can easily and economically be converted to office use for inmate program and service staff who might be assigned to the unit.

The following information provides a summary overview of the key elements associated with the proposed reopening of the Roger Bauman Facility (RBF) at the Rio Cosumnes Correctional Center as a program component in the County's AB-109 Public Safety Realignment Plan.

# Reopening of the Roger Bauman Facility (RBF) At the Rio Cosumnes Correctional Center

Facility Capacity and Housing Classifications: The Roger Bauman Facility (RBF) is currently unoccupied and, when reopened, would have a Corrections Standards Authority (CSA) rated capacity for 200 bunks. The custody housing dormitory units are located in the Central Core, East, and West wings of the facility. The multiple occupancy small dormitories have CSA rated bed capacities that range between 5 – 8 bunks per housing unit. The dormitory housing units in these three wings can contain a total of 275 bunks.

Roger Bauman Facility (RBF) Number and Type of Inmate Bunks					
Facility	Type of Bunks &	CSA Rated	Total		
Housing Wing	Capacity	Bunks			
RBF Central Core RBF East Wing RBF West Wing	5 115 80	9 168 98			
Total		200	275		

2. RBF Proposed Staffing: The staffing to reopen the RBF facility will require two Sergeants and 29 Deputy Sheriffs. Two records officers will also be assigned to the detention facility. Five additional nurses and a half-time physician and pharmacist position will be needed to handle the medical and healthcare needs of the inmate custody population. The schedule for the custody staff is based on the Department's three 12-hour and four 12-hour model utilizing "A" and "B" Days / Nights shift assignments covering 0630 – 1830 hours and 1830 to 0630 hours with flex days off every other week.

Sacramento County Sheriff's Department						
Roger Bauman (RBF) Proposed Staffing by Shift & Day of Week						
Schedule / Shift	Supervisor	Supervisor Deputy Sheriffs				
	Sergeant	Control	West Wing	East Wing	Escort <sup>2</sup>	
"A" Days						
Sunday	1	1	1	1	2	
Monday	1	1	1	1	2	
Tuesday	1	1	1	1	2	
Wednesday <sup>1</sup>	1	1	1	1	2	
"A" Nights						
Saturday <sup>1</sup>	1	1	1	1	1	
Sunday	1	1	1	1	1	
Monday	1	1	1	1	1	
Tuesday	1	1	1	1	1	
"B" Days						
Wednesday <sup>1</sup>	1	1	1	1	2	
Thursday	1	1	1	1	2	
Friday	1	1	1	1	2	
Saturday	1	1	1	1	2	
"B" Nights						
Wednesday	1	1	1	1	1	
Thursday	1	1	1	1	1	
Friday	1	1	1	1	1	
Saturday <sup>1</sup>	1	1	1	1	1	

<sup>1</sup> Based on 3/12 hr & 4/12 hr Shift Model (0630 - 1830 hrs & 1830 - 0630 hrs with RED indicating Flex day off, every other week)

<sup>2</sup> Escorts are assigned (2) per days and (1) per nights

<sup>3</sup> Classification Dep	uty (2) per shift x (5) days = (10) + RBF Deputies = (28) Deputies +
(1) backfill = (29	
Records Officer	(2) working day shift, (1) "A" Side a Week; (1) "B" Side of Week = (2)
RN	(1) for (4) shifts: (1) Backfill = (5)

- (1) for (4) shifts; (1) Backfill = (5)
- (0.5) Dedicated to intake needs = (0.5)Pharmacist
- Physician (0.5) Dedicated to intake needs = (0.5)

The Deputy Sheriff positions will cover Central Control. West and East wing housing units supplemented with roving escorts. Two Sergeants assigned to RBF will provide supervisory coverage at the facility. Two of the sworn Deputy Sheriff positions will handle inmate intake / reception and classification duties per shift five days a week. The two records officers will work day shifts with (1) assigned to the "A" side of the week shift schedule and one assigned to the "B" side of the work schedule. The five nursing staff (RNs) will be assigned (1) for four shifts and (1) will backfill the schedule for the healthcare personnel.

**3. RBF Operating Budget**: Total facility costs are estimated at \$5,984,734. Other initial facility start-up cost total \$201,779.

# Expansion of RBF Inmate Services and Programming

The Sheriff's Department recognizes and is strongly committed to expanding custody services and evidence-based programming for the new AB 109 "N3" offenders convicted and sentenced to County Jail and Return-to-Custody (RTC) parole and probation violators incarcerated in the County Jail system. With the reopening of the Roger Bauman Facility (RBF) at the Rio Cosumnes Correctional Center, planning is underway to staff and operate a new Reception Center Program at the facility. The goal is to introduce and provide ongoing dedicated exemplary assessment, evidence-based substance abuse treatment, mental health, and other support services to these incarcerated offenders.

The Sheriff's Department will contract with qualified public and private service providers experienced with risk and needs assessments, evidence-based model counseling, and other interventions that will facilitate the reentry of offenders from the County Jail to the community. By pursuing these program standards, incustody dedicated service providers, counselors, and education agencies knowledgeable with offender populations and able to deliver "best practices" in the jail setting will begin the process of transitional reentry planning to these offenders who are redirected to community supervision through the Sheriff's Department's Home Detention Electronic Monitoring Program.

# Expansion of Inmate Services

Contract service providers knowledgeable with "best practice" programming / treatment models directed to incarcerated offenders. Expansion of RBF's inmate services will include: Evidenced-based risk and needs assessment, cognitive behavioral therapy, mental health and alcohol/drug counseling, job/education assistance and development of transitional reentry plans.

The specific best practice programming components that are being considered for introduction and use include (a) assessing the clinical and social needs, and public safety risks of the incarcerated offender population, (b) planning (short- and long-term) for treatment and services required to address the offender's needs, (c) implementation of evidence-based in-custody rehabilitation programs designed to reduce recidivism with adult offender populations, (d) identifying required community and correctional programs that can assist with post-release services, and (e) coordinating the transition plan to ensure implementation and avoid gaps in care.

The Department will initially allocate \$500,000 to contract with qualified organizations to implement the expanded programming at RBF. The programming will cover five major offender areas including:

- 1. Academic, Vocational and Financial
- 2. Alcohol and Other Drugs
- 3. Aggression, Hostility, Anger and Violence
- 4. Criminal Thinking, Behaviors, and Associations
- 5. Family, Marital and Relationships

The focus in these areas will follow eight evidence-based practices (EBP) and principles including (a) target highest risk offenders, (b) assess offenders needs, (c) design responsivity into programming, (d) develop behavior management plans, (e) deliver treatment programs using cognitive-based strategies, (f) motivate and shape offender behaviors, (g) engender the community as a protective factor against recidivism and use the community to support offender reentry and reintegration, and (h) identify outcomes and measure progress.

A key element of the services will involve a cognitive behavioral orientation which identifies how thinking and behavior are related and encourages offenders to take personal responsibility for both. Service providers knowledgeable with the Critical Thinking curriculum will also be sought because the strategy targets those who have experienced a diversity of charges, lengthy criminal history, antisocial attitudes, criminal peers, and a criminalized lifestyle. The expanded programming will also build on the current inmate services in place at RCCC including the following:

# Cognitive Behavior / Mental Health / Substance Abuse

- Manalive: Sacramento County Certified Batterers Treatment Provider offering 3 hour classes 6 times each week for HALT participants' only, serving approximately 55 male inmates. The mission of Manalive is for men to work with men to stop their violence.
- Change Counseling Services: Relapse Prevention and Process groups for HALT participants only, providing 3 hour classes 4 times per week serving approximately 55 male inmates. Classes focus on the habitual thinking process leading to relapse and understanding the male role belief system which can lead to prevention.
- Transitions: Choice Theory curriculum is offered to HALT participants only and is offered in 3 hour classes 2 times per week serving approximately 55 male inmates. A central aspect of Choice Theory is the belief that we are internally, not externally motivated. While other theories suggest that outside events "cause" us to behave in certain predictable ways, Choice Theory teaches that outside events never "make" us to do anything.
- Alcohol and Other Drugs (AOD): Classes are offered to HALT participants in 3 hour classes once per week serving approximately 55 male inmates. The main goal and purpose is to educate students of the bio/psycho/social ramifications of addiction and chemical dependency.
- Life Skills: Class is offered to HALT participants in 3 hour classes once per week serving approximately 55 male inmates. The goal or purpose of the class is to help students become more aware of their self-image and thought process and how this relates to consequences in their lives. To teach students the basic elements of a structured and goal directed lifestyle and to teach the basic skill of self-assessment so they may gauge their level of personal satisfaction.
- Framework for Recovery: Class is offered to HALT participants in 3 hours classes once per week serving approximately 55 male inmates. The class provides a framework of concepts and techniques that focus on the underlying barriers to recovery. It provides critical thinking skills and assists the participant in making lifestyle changes that are necessary for long-term recovery and reduction of recidivism.
- Survivor Impact: Class is offered to HALT participants in one 3 hour session per week serving approximately 55 male inmates. The goal is to provide an opportunity for students to learn from the examples of others the effects of their actions upon their families and communities. For example, students will hear from guest speakers

from the local community and advances student peers how their lives have been impacted from having survived violence to themselves or their loved ones. Afterward, students will be able to work in a therapeutic environment to discuss and reflect upon having victimized others in ways similar to the experiences of the guest/student speakers.

- Role Play for Change: Class is offered to HALT participants in one 3 hour session per week serving approximately 55 male inmates. The purpose is to offer a therapeutic environment for students to examine past situations and events in student's lives. Students develop and present scenarios, learn to format scenarios into theatrical scripts then create and perform student histories in class. Through observing student performances gain broader and more objective perspectives of the effects and impacts to the student and others involved.
- Alcoholics Anonymous and Narcotics Anonymous: an international mutual aid movement which says its "primary purpose is to stay sober and help other alcoholics/drug users achieve sobriety. These classes are offered throughout the week on a voluntary basis.

# Academic

- Program Orientation: Classes are offered for up to 60 participants weekly from both SLF and Honors in two 3-hour sessions per week. This is a required course for all male and female inmates interested in the Education program at RCCC. The sessions involve program registration and academic readiness assessments. There is also an overview of the Education program and its policies, career interest/work values/ personality/ & transferable skills inventories, and an initial screening of individual re-entry needs. Students choose academic, career technical (vocational), personal development, or rehabilitative classes based on their initial assessments.
- General Education Development (GED) Preparation & Testing: This GED preparation course is available for up to 60 students weekly from SLF, Honors, and 448. Classes take place primarily in the evenings from 4-7 and 3 days/week. The course prepares students to pass the official 5-part GED exam in the areas of English Language Arts-Reading, Social Science, Science, Math, and English Language Arts-Writing. Upon successfully passing GED practice tests, students can sign up to take the official GED test with a state-certified GED examiner twice monthly (1x/mo in 448).
- Adult Basic Skills (Reading, Writing, Math): This course helps up to 60 students weekly in SLF, Honors, and 448 build basic reading, writing, and math skills so that they may enter the GED program, improve skills for the workplace, or better access their community. The course is designed to bring students' literacy levels up to an 8<sup>th</sup> grade-level equivalency. Class is offered 3 days/week from 4-7.
- English as a Second Language: The aim of this course is to help English language learners build upon their basic receptive (listening and reading) and productive (speaking and writing) skills while learning how to better access their community. Currently there are approximately 10 students participating between SLF, Honors, and 448 on a weekly basis. Class is offered 3 days/week from 4-7.

# **Career Technical Education (Vocational Training)**

Engraving: Sign shop, this program provides practical job training and has 20 inmates currently enrolled who work daily from 0900-1700.

- Career Preparation/Reentry: This class is a required course for all SLF and Honors students exiting the Education program at RCCC. Approximately 120 students participate in this course weekly. Students attend this 30-hour program for one 3 hour period/week. In this course, students set long- and short-term goals for education, employment, and post-release. They are connected to support systems offered through Elk Grove Adult and Community Education's non-correctional programs as well as the Sacramento Employment and Training Center's Sacramento Works One-Stop Career Centers in the region. Students meet weekly with a job developer from the South County Career Center that is co-located at EGACE. Students also receive an opportunity to build a resume and cover letter, get interview practice, and learn soft skills necessary to gain and retain employment.
- Culinary Arts: Approximately 35 students weekly from SLF learn core culinary skills and are provided with basic training that enables them to get employment in the food service industry. Students learn about cooking principles and receive hands-on experience. After course completion, they are able to prepare breakfast, salad, lunch, dinner and dessert dishes. Completers also receive and industry-recognized certificate. This class is offered 30 hours/week in our women's facility only.
- Custodial: More than thirty Honors students weekly become proficient in various custodial techniques and safety procedures (e.g., carpet cleaning, floor restoration, cleaning blood-borne pathogens and infectious wastes, working with chemicals). Students receive 50% classroom time and 50% hands-on training. Upon completion, students receive an industry-recognized certificate. This course is offered 19 hours/week in our Honors facility only.
- **Computer Applications for the Workplace**: In this course, up to 60 students weekly in both SLF and Honors learn office skills to compete in today's job market, including computer applications in *MS Windows, Office: Word, PowerPoint* and *Excel.* Students learn filing procedures, telephone communications, mail procedures and record duplication. Classes vary in length. Depending on the location, students may receive between 15 and 24 hours of instruction weekly.
- Ornamental Horticulture/Landscape: This course serves up to 25 students with 30-hours of instruction weekly. Students are exposed to different techniques of propagation and irrigation with an emphasis on environmental horticulture and landscape maintenance. Upon completion of this 300-hour course, students have acquired the knowledge, practical skills, and training necessary to successfully attain employment in the nursery or landscaping industries.
- Safety & Sanitation: Up to 80 students weekly gain knowledge of safety and sanitation principles. The course teaches the following subjects: safety procedures, bacterial diseases, personal hygiene and pest control. This a mandatory class for all kitchen workers at the RCCC facility. Students from both SLF and Honors attend class a total of 2-3 hours/week depending on location.

# Personal Development

Parent Education: Class is offered 6 hours/week for up to 100 students located in both the SLF and Honors facility. Students learn to create a healthy and nurturing family environment to recognize how a negative, hurtful parent affects the psychological and physical development of children. Instruction is provided within a supportive environment and the curriculum is CPS approved. Upon successful completion, students receive a certificate of completion that helps in the reunification process.

# Gender Specific (Women)

- Project Renewed Families: Choice Theory is taught as a substance abuse component for a prisoner substance abuse / family reunification program. Class is 3 hours 2 times per week for approximately 45 female inmates.
- Alcoholics Anonymous and Narcotics Anonymous: an international mutual aid movement which says its "primary purpose is to stay sober and help other alcoholics/drug users achieve sobriety. These classes are offered throughout the week on a voluntary basis.

# **Revocation Hearing Procedures and Regional Parole Impact Team**

The CCP Plan will also address Revocation Hearing procedures and related Court processes. As part of the planning process, a Revocation Workgroup has been formed and is meeting weekly to develop Revocation Hearing procedures. The Revocation Workgroup so far has developed the written procedures associated with the format and filing of the petitions and the hearing process which includes the initial hearings (also known as Probable Cause Hearings) and Revocation Hearings. They believe their work will not need modifications when the final Rules of Court are finalized by the Administrative Office of the Courts.

The Initial hearings (or PC hearings) will be scheduled for Monday and Thursday afternoons in Dept. 63 in the jail and the revocation hearings on Fridays in Dept. 1 with a maximum of 3 scheduled per time slot (they take approximately 1 hour for each hearing). Forms have been developed so that counsel can settle a case at anytime without having to specifically schedule the case in either of the PRCS courtrooms. The Notice of Disposition may be filed at anytime at the front counters in the courthouse or jail.

The case management system that will be used in the short-term to track and schedule these cases will be CJIS (Criminal Justice Information System) and the Workgroup will be creating an electronic case file instead of hard-copy files. In the future, they hope to have a new electronic case management system and electronic files. The Workgroup is also working with Probation to have the Petitions for Revocation filed electronically although in the short-term, they will receive them in paper form or by email and scan them into our electronic case files. In the long-term, the Sub-Committee would like to have a way to e-file them and also make our "files" available on-line to our justice partners.

The Sub-Committee is still working on some of the forms for the process including the Advisement of Right to Counsel which allows the supervised person to waive that right and the forms associated with the actual hearing process itself. Also, the Court is working with Probation on a process and forms for issuing warrants for Absconds.

There is also a workgroup of justice partners (Probation, Sheriff, Court, District Attorney, and Police Department) to address CJIS system issues and upgrades so that they can ensure that holds in Jail for Flash Incarceration and sentences for PRCS Revocation violations can be entered and tracked in CJIS and so that creates another supervision type for Probation. Because it will require some reprogramming there will be some Department of Technology costs but the upgrades and potential costs have not yet been determined.

The Sacramento Police Department is also working with the CCP agencies to finalize an operational Regional Parole Impact Team. The concept they are pursuing involves development of a Regional Parole Impact Team designed to target high-risk parolees and high-risk Post Release Community Supervision (PRCS) offenders living within the communities of Sacramento County. The agencies want to create a task force of officers from participating agencies by using existing resources without adding additional costs to those agencies.

The mission of the Parole Impact Team will be to (a) identify, investigate, arrest, and assist in the prosecution of individuals on parole and PRCS within the County of Sacramento; (b) conduct parole / PRCS compliance searches on subjects with high control, violent or gang convictions; (c) assist participating agencies with investigations on parolees and PRCS involved in Part I crimes; (d) carry out vertical prosecution of parolees and PRCS charged with fresh crimes; (e) assist participating agencies in locating and arresting parolees-at-large within their community; and (f) maintain communication with participating agencies and their investigative divisions.

To date, the Citrus Heights Police Department, the Elk Grove Police Department and the Sacramento Police Department are fully committed to move forward with a pilot program focusing on the basic mission of the Parole Impact Team concept.

# SECTION 4: FUNDING ALLOCATION RECOMMENDATIONS

# 2011 Public Safety Realignment Plan

# Fiscal Impact

Public Safety Realignment became effective on October 1, 2011. The Community Corrections Partnership (CCP), developed this Realignment Plan to describe how the low level offender population being transferred to the County will be addressed in Sacramento County. The CCP voted and approved the Plan to meet the needs of the County while maintaining public safety, which includes the creation of a new Adult Day Reporting Center; an Intake Unit to process the low level offender population released from prison; and two high risk intensive supervision units (Probation). The plan also includes the reopening of the Roger Bauman Facility (RBF), expansion of the Home Detention Program and a new Pretrial Release and Supervised OR Program. The CCP Plan includes the addition of 37 positions to the Probation Department and 64 positions to the Sheriff's Department for a total of 101 positions.

Sacramento County's AB 109 allocations For Fiscal Year 2011-12 totals \$14,738,496. Of the total, \$13,140,278 is intended to cover the costs of the population shifts (the transfer of the low-level offender population, county's new supervision responsibilities for state prison inmates released to post-release community supervision and sanctions); \$471,018 is designated 50% to the District Attorney and 50% to the Public Defender Offices for revocation proceedings; \$927,200 allocated for one-time start up costs; and \$200,000 in one-time funding allocated to the CCP for planning purposes.

The Probation Department will receive a total of \$4,644,422 (\$4,180,332 for program budget; \$464,090 for one time start up costs). The Sheriff's Department will receive a total of \$9,544,083 (\$8,485,806 for program budget; \$500,000 for inmate services; and \$558,277 one-time start up costs).

Program and Facility Recommendations	<u>Personnel</u>	<u>Budget</u>	<u>Start-up</u> <u>Cost</u>
Implementation of Pretrial Release and Supervised OR Program	10.0 FTE	\$555,184	\$27,250
Expansion of Sheriff's Department's Home Detention Electronic Monitoring (EM) Program	15.0 FTE	\$1,945,888	\$329,248
Implementation of Probation Department's Adult Day Reporting Center (ADRC)	37.0 FTE	\$4,180,332	\$464,090
Reopening of Roger Bauman Facility (RBF) at Rio Cosumnes Correctional Center	39.0 FTE	\$5,984,734	\$201,779
Expansion of RBF Inmate Services: Evidenced-based risk and needs assessment, cognitive behavioral therapy, mental health and alcohol/drug counseling, job/education assistance and development of transitional reentry plans	To be determined	\$500,000	\$0
AB 109 Contingency Reserve Fund		\$47,973	

The CCP will receive \$200,000 for planning purposes of which \$30,000 will be utilized for a consultant, \$1,000 for office supplies, and \$121,027 will be used to cover program proposals and one-time start up cost overages. The remaining \$47,973 will be placed in a contingency reserve fund fund. The \$200,000 will be placed in the Probation Department's budget to be held until claims for costs are made for actual expenses as identified.

# Sheriff's and Probation Department's Staffing and Program Operational Costs

The Realignment Plan approved by the CCP indicates that the Sheriff and Probation Department will expend AB 109 / 117 funding for the following programs:

Sheriff's Pretrial and Supervised OR Release Program: With the inevitable increase in the jail population created by AB 109, the Sheriff's Pretrial and Supervised OR Release Program will reduce the percentage of offenders in the jail that are pending trial. Pretrial inmate population levels comprise about 61% of the Main Jail and RCCC bed space. With a Pretrial Release program, the Court is provided with comprehensive, accurate information about the offender's risk of rearrest or potential failure to appear before the Court if released, potential threat to the community, and reliability. The program will utilize the Virginia Pretrial Risk Assessment Instrument (VPRAI), which is an objective, research-based instrument that identifies a defendant's level of risk of failure (failure to appear and/or new arrest) if released pending trial. The program also strives to protect public safety while increasing the use of release alternatives.

Staffing: 10.0 FTE Budget: \$555,184 Start-up Cost: \$27,250

Sheriff's Home Detention Electronic Monitoring Program: Expansion of the Home Detention Electronic Monitoring Program is intended to provide the County's criminal justice system with a strictly monitored program designed to safely divert convicted higher-risk offenders from county jail incarceration to a community-based regiment of supervised home detention. Active electronic monitoring (EM) supervision systems will be utilized to ensure offenders' compliance with set limits on their activities. Offenders will stay home at all times except for pre-approved scheduled absences. Program participants will wear an electronic device that emits a continuous signal to a series of tracking GPS satellites that monitor offender movement through a 24 hour, seven-days-a-week central control station that immediately reports violations to Sheriff's Department staff. The funding includes full-time and on-call deputy sheriffs.

Staffing: 15.0 FTE Budget: \$1,945,888 Start-up Cost: \$329,248

Probation Department's Adult Day Reporting Center. The County's Post-Release Community Supervision Program includes a new Adult Day Reporting Center (ADRC), Probation services, intake and supervision for inmates released from prison and sentenced locally. A Memorandum of Understanding (MOU) will be entered into between the Department of Health and Human Services and Probation to provide a Senior Mental Health Counselor (existing position) and a Senior Public Health Nurse (new position to be added at a later Board date) for the Adult Day Reporting Center. The Probation Department will seek approval for the ADRC lease and contracts for provider services.

# Adult Day Reporting Center (ADRC)

The ADRC is an intensive on-site, community supervision program for male and female offenders 18 years of age or older, who have been assessed as having a moderate to high risk to reoffend and have been identified as having high needs. Depending on the offender's assessed needs, the four phase program can last

between nine to twelve months with aftercare for up to an additional six months. ADRC includes cognitive-behavioral treatment classes, referrals to community-based organizations, access to employment training and placement, and participation in work crews to provide restitution to victims.

# Intake Unit

The Intake Unit will be the first point of contact for offenders that are released from prison and are eligible for post release community supervision. This unit will be responsible for completing risk assessments, making supervision assignments and inputting offender information including a status designation into the local automated system, which will provide appropriate status notification to other local law enforcement agencies. The Intake Unit will also determine if updated photographic offender information is needed and make appropriate referrals for mug shots and DNA retrieval. The Intake Unit will be responsible for reviewing formal orders, and special conditions of supervision with the offenders, and will provide appropriate referrals for treatment services and transitional housing needs.

# Community Supervision

If Post Release Community Supervision (PRCS) offenders do not meet the criteria for the Adult Day Reporting Center, they can be assigned to a specialized high-risk Intensive Field Supervision Unit designated for AB 109/117 offenders. The officers will frequent offenders' homes on a regular basis to ensure they are enrolled in treatment and are in compliance with established conditions. The officers will also conduct searches, administer drug tests and work with offenders to change criminal behavior and choices in an effort to reduce recidivism. Offenders will be supervised in the community, in their homes and at work.

Staffing: 37.0 FTE Budget: \$4,180,332 Start-up Cost: \$464,090

Reopening of Roger Bauman Facility (RBF) at the Rio Cosumnes Correctional Center: The Roger Bauman Facility (RBF) is currently unoccupied and, when reopened, would have a Corrections Standards Authority (CSA) rated capacity for 200 bunks. The custody housing dormitory units are located in the Central Core, East, and West wings of the facility. The multiple occupancy small dormitories have CSA rated bed capacities that range between five to eight bunks per housing unit. The dormitory housing units in these three wings can contain a total of 275 bunks. The Sheriff's Department funding includes increased Correctional Health Services staffing at the Rio Cosumnes Correctional Center.

Staffing:	39.0 FTE	Budget:	\$5,984,734	Start-up Cost:	\$201,779
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Expanded RBF Inmate Services: Expanded inmates services will include an evidence based risk and needs assessment, cognitive behavior therapy, mental health and alcohol/drug counseling, job/educational assistance and development of transitional reentry plans. If it is determined that the opening of this facility is delayed based on a revised assessment of the actual need for beds, the funding associated with this delay can be added to the \$500,00 that has been targeted for services. The Sheriff's Department will seek approval for contracts for public and private providers for the inmate services.

Staffing:	To be determined	Budget:	\$500,000	Start-up Cost:	\$0
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The remainder of this Section provides a detailed line-item description for the (a) salaries and benefits; (b) services and supplies; (c) professional services; and (d) one-time start-up costs for each of the recommended AB 109 Realignment Programs.

Sacramento County Sheriff's Department
Estimated Budget Costs for the Pretrial and Supervised OR Release Program
November 1, 2011 to June 30, 2012

	Number of	Annual	9 Mo. Cost	FY 2011-12
Expenditure Category	Positions	Costs	Per Position	(8 months)
Salaries & Benefits:				
Sr. Sheriff Records Specialist	1	\$88,744	\$66,555	\$59,160
Sheriff Records Specialist LV2	9	698,418	\$523,827	\$465,624
Total Salaries & Benefits		,	. ,	\$524,784
Services and Supplies:				\$4,000
Forms, paper, misc office supplies, phones,				¢ .,000
Leased Copier @ \$300/month		1		\$2,400
Total Services and Supplies				\$6,400
Professional Services:				<b>#04.000</b>
Computer Contractor (recoding of VPRAI) Total Professional Services				\$24,000
Total Professional Services				\$24,000
Total Pretrial & Supervised OR Release Costs				\$555,184
One-Time Start-up Cost:				
5 Laptop Computers @ \$1,700/each		5		\$8.500
5 Docking Stations @\$200/each		5		\$1,000
5 Computer Monitors @\$220/each		5		\$1,100
5 Keyboards @ \$50/each		5		\$250
2 Printers @ \$200/each		2		\$400
1 Scanner @ 3,000/each		1		\$3,000
Aircards & Security Software (5 @ \$200/ea)		5		\$1,000
VPRAI Instructional Training (2 sessions @ \$6,000/each)		2		\$12,000
φ0,000/040H)		2		Ψ12,000
Total One-Time Start-up Cost				\$27,250
Total Pretrial Release Program Cost				\$582,434

# Expanded Sheriff's Department Home Detention Electronic Monitoring Program Budget October 1 2011 - June 30, 2012

Expenditure Category	-	Total Cost
Personnel Salaries & Benefits: (9 Months) Sergeant (1)	\$	135,769
Deputy Sheriffs (10)	\$	1,145,954
Records Officer 1 (4)	\$	314,780
1560 On-call Deputies (4)	\$	298,341
Sub-Total	\$	1,894,844
Services and Supplies:		
Radio System Charges	\$	8,760
AT&T Edge Air Card		5,027
Other Operating Supplies	\$	72,000
Training	\$ \$ \$ \$	2,550
Vehicles (\$251 x 6 x 9 months)		13,544
Fuel (\$250 x 6 x 9 months)	\$	13,500
Sub-Total	\$	115,381
Electronic Monitoring Equipment:		
300 GPS Ankle Units		
(\$5.39/day x 273 days x 300 units)	\$	441,441
30 GPS Ankle Units (shelf Inventory @ \$1/day x 273 days x 30 units) 200 MEMS 3000 Alcohol Monitoring Units	\$	8,190
(\$3.50/day x 273/days x 200 units)	\$	191,100
Sub-Total	\$	640,731
<b>Drug Testing</b> (\$17.58 x 2 x 9/months x 300):	\$	94,932
Revenue Offset (estimated participant fee collections)	\$	(800,000)
Total FY 2011-12 Program Costs	\$	1,945,888
One-Time Program Start-up Costs:		
Portable Radios (15 @ \$2,800/each)	\$	42,000
Desk Top Computers/Monitors/Software (19 @ \$1,500/each)	\$	28,500
Desks/Workstations/Chairs (19 @ \$5,000/each)	\$	95,000
Laptops w/docking station (11 @ \$1,500/each)	\$	19,500
Aircards and Security Software (11 @ \$200/each)	\$	2,200
Safety Equipment (15 @ \$2,500/each)	\$	37,500
Hand Guns (15 @ \$693/each)	\$	10,395
Badge/Hatpiece/Name Tag	\$	2,563
Taser (15 @ \$870/each)	\$	13,170
Taser Use Training (15 @ \$60/each)	\$	900
Raid Vest (11 @ \$310/each)	\$	3,410
GPS (6 vehicles @ \$66/each)	\$	396
Panasonic CF31 Vehicle Tuff Book Installation		
(\$5,470 x 6 existing and 6 new vehicles)	\$	65,640
Intoximeter (11 @ \$734/each)	\$	8,074
Total One-Time Program Start-up Costs	\$	329,248

# Sacramento County Probation Department Estimated Summary Budget For the AB 109 Adult Day Reporting Center (ADRC) Program October 1, 2011 to June 30, 2012

			Number of Probation Dept
Expenditure Category		Total Cost	Probation Dept Positions
			1 oottionio
Adult Day Reporting Center (ADRC) North:			
Intake Unit	\$	,	8
Supervision and Program Services**	\$	1,400,948	13
Total Adult Day Reporting Center	\$	2,285,102	21
Probation Intensive Field Supervision Unit A	\$	947,615	8
Probation Intensive Field Supervision Unit B	\$	947,615	8
ADRC One-Time Start-up Costs	\$	464,090	
Total Budget FY 2011-12 ADRC Cost	t \$	4,644,422	37
Summary of Probation Department Position Funded by AB 109 Public Safety Realignme		Plan	
Supervising Probation Officer			4
Sr. Deputy Probation Officer			5
Deputy Probation Officer			24
Sr. Office Assistant			4
Total Probation Depart	me	nt Positions	37

\*\* Represents 6 months only of operational cost due to lease approval and building modifications which must be completed before the North Area ADRC site is able to open.

#### Sacramento County Probation Department Estimated Budget Cost For the Adult Day Reporting Center North Operations October 1, 2011 to June 30, 2012

	Number of	AB 109		Cost Per		-Y 2011-12
Expenditure Category	Pay Periods			Position		(9 months)
	T dy T CHOUS	i unung		1 0310011		
Salaries & Benefits:						
Supervising Probation Officer	19.5	1	\$	184,892	\$	138,669
Sr. Deputy Probation Officer	19.5	2	\$	157,090	\$	235,635
Deputy Probation Officer	19.5	7	\$	144,555	\$	758,914
Sr. Office Assistant	19.5	3	\$	83,093	\$	186,959
Total Salaries & Benefits		13			\$	1,320,177
Services & Supplies:						
Auto Expense		4	\$	8,000	\$	32,000
Office Supplies		9	\$	1,000	\$	9,000
Building rent-estimated		5	Ψ	1,000	Ψ \$	350,000
Instant Drug Tests (\$70 per box of 600)					Ψ	550,000
(Population of $1350/600*4$ times = 9)		9	\$	70	\$	630
(Population of 1330/000 4 times = 9)		9	φ	70	φ	030
Work Project Expense					\$	25.000
Electronic Monitoring					\$	25,000
Incentives					\$	15,000
Kiosks Software Upgrade					\$	25,000
Transportation					\$	42,000
Network Connectivity monthly costs (\$3,500 per month)					\$	31,500
					Ψ	01,000
GED Program:						
Complete GED Academy Study Program - One year						
license GED Academy Prep Online software program		1	\$	2,500	\$	2,500
GED Testing (\$180 per test)		100	\$	180	\$	18,000
Headphones for GED Testing (Est. \$70 each)		20	\$	70	\$	1,400
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Total Services & Supplies					\$	577,030
Professional Services:						
Sr. Mental Health Counselor (\$110,098 x 9/12 months)		1			\$	82,574
Public Health Nurse ( $$135,000 \times 9/12$ months)		1			\$	101,250
		•			Ψ	101,200
Total Professional Services					\$	183,824
Community-Based Organizations:						
Cognitive Behavorial Therapy					\$	100,000
Employment Services					э \$	60,000
Housing					ֆ Տ	65,000
riousing					φ	00,000
Total Community-Based Organizations					\$	225,000
Total ADRC North Operations Cost**					\$	2,306,031
6 Month Operational Costs					\$	1,400,948
					Ψ	.,

\*\* Represents 6 months only of operational cost due to lease approval and building

modifications which must be completed before the North Area ADRC site is able to open.

# Sacramento County Probation Department Estimated Budget Cost For the Adult Day Reporting Center Intake Unit October 1, 2011 to June 30, 2012

Expenditure Category	Number of Pay Periods	AB 109 Funding	Cost Per Position	 2011-12 (months)
	<b>y</b>	0		
Salaries & Benefits:				
Supervising Probation Officer	19.5	1	\$ 184,892	\$ 138,669
Sr. Deputy Probation Officer	19.5	1	\$ 157,090	\$ 117,818
Deputy Probation Officer	19.5	5	\$	\$ 542,081
Sr. Office Assistant	19.5	1	\$ 83,093	\$ 62,320
Total Salaries & Benefits		8		\$ 860,888
Services & Supplies:				
Auto Expense		1	\$ 8,000	\$ 8,000
Office Supplies				\$ 8,000
Instant Drug Tests (\$70 per box of 600)				
(Population of 1350/600*4 times = 9)		9	\$ 70	\$ 630
Total Services & Supplies				\$ 16,630
Professional Services:				
LS/CMI Software Kit		1	\$ 2,667.00	\$ 2,667
LS/CMI Training (\$3,000 per class) (start-up)		0	\$ 3,000.00	\$ -
LS/CMI forms (\$63 per package of 25)		63	\$ 63.00	\$ 3,969
Total Professional Services				\$ 6,636
Total ADRC Intake Unit Cost				\$ 884,154

#### Sacramento County Probation Department Estimated Budget Cost For the Adult Day Reporting Center Intensive Field Units A and B October 1, 2011 to June 30, 2012

				FY	2011 - 12	FY	2011 - 12
	Number of	AB 109	Cost Per		Unit A		Unit B
Expenditures Category	Pay Periods	Funding	Position	(9	months)	(9	months)
	-,	J			/		/
Salaries & Benefits:							
Supervising Probation Officer	19.5	1	\$ 184,892	\$	138,669	\$	138,669
Sr. Deputy Probation Officer	19.5	1	\$ 157,090	\$	117,818	\$	117,818
Deputy Probation Officer	19.5	6	\$ 144,555	\$	650,498	\$	650,498
Total Salaries & Benefits		8		\$	906,985	\$	906,985
Services & Supplies:							
Auto Expense		4	\$ 8,000	\$	32,000	\$	32,000
Office Supplies				\$	8,000	\$	8,000
Instant Drug Tests (\$70 per box of 600)							
(Population of 1350/600*4 times = 9)		9	\$ 70	\$	630	\$	630
Total Services & Supplies				\$	40,630	\$	40,630
Total ADRC Intensive Field Units A & B Cost				\$	947,615	\$	947,615

# Sacramento County Probation Department Estimated Budget for Adult Day Reporting Center One-Time Start-up Cost October 1, 2011 to June 30, 2012

Description	Number	Amount
Portable Radios (24 @ \$3,375 each)	24	\$ 81,000
Computers/Printers/Monitors (33 @ \$2,000 each)	33	\$ 66,000
Server		\$ 23,000
Aircards & Security Software (31 @ \$200 each)	31	\$ 6,200
Mug Shot Camera and Equipment		\$ 16,000
Cell Phones (26 @ \$800 each)	26	\$ 20,800
Desks/Chairs/Workstations (33 @ \$5,000 each)	33	\$ 165,000
Hand Guns (30 @ \$640 each)	30	\$ 19,200
Bullet Proof Vests (30 @ \$460 each)	30	\$ 14,700
Basic Weaponry Training (30 @ \$73 per person)	30	\$ 2,190
Network Connectivity Start-up Costs (ADRC)		\$ 50,000
Total One-Time Start-up Costs		\$ 464,090

# Sacramento County Sheriff's Department Estimated Budget For Reopening of the Roger Bauman Facility (RBF) October 1, 2011 to June 30, 2012

Expenditure Category	Т	otal Cost
Personnel Salaries & Benefits (9 months):		
Sergeants (2)	\$	301,467
Deputy Sheriffs (29)		3,664,484
Records Officer I (2)	\$	
Registered Nurses D/CF (5)	\$	
Physician 3 (.5)	\$	-
Pharmacist (.5)	\$	-
Sub-Total	\$	4,907,144
Services and Supplies:		
Inmate meals	\$	289,080
Inmate clothing and bed/dry good/notion	\$	19,316
Officers radio system charges/training/travel/supplies	\$	111,078
Operating Costs (custodial/laundry/cleaning supplies & printing)	\$	48,321
Facility Maintenance (utilities & General Services charges)	\$	384,205
Wide Area Network (WAN link with local area network)	\$	5,215
Pharmacy drugs costs	\$	150,900
Emergency/specialty medical care	\$	301,800
Psychiatric care	\$	246,525
Medical/pharmacy supplies	\$	21,150
Sub-Total	\$	1,577,590
FY 2011-12 Facility Costs	\$	6,484,734
Expanded Inmate Services with Contract Poviders		
(Salary savings based on delayed opening)	\$	(500,000)
Total RBF Costs	\$	5,984,734
One-Time Facility Start-Up Costs:		
Badge/Hat Piece/Name Tag	\$	6,479
Safety Equipment/Body Armor	Ψ \$	56,017
Handgun	Ψ \$	21,483
Radio/Electronic Supplies	φ \$	86,800
Desks/Workstations/Chairs	φ \$	22,500
Computers (Hardware/Software)	Ψ \$	4,500
Phone lines/outlets for CDCR workers	φ \$	4,500 2,000
Computer hook up/outlets for CDCR workers	Ψ \$	2,000
Total One-Time Facility Start-Up Costs	\$	201,779

Appendix A.

Board of Supervisors Agency Designation to Supervise Post Release Community Supervision (PRCS) Offenders Sacramento County Public Safety Realignment Plan

# COUNTY OF SACRAMENTO CALIFORNIA

JUL 2,6 2011 BOARD OF SUPERVISORS 558 JUL 2,6 2011 By Cleric of the Board The Cleric of the Board

PROVED

For the Agenda of: July 26, 2011

To: Board of Supervisors

From: Probation Department

Subject: Designate The Probation Department As The County Of Sacramento Agency To Provide Post-Release Community Supervision (PRCS) Pursuant To California's Adult Public Safety Realignment Addressed In Assembly Bill 109 And Assembly Bill 117

Supervisorial District: All

Contact: Carol Paris, Supervising Probation Officer 875-0324

#### Overview

Assembly Bill 109 (AB 109) as modified by Assembly Bill 117 (AB 117), chapter 39, requires counties to notify the Department of Corrections and Rehabilitation (CDCR) on or before August 1, 2011, as to the county agency designated to supervise prison inmates who, beginning October 1, 2011, will be released from state detention onto county-level supervision rather than onto state parole.

#### Recommendation

Approve the attached Resolution designating the Probation Department as the County of Sacramento agency to provide post-release community supervision (PRCS) pursuant to California's pending adult public safety realignment addressed in AB 109.

#### Measures/Evaluation

Not applicable.

#### Fiscal Impact

The Community Corrections Partnership (CCP) is in the process of developing a spending plan. Once a plan has been created, it will be brought to the Board of Supervisors for approval.

#### BACKGROUND

AB 109, titled "2011 Realignment Legislation Addressing Public Safety" was signed by the Governor on April 4, 2011. In summary, the bill realigns numerous responsibilities concerning adult felony offenders to counties including: specifying local jail custody for certain offenders previously eligible for a commitment to state prison; and specifying certain offenders, upon release from prison, are subject to community supervision and accountability by local agencies and courts rather than state parole.

Designate The Probation Department As The County Of Sacramento Agency To Provide Post-Release Community Supervision (PRCS) Pursuant To California's Pending Adult Public Safety Realignment Addressed in Assembly Bill 109 and Assembly Bill 117 Page 2

AB 109 makes specific declarations regarding offenders who are not classified as a high-risk sex offender and are being released from state prison for offenses which are not classified as violent or serious. AB 109 declares these offenders are "subject to post-release community supervision provided by a county agency designated by each county's Board of Supervisors". Agencies must provide services which are "consistent with evidenced-based practices, including, but not limited to supervision, policies, procedures, programs and practices demonstrated by scientific research to reduce recidivism among individuals under post-release supervision."

#### DISCUSSION

AB 109 as modified by AB 117, chapter 39, requires counties to notify the Department of Corrections and Rehabilitation (CDCR) on or before August 1, 2011, as to the county agency designated to supervise prison inmates who, beginning October 1, 2011, will be released from state detention onto county-level supervision rather than onto state parole. It is necessary for the Board of Supervisors to designate the county agency to provide post-release community supervision services, as identified offenders being released from prison will be returning to Sacramento County and will be directed to report to the designated public agency.

The Community Corrections Partnership (CCP), previously established under Penal Code 1230, is chaired by the Chief Probation Officer with a membership of local stakeholders. AB 109 requires the CCP to "recommend a local plan to the County Board of Supervisors for the implementation of the 2011 public safety realignment." In Sacramento County, the CCP has met and work is underway to develop the local plan concerning public safety realignment.

#### MEASURES/EVALUATION

Not applicable.

#### FINANCIAL ANALYSIS

The Community Corrections Partnership (CCP) is in the process of developing a spending plan. Once a plan has been created, it will be brought to the Board of Supervisors for approval.

Respectfully submitted,

APPROVED: STEVEN C. SZALAY Interim County Executive

DON L. MEYER, Chief Probation Officer Probation Department

By:

BRUCE WAGSTAFF, Administrator Countywide Services Agency

Attachment(s): Resolution

#### 2011-0558 RESOLUTION NO.

# RECOMMENDATION TO THE BOARD OF SUPERVISORS TO DESIGNATE THE PROBATION DEPARTMENT AS THE COUNTY OF SACRAMENTO AGENCY TO PROVIDE POST-RELEASE COMMUNITY SUPERVISION (PRCS) PURSUANT TO CALIFORNIA'S PENDING ADULT PUBLIC SAFETY REALIGNMENT ADDRESSED IN ASSEMBLY BILL 109 AND ASSEMBLY BILL 117

WHEREAS, Assembly Bill 109 as modified by Assembly Bill 117, requires counties to notify the Department of Corrections and Rehabilitation (CDCR) on or before August 1, 2011, as to the county agency designated to supervise prison inmates who, beginning October 1, 2011, will be released from state detention onto county-level supervision rather than onto state parole.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors hereby designates the Probation Department as the public agency to provide postrelease community supervision in Sacramento County pursuant to Assembly Bill 109 as modified by Assembly Bill 117.

On a motion by Supervisor \_\_\_\_\_ Nottoli\_, seconded by Supervisor \_\_\_\_\_Yee\_\_ the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento this 26th day July, 2011, by the following vote, to wit:

AYES:	Supervisors,	Notto
NOES:	Supervisors,	None
ABSENT:	Supervisors,	None
ABSTAIN:	Supervisors,	None

ttoli, Peters, Serna, Yee, MacGlashan

Roberta Macullard



In accordance with Section 25103 of the Government  $\text{Cod}\varepsilon$ of the State of California a copy of the document has been delivered to the Chairman of the Board of Supervisors, Count of Sacramento on 7/26/11

Deputy Clerk Board of Supervisors

Chair of the Board of Supervisors of Sacramento County, California

BOARD OF SUPERVISORS

ATTEST:

d of Supervisors

Appendix B.

AB 109 Crime Exclusion List Sacramento County Public Safety Realignment Plan

# Final crime Exclusion List

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67	PC	Bribing an Executive Officer
68	PC	Executive or Ministerial Officer Accepting a Bribe
85	PC	Bribing a Legislator
86	PC	Legislator Excepting a Bribe
92/93	PC	Judicial Bribery
113	PC	Manufacture/Distribution of False Documents for Citizenship Purposes
114	PC	Use of False Documents for Citizenship Purposes
141	PC	Peace Officer Intentionally Planting Evidence
165	PC	Local Official Accepting a Bribe
186.11	PC	Felony convictions with a Penal Code Section 186.11 enhancement
186.22	PC	Criminal Gang Activity
186.26	PC	Street Gang Activity
186.33	PC	Gang Registration Violation
191.5 (c)	PC	Vehicular Manslaughter While Intoxicated
222	PC	Administering stupefying drugs to assist in commission of a felony
243.7	PC	Battery against a juror
243.9	PC	Gassing of a peace officer or local detention facility employee
245(d)	PC	Assault on a Peace Officer
266a	PC	Abduction or procurement by fraudulent inducement for prostitution
266e	PC	Purchasing a person for purposes of prostitution or placing a person for immoral purposes
266f	PC	Sale of a person for immoral purposes
266h	PC	Pimping and pimping a minor
266i	PC	Pandering and pandering with a minor
266j	PC	Procurement of a child under age 16 for lewd or lascivious acts
272(b)	PC	Persuading, Luring, or Transporting a Minor Under 13
273a	PC	Felony child abuse likely to produce great bodily injury or death
273ab	PC	Assault resulting in death of a child under age 8
273.5	PC	Felony domestic violence
298.2	PC	Knowingly Facilitates the Collection of Wrongfully Attributed DNA Specimens
299.5	PC	Wrongful Use of DNA Specimens
347	PC	Poisoning or adulterating food, drink, medicine, pharmaceutical product, spring, well, etc.
368b	PC	Felony physical abuse of an elder or dependent adult
417(c)	PC	Brandishing Firearm in Presence of Peace Officer
417.8	PC	Brandishing firearm or deadly weapon to avoid arrest
424	PC	Misappropriation of Public Funds
452	PC	Unlawfully causing a fire that causes an inhabited structure or inhabited property to burn
504/514	PC	Embezzlement of Public Funds
598c	PC	Possession or Importation of Horse Meat
598d	PC	Sale of Horse Meat
646.9	PC	Felony stalking
653f(b)	PC	Solicitation for murder
4532	PC	Escape
12021/12021.1	PC	Possession of a firearm by a prohibited person
12303.2	PC	Possession of an explosive or destructive device

11353	HS	Employment of Minor to Sell Controlled Substance
11354	HS	Employment of Minor to Sell Controlled Substance
11380(a)	HS	Use of Minor to Transport/Possess/Possess for Sale
11370.1	HS	Possession of a controlled substance while armed with a firearm
11361(a)(b)	HS	Employment of Minor to Sell Marijuana
120291	HS	Knowingly Exposes Someone to HIV

20001	VC	Hit and run driving causing death or injury
23153	VC	Felony driving under the influence causing injury
2800.2	VC	Evading a peace officer by driving in a willful or wanton disregard for safety of persons or property
2800.3	VC	Evading a peace officer causing death or serious bodily injury

1090/1097	GC	Conflict of Interest by Public Officer or Employee
1195	GC	Taking Subordinate Pay
1855	GC	Destruction of Documents

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18501	EC	Public Official Who Aids and Abets Voter Fraud

Appendix C.

California County Admissions to CDCR & Projected Average Daily County Population of AB 109 Offenders Sacramento County Public Safety Realignment Plan

# COUNTY ADMISSIONS TO CDCR IN 2010

	RANK WITHIN COUNTY SIZE CATEGORY	COUNTY	ADMISSIONS TO CDCR 2010 (TOTAL FELONS)	NUMBER OF ADMISSIONS RANK
	1	LOS ANGELES	19,025	1
	2	SAN BERNARDINO	5,800	2
	3	SAN DIEGO	3,945	3
	4	RIVERSIDE	3,550	4
	5	ORANGE	3,513	5
	6	KERN	2,296	6
LARGE COUNTIES,	7	SACRAMENTO	2,130	7
POPULATION 700,001+	8	SANTA CLARA	1,815	8
	9	FRESNO	1,727	9
	10	ALAMEDA	1,194	9 10
	11	VENTURA	737	14
	12			
		SAN MATEO	577	19
	13	SAN FRANCISCO	569	20
	14	CONTRA COSTA	455	23
	1	SAN JOAQUIN	1,098	11
	2	STANISLAUS	993	12
	3	TULARE	933	13
	4	SANTA BARBARA	676	15
	5	SOLANO	647	16
	6	MONTEREY	641	18
MEDIUM COUNTIES,	7	BUTTE	500	22
POPULATION	8	YOLO	438	24
200,001 to 700,000	9	SONOMA	422	25
	10	PLACER	370	26
	11	MERCED	369	
				27
service of the State of the state	12	SAN LUIS OBISPO	325	28
	13	SANTA CRUZ	164	36
	14	MARIN	115	40
	1	KINGS	644	17
	2	SHASTA	511	21
	3	HUMBOLDT	301	29
	4	SUTTER	213	30
	5	TEHAMA	206	31
	6	MADERA	201	32
	7	IMPERIAL	193	33
	8	YUBA	182	34
	9	EL DORADO	179	35
	10	NAPA	162	37
	11	LAKE	148	38
	12	MENDOCINO	120	39
	13	AMADOR	87	41
OMALL COUNTIES	14	SAN BENITO	79	42
SMALL COUNTIES, POPULATION	15	SISKIYOU	74	43
Up to 200,000	16	LASSEN	57	44
00 10 200,000	17	TUOLUMNE	54	45
	18	GLENN	51	46
	19	CALAVERAS	43	47
	20	NEVADA	38	48
	21	COLUSA	36	49
	22	DEL NORTE	32	50
	23	MARIPOSA	28	51
	24	PLUMAS	25	52
	25	INYO	21	53
	26	TRINITY	15	54
	20 27	MONO	7	55
	27 28	MODOC	6	56
	28			
	30	ALPINE	4	57
	30	SIERRA	2	58

# Average Daily Population of Full Rollout (Year 4) of AB 109 by County (Department of Finance Estimates)

		Low-Level (N/N/N) Offe	enders		
	Total Inmates	Short-term Inmates	Long-term Inmates	Post Release	
	N/N/N	N/N/N w/No Prior 5/V	N/N/N w/No Prior S/V	Community	RTC ADP
	No Prior S/V ADP	w/ Sentence Length <3	w/ Sentence Length >3	Supervision	30-Day
County	(1, 2, 5)	Years (1, 2, 3, 5, 6)	Years (1, 2, 4, 5, 6)	Population Totals (1)	ALOS (1,7)
				· · · · ·	
Alameda	267	181	86	848	132
Alpine Amador	2 53	2 35	- 18	- 43	- 6
Butte	268	161	108	181	36
Calaveras	21	12	8	25	5
Colusa	23	16	6	9	1
Contra Costa Del Norte	104 11	60 2	44 9	318 20	56 5
El Dorado	68	45	23	81	10
Fresno	518	357	161	971	218
Glenn	28	18	10	19	3
Humboldt Imperial	137 90	108 53	29 37	126 107	15 11
Inyo	15	7	7	15	3
Kern	1,019	784	236	1,040	154
Kings	321	201	120	185	39
Lake Lassen	73 32	39 19	34 13	75 26	11 6
Los Angeles	8,342	5,767	2,576	9,791	530
Madera	111	67	44	150	24
Marin	66	27	39	53	8
Mariposa Mendocino	13 75	9 38	5 37	11 50	2 8
Merced	171	100	71	214	42
Modoc	2	1	1	3	1
Mono	3	2	1	7	1
Monterey Napa	308 70	176 44	132 26	309 69	34 7
Nevada	23	16	7	17	6
Orange	1,464	1,038	427	1,750	220
Placer	251 9	133 7	118	153	25
Plumas Riverside	9 1,601	990	3 611	12 1,683	1 262
Sacramento	895	505	390	1,203	208
San Benito	52	30	22	23	4
San Bernardino San Diego	2,301 1,821	1,638 1,043	663 778	2,521 2,038	348 256
San Francisco	164	114	50	421	61
San Joaquin	450	311	138	639	126
San Luis Obispo	140	88	52	136	22
San Mateo Santa Barbara	208 294	139 181	70 112	351 288	33 37
Santa Clara	693	402	291	1,067	115
Santa Cruz	78	72	6	69	17
Shasta	326 1	147 1	178	201 1	40
Sierra Siskiyou	34	12	- 21	23	8
Solano	278	162	116	363	53
Sonoma	231	116	115	164	21
Stanislaus Sutter	540 103	316 67	224 35	426 108	66 21
Tehama	103	94	35 60	50	13
Trinity	9	8	1	9	1
Tulare	520	292	228	388	70
Tuolumne Ventura	47 380	13 210	33 170	33 363	4 60
Yolo	277	130	147	215	37
Yuba	94	64	30	88	19
Total Projected	25,651	16,673	8,978	29,550	3,525
TOTAL	58,726				
SactoRealignment/Tabl	e3				

SactoRealignment/Table3

1 Numbers are based on full implementation.

2 Numbers have been adjusted for excluded crimes.

3 Numbers reflect sentence lengths 3 years or less.4 Numbers reflect sentence lengths above 3 years. Population serving longer than 3 years will be significantly less due to day for day redit earning.

6 This population is a subset of the total low level offender population.
7 Assumes 30-day average length of stay for locally supervised violators and State Parole violators.

Appendix D.

2011 Snapshot of the Sacramento County Pretrial and Sentenced Jail Inmate Population Sacramento County Public Safety Realignment Plan

# Sacramento County Jail System 2011 Summary Pretrial and Sentenced Inmate Profile

		PRE	TRIAL & SE	NTENCED D	ETAINEE CH	ARACTERIS	TICS
Inmate Profile		Pre	etrial	Sente	enced	Total Ja	il System
Average Age:							
Male Inmates		35.3	Years	32.9	Years	34.6	Years
Female Inmates			Years		Years		Years
Ethnicity:							
White		837	30.6%	470	34.5%	1,307	31.9%
Black		992	36.3%	525	38.5%	1,517	37.0%
Hispanic		713	26.1%	280	20.5%	993	24.2%
Other		<u>192</u>	<u>7.0%</u>	<u>88</u>	<u>6.5%</u>	<u>280</u>	<u>6.8%</u>
	Total	2,734	66.7%	1,363	33.3%	4,097	100.0%
Residency:							
Sacramento City		1,298	47.5%	768	56.3%	2,066	50.4%
Citrus Heights		74	2.7%	66	4.8%	140	3.4%
Elk Grove		79	2.9%	38	2.8%	117	2.9%
Rancho Cordova		70	2.6%	55	4.0%	125	3.1%
Folsom		11	0.4%	14	1.0%	25	0.6%
Galt Sacramento County		15 204	0.5%	5 151	0.4% 11.1%	20 355	0.5%
Transient		204 294	7.5% 10.8%	84	6.2%	355 378	8.7% 9.2%
Out-of-County/Other		<u>689</u>	<u>25.2%</u>	04 <u>182</u>	<u>13.4%</u>	<u>871</u>	9.2% <u>21.3%</u>
Out-of-County/Other						4,097	
Type of Detainee and Current Offe	nse:	2,734	100.0%	1,363	100.0%	4,097	100.0%
# Felony Inmates		1,186	43.4%	731	53.6%	1,917	46.8%
# Misdemeanor Inmates		108	<u>4.0%</u>	<u>344</u>	<u>25.2%</u>	452	<u>11.0%</u>
	Sub-Total	1,294	47.4%	1,075	78.8%	2,369	57.8%
Foreign Hold Inmates		1,440	52.7%	288	21.2%	1,728	42.2%
	Total	2,734	100.0%	1,363	100.0%	4,097	100.0%
Violence		361	27.9%	315	29.3%	676	28.5%
Sex Crimes		80	6.3%	17	1.6%	97	4.1%
Weapons		35	2.7%	42	3.9%	77	3.3%
Property		246	19.0%	297	27.6%	543	22.9%
Drug/Alcohol		248	19.2%	319	29.7%	567	23.9%
Other Crimes	<b>T</b> ( )	<u>324</u>	<u>25.0%</u>	<u>85</u>	<u>7.9%</u>	<u>409</u>	<u>17.3%</u>
	Total	1,294	100.0%	1,075	100.0%	2,369	100.0%
Average Charges Per Inmate: Felony Charges		2	2.7	1	.3	2	1
Misdemeanor Charges			.9		.6		.8
Bail Schedule:							
No Bail Holds		437	16.0%	0	0.0%	437	10.7%
Average Bail		\$488	3,484	\$	60	\$488	3,484
Under \$20,000		75	9.2%			75	9.2%
\$20,001 - \$30,000		22	2.7%			22	2.7%
\$30,001 - \$50,000		108	13.3%			108	13.3%
\$50,001 - \$75,000 \$75,001 - \$100,000		90	11.1%			90	11.1%
\$75,001 - \$100,000 \$100,001 \$150,000		93 101	11.5%			93	11.5%
\$100,001 - \$150,000 \$150,001 - \$200,000		101 55	12.4% 6.8%			101 55	12.4% 6.8%
\$200,001 - \$200,000 \$200,001 - \$300,000		62	0.8% 7.6%			62	7.6%
\$200,001 - \$300,000 \$300,001 Plus		206	25.4%			206	25.4%
Probation & Parole Status:						-	
Probationer		613	22.4%	1,099	80.6%	1,712	41.8%
Parolee		<u>872</u>	<u>31.9%</u>	222	<u>16.3%</u>	<u>1,094</u>	<u>26.7%</u>
	Total	1,485	54.3%	1,321	96.9%	2,806	68.5%
SactoRealignment/Table5	iulai	1,700	J-1.J /0	1,021	50.370	2,000	00.070

	PRE	TRIAL & SEI	NTENCED D	ETAINEE CH	ARACTERIS	TICS
Inmate Profile		etrial		enced		il System
Type of Foreign Hold Inmates::						
Parole	819	56.8%	128	44.4%	947	54.8%
Immigration/ICE Federal (US Marshall, ATF, etc.)	188 415	13.1% 28.8%	41 7	14.2% 2.4%	229 422	13.3% 24.4%
Enroute (State Prison, Other Agency)	10	20.0%	112	2.4% 38.9%	422	24.4% 7.1%
Other	<u>8</u>	0.7%	<u>0</u>	<u>0.0%</u>	<u>8</u>	0.5%
Total	<u>o</u> 1,440	<u>0.0 %</u> 100.0%	<u>0</u> 288	<u>0.0%</u> 100.0%	<u>0</u> 1,728	<u>0.5 %</u> 100.0%
Other Clafications:	1,440	100.076	200	100.076	1,720	100.076
Sex Registrant	203	7.4%	55	4.0%	258	6.3%
Drug Registrant	610	22.3%	449	32.9%	1,059	25.8%
Gangs	491	18.0%	219	16.1%	710	17.3%
Criminal History Characteristics:						
Average Prior Arrests						
Felony Inmates		Arrests		Arrests		rrests
Misdemeanor Inmates		Arrests		Arrests		Arrests
Foreign Hold Inmates	11.77	Arrests	14.67	Arrests	12.27	Arrests
% Inmates with no or only 1 prior arrest	30	.6%	14	.7%	25	.3%
Average number prior convictions	3.1 Co	nvictions	3.6 Co	nvictions	3.3 Coi	nvictions
Most serious prior conviction:						
No Prior Conviction	1,170	42.8%	461	33.8%	1,631	39.8%
Violence	767	28.1%	371	27.2%	1,138	27.8%
Sex Crimes	41	1.5%	10	0.7%	51	1.2%
Weapons	65	2.4%	33	2.4%	98	2.4%
Property	443	16.2%	300	22.0%	743	18.1%
Drug/Alcohol	208	7.6%	165	2.1%	373	9.1%
Other Crimes	<u>40</u>	<u>1.5%</u>	<u>23</u>	<u>1.7%</u>	<u>63</u>	<u>1.5%</u>
Total	2,734	100.0%	1,363	100.0%	4,097	100.0%
# Prior Bench Warrants	5.8 Benc	h Warrants	8.1 Benc	h Warrants	6.6 Bencl	n Warrants
Designated Custody Classifications:						
No housing problem		.6%		.3%		.9%
Assaultive		1%		3%		8%
Mental Health/Suicidal		0%		1%		0%
Escape risk Protective Custody		7% .9%		0% .0%		1% .0%
Ave. # Disciplinary Reports issued/inmate:	10	.070	10	.070	10	
Current Incarceration Period All Current & Previous Incarceration Periods		cidents ncidents		cidents icidents		cidents icidents
Average Length of Incarceration:		Days		Days		Days
		- , -				.,.
Felony Inmates	070	22.20/	74	10 40/	250	10 00/
1 - 15 Days 16 - 30 Days	276 96	23.3% 8.1%	74 101	10.1% 13.8%	350 197	18.3% 10.3%
31 - 60 Days	90 114	8.1% 9.6%	150	20.5%	264	10.3% 13.8%
Over 60 Days	700	59.0%	406	20.5% 55.5%	1,106	57.7%
		00.070		00.070	.,	0/0
Misdemeanor Inmates	77	71 00/	140	24 20/	105	10 10/
1 - 15 Days 16 - 30 Days	77 10	71.3% 9.3%	118 54	34.3% 15.7%	195 64	43.1% 14.2%
31 - 60 Days	6	9.3% 5.6%	54 88	25.6%	64 64	20.8%
Over 60 Days	15	13.9%	84	24.4%	99	20.8%
Foreign Hold Inmates						
1 - 15 Days	326	22.6%	28	9.7%	354	20.5%
16 - 30 Days	253	17.6%	40	13.9%	293	17.0%
31 - 60 Days	257	17.8%	68	23.6%	325	18.8%
Over 60 Days	604	41.9%	152	52.8%	756	43.8%
SactoRealignment/Table5						

#### Sacramento County Jail System 2011 Summary Pretrial and Sentenced Inmate Profile (continued)

SactoRealignment/Table5

Sacramento County Jail System Analysis of the Number of Jail Beds Occupied by Selected Pretrial and Sentend Inmate Groupings Based on the 2011 Jail Profile

				INMATE	INMATE CUSTODY STATUS	STATUS		
		Pr	Pretrial Inmates	tes	Sen	Sentenced Inmates	nates	
Groups	Selected Inmate Characteristics	Number	Percent	Cumulative Count	Number	Percent	Cumulative Count	Total Jail System
	No violence/weapons arrests; no alcohol/drug arrests; no sex crime arrests; no foreign holds; no bench warrants, no transients	6	3.6%	66	55	1.8%	25	124
Group #2:	No violence/weapons arrests; no sex crime arrests, no foreign holds; no bench warrants (can include alcohol/ drug arrests), no transients.	10	0.4%	109	~	0.5%	32	141
Group #3:	No violence/weapons arrests; no sex crime arrests; (can include alcohol/drug arrests), no foreign holds, no bench warrants; 1-2 prior arrests and/or convictions that did not involve violence/weapons crimes or sex crimes, no transients	170	6.2%	279	117	8.6%	149	428
Group #4:	No violence/weapons arrests; no sex crime arrests; (can include alcohol/drug arrests), no foreign holds, no bench warrants; 3-4 prior arrests and/or convictions that did not involve violence/weapons crimes or sex crimes, no transients	N	0.1%	281	~	0.1%	150	431
Group #5:	No violence/weapons arrests; no sex crime arrests; (can include alcohol/drug arrests), no foreign holds, 1 -2 prior bench warrants; 3-4 prior arrests and/or convictions that did not involve violence/weapons crimes or sex crimes, no transients	161	5.9%	442	126	9.2%	276	718
Group #6:	All other detainees including no bail holds; felony/misdemeanor violence/ weapons arrests; sex crime arrests; extensive bench warrants; extensive prior extensive arrest and conviction criminal histories; transients and foreign hold inmates.	2.292	<u>83.8%</u>	2,734	<u>1,087</u>	79.8%	1,363	4,097
- - -	TOTAL	2,734	100.0%	2,734	1,363	100.0%	4,097	4,097
SactoRealignment/Table6	uT able6							

SOURCE: Sacramento County Jail Profile taken August 21, 2011

Appendix E.

Potential South Sacramento ADRC Site Location Sacramento County Public Safety Realignment Plan

	7000 Franklin Blvd	- Franklin Busin	ess Center
Location:	Bidg 800 Sacramento County Ind Cluster South Sacramento Ind Submarket Sacramento County Sacramento, CA 95823	Tenancy: Land Area: Stories:	Built 1975 Multiple Tenant 1.61 AC
Ceiling Height: olumn Spacing:	Franklin Business Center Associates - 2 - 10'0"w x 12'0"h None	Total Avail: % Leased: Crane: Rail Line: Cross Docks: Const Mat: Utilities:	58.7% - - -
Expenses: Parcel Number:	2009 Tax @ \$4.54/sf		cupancy Term Use/Type 3-5 yrs Direct

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