Trinity County
Public Safety Realignment & Post-Release Community Supervision
(AB 109)
Revised Implementation Plan - 2017

Community Corrections Partnership Executive Committee

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Mike Harper, Superior Court Judge
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OVERVIEW OF 2011 PUBLIC SAFETY REALIGNMENT ACT (AB 109)

Background

In an effort to address overcrowding in California's prisons and assist in alleviating the State's financial crisis, the Public Safety Realignment Act (Assembly Bill 109) was signed into law on April 4, 2011 and implemented on October 1, 2011. AB 109 transferred responsibility for supervising specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to the counties.

Additionally, Section 1230.1(a) of the California Penal Code was amended to read "Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the County Board of Supervisors for the implementation of the 2011 Public Safety Realignment. (b) The plan shall be voted on by an executive committee of each county's Community Corrections Partnership consisting of the Chief Probation Officer of the county as chair, a Chief of Police, the Sheriff, the District Attorney, the Public Defender, the Presiding Judge or his or her designee, and the department representative listed in either section 1230 (b) (2) (G), 1230 (b) (2) (H), or 1230 (b) (2) (J) as designated by the county board of supervisors for purposes related to the development and presentation of the plan. (c) The plan shall be deemed accepted by the County Board of Supervisors unless rejected by a vote of 4/5ths in which case the plan goes back to the Community Corrections Partnership for further consideration. (d) Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs, including, but not limited to, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs."

Elements of AB 109

One of the key elements of AB 109 included the transfer of jurisdiction from the state to the counties for the supervision of inmates released from prison to the community whose current convictions were non-violent, non-serious, or non-sex offense and had no prior PC 667.5(c), PC 1192.7(c) or registerable offenses pursuant to Penal Code section 290. This included all aftercare supervision and case management responsibilities for this population, and created what is now referred to as "Post-Release Community Supervision."

An additional provision of AB 109 included criteria codified under Penal Code Section 1170(h) which specified that defendants whose new crimes met the "non-violent, non-serious, non-sex offender" standards would serve their sentences in local jails, and that these individuals would be supervised post-release by the county probation department.

Further "Original" key elements of AB 109 included:

- Redefining Felonies: Revised the definition of a felony to include certain crimes that are punishable in jail for 16 months, 2 years, or 3 years. Some offenses, including serious, violent, and sex-offenses, are excluded and sentences 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, are now subject to, for a period not to exceed 3 years, post-release community supervision provided by a county agency designated by that county's Board of Supervisors.
- Revocations Heard & Served Locally: Post-release community supervision and parole revocations are now served in local jails (with a maximum revocation sentence not exceeding 180 days), with the exception of paroled 'lifers' who have a revocation term of greater than 30 days, and are heard by the local courts.
- 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) is credited as time spent in jail custody.
- Alternative Custody: Penal Code Section 1203.018 authorizes electronic monitoring for inmates being held in the county jail, in lieu of bail. Eligible inmates must first be held in custody for 60 days post-arraignment, or 30 days for those charged with misdemeanor offenses.
- 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.

Anticipated Impact to the Local Justice System

The state had originally estimated that Trinity County would assume responsibility for approximately 27 additional offenders at any point in time across all agencies, and would include offenders who have been convicted of property, public disorder, drug, domestic violence, and gang-involved offenses. Of these 27 people, it was anticipated that at any given time, an average daily population of approximately 18 offenders would be serving a sentence of local incarceration or sanctioned to other custodial/programmatic options in one of the alternative programs, and that approximately 9 offenders would be serving their sentence in county jail. Further local

analysis indicated that, based on historical averages, and including interstate transfer cases, it was estimated that this group would increase to approximately 60 offenders after full implementation.

Additionally, it was anticipated that revocations for violations of supervision would lead to increased numbers of incarcerations, and the demand for alternatives for the violations would also increase. This was due, in part, to Trinity County's 2010 revocation rate of 21.7% for comparable PRCS violations and 91.3% for parole violations. These rates indicated that the state projections may have been lower that actual demand as the state's average for revocations and violations were 71.3% for the same time period, which was significantly lower than Trinity County at this time. However, given subsequent changes that impacted realignment, many of these projections were not realized.

Additional Case Law, Initiatives, and Legislation Impacting AB 109

- Coleman Plata case and Three Judge Panel ruling on CDCR. In February of 2014, CDCR was ordered to develop and implement a number of additional population-reduction measures to help achieve and maintain a population cap of 137.5 percent of design capacity, as required by an earlier Three-Judge Court ruling addressing unconstitutional standards relating to prison medical and mental health care. As a result, the following measures were put into place: 1) Expanded 2-for-1 Credits for Minimum-Custody Offenders, 2) Increased Good-Time Credits for Non-Violent, Non-Sex Registrant, Second-Strike Offenders, 3) Increased Parole Eligibility with the Creation of a New Parole Process for Non-Violent, Non-Sex Registrant, Second-Strike Offenders, 4) Expanded Medical Parole, and 5) Elderly Parole.
- Proposition 47. On November 4, 2014, Prop 47 was passed by the voters, reclassifying a number of property and drug crimes from felonies to misdemeanors. This measure, also known as the "The Safe Neighborhoods and Schools Act," sought to ensure that prison spending was focused on violent and serious offenses, maximized alternatives for non-serious, non-violent crime, and invests the savings generated for support of community-based programs and services. The initiative seeks to accomplish these goals through four main strategies: 1) reducing most possessory drug offenses and thefts of property valued under $950 to straight misdemeanors, 2) creating a process for persons currently serving a felony sentence for theft and drug offenses to petition the court for resentencing as a misdemeanor, 3) creating a process for persons who have completed qualified felony sentences to apply to the court for reclassification of the crime as a misdemeanor, and 4) forming a Safe Neighborhoods and Schools Fund generated by the savings achieved by the change in the sentencing laws.

- **Proposition 64.** On November 8, 2016, Prop 64, the "Control, Regulate and Tax Adult Use of Marijuana Act," was adopted by the voters, which contained provisions for legalization of certain marijuana related offenses, and reduced the penalty for many others.
- **Proposition 57.** On November 8, 2016, Prop 57 was also adopted by the voters, and establishes a parole consideration process for non-violent offenders who have served the full term for their primary criminal offense and who demonstrate that they should no longer be considered a current threat to public safety. It also gives inmates the opportunity to earn additional credits for good behavior and participation in rehabilitative, educational, and career training programs, so they are better prepared to succeed and less likely to commit new crimes when they reenter the community.

Data Collection and Analysis

Since 2011, a total of seventy-four (74) PRCS packets have been received, sixty-one (61) PRCS revocations have been filed (on 23 offenders), fourteen (14) PRCS offenders are currently under supervision, thirty-one (31) warrants have been issued for absconding, and two (2) warrants are currently active. Additionally, forty-five (45) new offenders have been sentenced under PC 1170(h), totaling 808 months (an average of 18.4 months per offender). Thirteen (13) of these cases were split sentences under Mandatory Supervision (MS), with a combined supervision period equaling 284 months (21.8 months average supervision per offender).

Statistically, Trinity County averages 9.25 PRCS releases from CDCR per year, 6.75 1170(h) County Jail Prison commitments per year (66% of which are jail only and do not include a split sentence of mandatory supervision), one (1) term of revocation in the local jail per month, and an average of twenty-two (22) uses of flash incarceration per year.

An analysis of local crime data from 2007 to 2015 shows that Trinity County had an 80.5% increase in the felony arrest rate, a 72.5% increase in the rate of violent felonies, and a 78.2% increase in property crime rate. During this same period of time, the misdemeanor arrest rate dropped 21.8%. Also noteworthy is that, when looking at 2015 data alone, the felony arrest rate dropped 20.5%, the misdemeanor arrest rate increased 14.2%, and the property crime rate increased another 38%.[1] The significance in comparing 2015 statistics is that it would take into consideration any impacts resulting from the passage of Prop 47 which took effect in November of 2014. Prop 47 also had an immediate statewide impact on county jail populations, bringing

[1] County Profiles, 2015 – Trinity County. Board of State and Community Corrections.

the statewide average daily jail population down by almost 10,000 inmates between October 2014 and January 2015, a decrease of twelve percent (12%).[2]

In terms of comparing crime trends from 2002 to 2007, Trinity County had a 22.75% drop in the violent felony crime rate, a 20.3% drop in the property crime rate, a 30.8% drop in the drug crime rate, and a 23.6% increase in the misdemeanor crime rate. Several individual trends also appeared during this period including slight increases in the average arrest rates for assault and battery, marijuana-related crimes, and alcohol-related crimes.

A number of other factors must be considered regarding each county's statistics on the impact of realignment. These factors include such things as pre-AB 109 per capita rates of state prison commitments, availability of alternative treatment and programming, and general local views regarding rehabilitation of offenders vs. punishment. According to a Working Paper published by Stanford Criminal Justice Center, Stanford Law School, "Follow the Money: How California Counties are Spending Their Public Safety Realignment Funds," these factors are referred to as a "Control Orientation," and can be further evaluated in the context of AB 109 success.[3] In general, research finds that counties that shifted priorities away from past practice of control and surveillance and incorporated treatment programs and services for the justice-involved population demonstrated the greatest success. However, AB 109 success is largely measured in terms of the reduction in recidivism rates through management of lower level offenders at the community level in locally designed programs, rather than by a comparison of crime rate statistics. Using this standard, and with Trinity County's current recidivism rate of 29% with this population, compared to current and past state recidivism averages, our approach would be considered successful.

LOCAL PLANNING, DEVELOPMENT, AND OVERSIGHT

Community Corrections Partnership

As a result of numerous statewide efforts to expand the use of evidence based practices in sentencing and probation practices, and to reduce the state prison population, Senate Bill 678 (2009) was passed establishing a Community Corrections Partnership (CCP) in each county. The CCP is chaired by the Chief of Probation and is charged with advising on the implementation of SB 678 funded initiatives. AB 109 (2011) further established an Executive Committee of the CCP charged with development of a 2011 Realignment Plan that recommended a county-wide

[2] Public Policy Institute of California (PPIC)
[3] Menu SLS |Publications. "Follow the Money: How California Counties Are Spending Their Public Safety Realignment Funds." *Stanford Law School.* Stanford Criminal Justice Center, n.d. Web. 15 May 2017.

plan to address the realigned population for consideration and adoption by the Board of Supervisors.

The CCP Executive Committee oversaw the realignment process and advised the Board of Supervisors in determining funding and programming for the various components of the plan. Voting members of the Executive Committee include: a Judge or designee (appointed by the Presiding Judge); Chief Probation Officer; County Sheriff; District Attorney; Chief of Police or similar partner; Public Defender; and Director of County Social Services/Mental/Public Health (as determined by the Board of Supervisors).

The original plan developed by the CCP Executive Committee and other key partners addressed funding methodology, policies, and programming necessary to implement the plan. The substantive policy and operational plan, without specific budget detail, was voted on and approved at the September 26th, 2011 meeting and submitted to the Board of Supervisors for approval.

The following page contains a summary of the original plan recommendations and Board Action:

Summary of Realignment Components & Local Legislative Recommendations and Decisions

Population Affected (as of effective date of AB 109)	Component of Public Safety Realignment	Local Legislative Recommendations	Board Decision
Released from State Prison	State prisoners serving sentences for non-violent, non-serious and non-sex offenses with one of these offenses in their criminal history will be placed on county post-release community supervision instead of state parole. The Court will adjudicate violations of county post-release community supervision.	Recommendation that the Board designate Probation as the administrator of county post-release community supervision, including administration of home detention and electronic monitoring program for post-release community supervision offenders and probationers.	Approved
On State Parole	Violations of State Parole will be adjudicated by Board of Parole Hearings inside County Jail.	None	N/A
Currently Held Pretrial in County Jail	Certain inmates may be released pre-trial on electronic monitoring.	Recommendation that the Board designate the Probation Department as administrator of electronic monitoring for inmates.	Approved
Realigned Local Incarceration and Post-Release Community Supervision Population	Certain inmates may be placed on home detention.	Recommendation that the Board expand the Probation Department's duties as administrator of Home Detention for inmates.	Approved
Realigned Local Incarceration and Post-Release Community Supervision Population	Establish outcome measures related to local incarceration inmates and post-release community supervision populations (per AB 109).	Recommendation that the Board approve funding for 5% of the budget to be set aside to develop a research design, collect data and report to the Board on the outcomes associated with AB 109.	Approved

FUNDING

The original formula establishing a statewide funding allocation for AB 109 implementation in FY 2011-12 assumed $25,000 per offender for six months of local incarceration, with each of these offenders allocated $2,275 for either rehabilitative services while incarcerated or alternative incarceration programs. This same level of funding was made available for parole violators serving a 60-day revocation, albeit on a pro-rated basis. Offenders on Post-Release Community Supervision were funded at $3,500 per person for community supervision and $2,275 per person for rehabilitative services (for a maximum of 18 months). The formula establishing a statewide allocation was developed by the State Department of Finance and agreed to by County Administrative Officers (CAO) and the California State Association of Counties (CSAC), and was based on a weighted formula containing three elements:

1. 60% based on estimated average daily population (ADP) of offenders meeting AB 109 eligibility criteria
2. 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
3. 10% based on the SB 678 distribution formula

Based on this formula Trinity County received $259,936 for FY 2011-12 to serve approximately 27 additional offenders at any point in time. This funding included:

• Post-Release Community Supervision (PRCS)/local incarceration	$144,554
• AB 109 Planning grant	$100,000
• AB 109 Training and implementation activities	$10,200
• District Attorney/Public Defender (PRCS representation)	$5,182
TOTAL	$259,936

Since its inception in 2011, the Department of Finance has revisited the formula a number of times. In 2014, the State Realignment Allocation Committee (RAC) focused on devising a means to redistribute base funding in FY 2014-15 given an approximately $60 million drop in the funds available for allocation, while at the same time creating a permanent base funding formula beyond FY 2014-15. While the RAC also recommended an interim approach for allocating growth, the committee is supposed to revisit the issue in three to five years to set a permanent growth formula. In FY 16/17, Trinity County received $608,486.05 in base funding for realignment, with a growth amount of $26,124 (Refer to Appendix for Current AB 109 Budget).

State funding is also allocated to Trinity County's Community Corrections Performance Incentive Fund (CCPIF). This fund was established by SB 678 (2009), the California Community Corrections Performance Incentives Act. SB 678 gives broad discretion to probation departments in selecting and implementing evidence-based practices to maximize return on investment and improve outcomes with more effective supervision of probationers, which ultimately impacts commitments to state prison.

The Budget Act of 2016 (SB 826, Chapter 23), also appropriated $7,900,000 to counties that submitted a report to the Board of State and Community Corrections by December 15, 2016 providing plans for the on-going allocation of funds, including future outcome measures, programs and services, and funding priorities as identified in the original plan accepted by the County Board of Supervisors. Trinity County applied for, and received, these funds to maximize revenues supporting the overall goals and objectives of the county public safety plan. This revenue source had originally been predicted to end on or around this date, and therefore, most counties do not include these funds into their budgets as known revenue sources. However, it has been discussed that if the money currently appropriated is eliminated, that it may be rolled into a commensurate increase in the AB 109 Base Allocation.

JUSTICE REINVESTMENT AND CURRENT STRATEGIES

PC 3450(b)(7), added by AB 109, states that "fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county." In order to determine the needs of the county to aid in planning, the CCP initially conducted a Local Needs Assessment with the goal of directing the services to be developed for Phase I of Implementation. AB 109 defines justice reinvestment as "a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety." Statistical tracking tools and evaluations have been adopted and implemented to help ensure that funding is being spent in a manner that upholds these objectives and makes the best use of existing funding while taking into account local needs. The executive committee serving the local Community Corrections Partnership is tasked with the execution of the proposed strategies as well as on-going review of outcome measurements to ensure success.

The proposed strategies took into consideration the multifaceted needs of the AB 109 population and the resources necessary to achieve desired public safety outcomes. In order to meet all of the needs of the local populations within existing programs, a three phase program was created as part of the strategy for Trinity County's Implementation Plan, with each phase being built upon and expanded from existing programs and services based on the development of additional resources, expanded funding, and any evaluations of program effectiveness.

A cornerstone of all of these strategies is the use of a validated, evidence based risk and needs assessment which directs all case planning for supervised persons, and is made possible through the use of the STRONG (Static Risk Assessment and Offender Needs Guide) that was implemented with guidance from Assessments.com (currently Noble) and administered by Probation, and shared with relevant partners. Additionally, to maximize the effectiveness of these tools, all probation officers are trained and use Motivational Interviewing with offenders in conducting interview and assessments. Motivational Interviewing (MI) is a directive, client-centered approach for eliciting behavior change by helping offenders explore and resolve ambivalence. MI is a more focused and goal directed approach to working with individuals, and is an evidence based practice that has been shown to effectively change behaviors. The approach attempts to increase the offenders' awareness of the potential problems caused, consequences experienced, and risk faced as a result of the behavior in question. The initial training was facilitated by UC Davis Master Trainers, and periodic update training is maintained by all staff.

As a result of both the original Local Needs Assessment conducted by the AB 109 committee and on-going data analysis resulting in enhanced approaches within each area, the following areas of focus were addressed and Implementation Strategies employed:

I. County Jail

Known and anticipated local impacts to the Trinity County Jail following AB 109 included (1) local custody time for those convicted of a felony who are sentenced to 16 months, 2 years, or 3 years in county jail in lieu of state prison (1170(h)); (2) the additional number of people in county jail who are pretrial; (3) violators of post-release community supervision; (4) violators of state parole up to 180 days (an exception is that paroled lifers with revocation terms greater than 30 days will serve time in state prison); and (5) post-release community supervised persons sanctioned with flash incarceration of up to 10 days for each violation.

To address the projected impacts, the original CCP plan called for a formal Needs Assessment of the jail which reviewed and addressed the facility, staffing, response times, safety, and a host of other concerns. This Needs Assessment was completed early on in order to allow the Sheriff's Department and county to explore funding options for needed changes, expansion, or replacement in anticipation of the opening of a new application cycle for funding for new jail projects beginning in late 2011.

The Probation Department and the Sheriff's Department also maximized county jail capacity by utilizing alternatives to incarceration through the development of Expanded Intensive Supervision Programs and Alternatives to Incarceration. By expanding the Probation Departments authority in the use of home detention and electronic monitoring, the Board of

Supervisors provided additional alternatives to incarceration that are utilized for both pre-trial and sentenced populations.

Other enhancements to jail programming since 2011 have included substance abuse services, twelve step support groups, educational services, and faith based supports. In 2013, the Sheriff's Department, in conjunction with Behavioral Health (AODS) and funding through CCP, incorporated Moral Reconation Therapy (MRT) into the county jail. MRT is a cognitive-behavioral counseling program that combines education, group and individual counseling, and structured exercises designed to foster moral development in treatment-resistant clients. MRT programs are used in 50 states, District of Columbia, Puerto Rico, and 7 countries. A 1999 report by the Washington State Institute for Public Policy estimated that the combined cost benefit to taxpayers and crime victims for the MRT program results in an $11.48 cost benefit for every dollar spent.[4]

In 2016, the CCP Executive Committee also funded a trial program for Edovo, a tablet-based education system in the jail that utilizes a unique learn-to-earn method that keeps inmates engaged with thousands of hours of academic, vocational, therapeutic and religious content, and offers the i-Pathways core GED preparation program which boasts pass rates as high as 96%

Also in 2016, the CCP Executive Committee appropriated full funding for a Substance Abuse Disorder Specialist position through Behavioral Health in order to begin screening all new inmates at the jail for mental health and substance abuse issues. This will assist in better addressing criminogenic needs and risk factors that can lead to better outcomes in the court process through early detection, diversionary and specialty programming, coordinated service delivery, and enhanced case management services.

II. Expanded Intensive Community Supervision Program

Caseload Size

Probation was designated as the county agency responsible for administering programs directed to the pre-trial and post-release community supervision population. These programs included the full range of options for community supervision spanning intensive community supervision (with routine home visits), home detention with electronic monitoring, residential substance abuse treatment, outpatient behavioral health treatment (e.g., substance abuse, mental health, sex offender, batterer's intervention), urinalysis testing, restorative justice programs, community service, family strengthening strategies, pre-release "reach-in" services (assessments and supervision planning pending release from prison or jail), referral to education, vocational

[4] Washington State Institute For Public Policy. "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates (Oct. 2006)." Federal Sentencing Reporter 19.4, Information-based Sentencing AnalysisInformation-based Sentencing Analysis (2007): 275-90. Web.

training/employment services and housing resources, and imposition of up to 10 days jail as a sanction for violating supervision conditions.

The American Probation and Parole Association (APPA) recommends, as best practice, a 20:1 caseload ratio given the assessed higher-risk level of the supervised population. In order to meet these standards, the Trinity County Probation Department maintains 1 FTE for a Probation Officer III to cover the influx of new cases under AB 109.

Post-Release Community Supervision

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

The Probation Department created a specialized PRCS supervision caseload with responsibility for intensive supervision of the post-release community supervision population. The STRONG risk/needs assessment tool is administered to every post-release community supervised person – consistent with the above referenced principles, and case plans are created that support the assessment objectives and meet the offender's needs for successful completion of their term of supervision. These processes in turn guide supervision intensity, treatment/program referrals, case management efforts, and offender activities. The STRONG tool was chosen because of its long history of utilization and rigorous evaluation/validation with adult offender populations. Additionally, all 16 counties in the Northern California Probation Consortium use the same tool to assess offenders under its supervision.

In 2015, the Probation Department, along with key stakeholders, undertook a re-design of the county's Reentry Program to better address the criminogenic needs of the clients served through enhanced personal-level contact and team-based service delivery. The main areas of focus for system improvement included: 1) Improved Engagement with Clients, 2) Comprehensive Case Planning (shared goals and strategies between the partnering agencies), 3) Incorporating Dosage Relative to the Stage of Reentry, 4) Increased Accountability of Offenders, 5) Creative Incentives and Rewards Interrelated with the Reentry Stage and Performance Towards Meeting Case Plan

Goals, 6) Improved Access to Housing Services, and 7) Increased Opportunities for Employment Training, Placement, and Related Services.

Several key strategies instituted to address each area of system improvement include early engagement via case planning with inmates prior to release from jail and prison (traveling to the prison to begin the case planning process, and assisting in transport home if needed), re-designing the staffing and case presentation format to incorporate common case plan goals and strategies to ensure team members are working together with the individual, re-tooling the use of GPS monitoring and other sanctions/limitations away from time-based compliance to performance-based compliance, and enhanced communication among stakeholders to ensure services and programs are provided that can improve outcomes. An important component and effective part of this redesign has been the full support of a dedicated Substance Use Disorder Specialist, funded with Realignment dollars, to assist in case managing with this population alongside Probation. Additionally, to increase offender accountability and community safety, the CCP Executive Committee also fully funded a Deputy Sheriff position to work collaboratively with Probation to assist in community supervision and monitoring, department-to-department communication, and multi-disciplinary team decision making. This level of inter-departmental cooperation has proven to be a valuable and effective method to reduce recidivism and ensure the safety of the public regarding this population.

A commitment to collaborative case planning with partnering agencies has always been a crucial aspect of this active engagement approach involving the offender, his/her family, probation officer, law enforcement and multiple service providers (e.g. housing, employment, vocational training, education, physical health, nutritional supports, behavioral health, and pro-social activities). Additionally, an on-going element of enhanced supervision with the AB 109 population also includes an emphasis on actively engaging the offender's family in the supervision process. A family focused model, tapping into available positive supports in the client's social ecology and building capacity within the family has proven effective in improving outcomes with high risk offenders.

In addition to intensive supervision and collaborative case planning, Probation actively employs a variety of alternatives to incarceration for use in managing the post-release community supervision population and responding to violations. Building upon the past success of the Drug Court and Prop 36 program, Probation has drawn upon this experience to craft appropriate alternative custody options to address non-compliant and detrimental client behaviors, hold the offender accountable, and enhance community safety. One such endeavor is the planning underway for a new Treatment Court model here in the Trinity County that will provide substance abusing and mentally ill offenders with judicially supervised treatment as an alternative to incarceration. This model uses multi-disciplinary team case management

strategies to provide support, education, and services needed to curb drug and alcohol addiction, criminal thinking, and promote a life of recovery and sobriety. When fully operational, Treatment Court could serve as an additional option to handle violations of post-release supervision.

Pre-Trial Release Program

As part of the original implementation plan, the Probation Department sought to increase available alternatives to incarceration in order to manage anticipated population increases under AB 109. These additional alternatives provided for by AB 109 legislation include involuntary home detention and electronic monitoring for the pretrial population.

Penal Code Section 1203.018 allows for the release of prisoners being held in lieu of bail in the county jail to an electronic monitoring program under specific circumstances. Accordingly, the Sheriff, Probation Chief, and the District Attorney may prescribe reasonable rules and regulations under which such a program will operate, including determination of specific eligibility criteria that may limit the number and type of pre-trial prisoners eligible for this program.

Trinity County employs the Virginia Pre-Trial Risk Assessment Tool as a means to assist in the decision regarding pre-release. Additionally, specific criteria have been created to facilitate the process. Additionally, AB 109 provides legal mechanisms to use alternatives to incarceration for sentenced populations. In Trinity County, these alternatives include: electronic monitoring, home detention, residential treatment beds, restorative justice programs, substance abuse services, parenting classes, employment counseling and services, and supportive housing. An inmate under the supervision of the Pre-Release Program (PRP) may be provided multiple services as determined by their individual needs.

All jail programming and alternatives to incarceration managed by the Sheriff are made available to AB 109 offenders provided they meet eligibility criteria and space is available. Once an offender has been sentenced to the county jail, both jail program staff and probation staff review the program and services the prisoner is participating in and develop a timeline and plan for the prisoner, if eligible, to transition from the county jail to an appropriate alternative to incarceration. Decisions regarding this plan consider in-custody behavior, participation and progress in jail programs and services, the pre-sentence report and court commitment, eligibility based on current charges and prior convictions, and availability of the alternatives to incarceration best suited for the inmate.

Electronic Monitoring

Electronic Monitoring (EM) is a program that is available to inmates and defendants who meet program, financial and/or medical criteria. EM uses monitoring equipment to monitor the location of participants and helps probation officers ensure that offenders on house arrest are staying at home. Additional options can also be added as well to test offenders for alcohol to meet additional supervision needs of offenders with substance abuse disorders. Additionally, GPS equipment can be used to track offenders who must leave the home for work release programs or who have additional needs that traditional EM equipment cannot meet.

Since 2011, a total of 122 individuals have received electronic monitoring services for a combined total of 6,753 days. Of the total, 30 of these individuals were PRCS cases and 2 were 1170(h) cases. Out of the 122 total, only 8 individuals were removed from the program for non-compliance or for committing a new offense.

Discretionary Fund for Professional Specialized Services

Along with other strategies for supervision, and in order to provide flexibility in providing needed and necessary Specialized Professional Services, a small fund was created to cover expenses not otherwise directly attributable to another source. These services include things such as Substance Use Disorder services, mental health services, Prop 36 assessment fees, insurance co-pay for participation in Court-Ordered programs, etc. This special fund is managed by Behavioral Health and is further tracked quarterly by the Executive Committee of the CCP.

III. Community Service Alternatives

Although the original AB 109 plan called for the creation of enhanced community-based alternatives to incarceration such as a community service-based Day Supervision Program, inadequate funding from the state did not allow for this to be created. This strategy remains as a need however, and will hopefully one day be funded.

IV. Supportive Housing

One of the largest and most challenging needs with this population is related to suitable housing support and services. Housing poses a great challenge for several reasons: offenders have limited financial resources, lack affordable housing options, and lack family and community support. This is especially an issue for the medically fragile inmate population. Inmates with extensive medical needs that are placed on EM supervision not only benefit from receiving medical services within the community, but at the same time help keep the cost to the county down. However, many of these individuals lack proper housing. Assisting this population with housing services is proven to both maximize the level of medical care available as well as reduce

the overall cost to the county, making the best use of the limited funding that is currently available.

In order to meet this criterion, HRN, who is currently the largest provider of supportive housing services in the county, receives AB 109 funding through the CCP for comprehensive housing services including emergency housing, transitional housing, life sufficiency skills, vouchers for food and transportation, utility assistance, dry goods, rental assistance and overnight motel stays.

GOALS, OBJECTIVES, AND PROPOSED OUTCOMES

The services and funding articulated in both the original and revised Public Safety Realignment plan is expected to improve success rates of offenders under supervision resulting in less victimization and increased community safety. Additionally, the strategies and provisions employed have been determined to meet evidence-based criteria, is research-based, data driven, and validated. On-going evaluation of outcomes by the CCP Executive Committee also ensures that the state funds are used in the most cost efficient manner, yield the greatest results, and employ proven correctional and justice system practices.

The original Realignment Plan identified the following three goals:

1. Implementation of a streamlined and efficient system in the County of Trinity to manage our additional responsibilities under realignment.
2. Implementation of a system that protects public safety and utilizes best practices in recidivism reduction.
3. Implementation of a system that effectively utilizes alternatives to pre-trial and post-conviction incarceration where appropriate.

To achieve these goals, the Trinity County Probation Department, in conjunction with CCP partners, tracks outcome measures related to program success. In order to support outcomes and accountability, 5% of the budget is set aside to track and manage data on the Realignment Plan, which in turn assists the CCP in steering the direction of the Public Safety Realignment Plan in Trinity County to ensure maximum effectiveness and best use of state funding. The areas where data is collected include:

- Recidivism rates for non-violent, non-serious, non-sex offenders;
- Recidivism rates for parolees under probation jurisdiction;
- Number and type of offenders sentenced to county jail and state prison;
- Number and type of offenders sentenced to probation or alternative programs

- CCP partner feedback on effectiveness of mechanisms in place to collaboratively address realignment issues as they arise.

The three current state-reported goals of Trinity County's Public Safety Realignment Community Corrections Partnership are to:

1. Improve success rates of AB 109 offenders;
2. Revise and implement the Reentry Program;
3. Expand Supportive Housing Services.

SUMMARY OF CURRENT SUCCESS AND PLAN IMPROVEMENTS

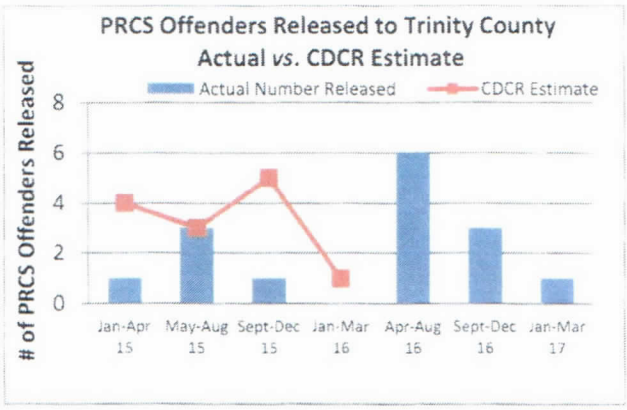
The data used to determine Trinity County's success with this population far exceeds state historical numbers regarding recidivism rates recorded by the California Department of Corrections and Rehabilitation (CDCR). However, the complete picture becomes more complicated when other factors are taken into consideration including subsequent new case law, initiatives, and legislation occurring after 2011 which has had a significant impact on both the general as well as AB 109 populations. In order to most effectively manage Realignment funding, all available data must be taken into consideration by the Executive Committee, and programming and funding decisions made that promise the greatest results overall. This document reflects the on-going efforts by the Community Corrections Partnership (CCP) and the CCP Executive Committee to fulfill that mission.

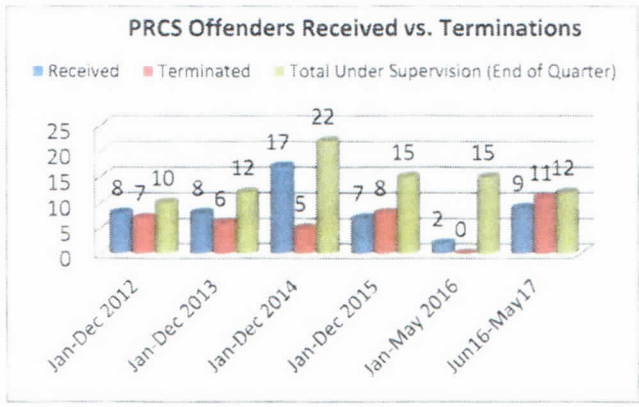
By staying on course with original strategies while also employing new tactics that seek to supplement or fill systemic voids, we will ensure that Trinity County stays on task in reaching our stated goals. These new strategies include such things as enhanced public safety through the funding of an additional deputy sheriff, collaborative case management and screening services through full funding of a substance abuse disorder specialist, incorporating Moral Reconation Therapy (MRT) into the jail, bringing the technological innovation of Edovo into the jail to assist inmates with education, programming, and access to other meaningful activities, and the re-design of the Reentry Program which better addresses the criminogenic needs of the clients served through enhanced personal-level contact and team-based service delivery.

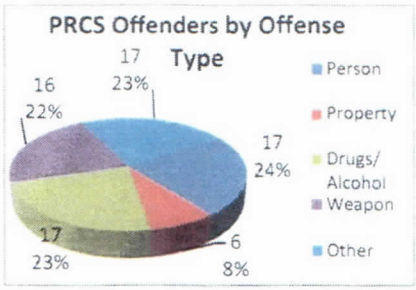
The CCP Executive Committee will continue to conduct on-going data collection and analysis to ensure continuity of the plan, maintain fidelity in our methodology, and provide measured success in dealing with this population in a manner that is both fiscally sound but yet also yields the greatest results in terms of lives positively changed.

POSTRELEASE COMMUNITY SUPERVISON (PRCS) 3450 PC

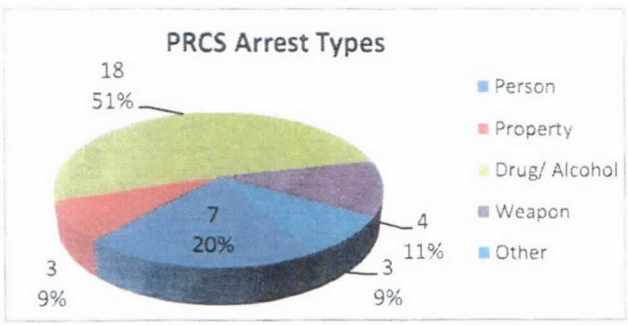
- 75 PRCS packets have been received since October 2011
- 12 PRCS Offenders are currently under supervision
- 29 warrants have been issued (absconded); 3 warrants are currently active
- 57 PRCS revocations have been filed to date (on 22 offenders)

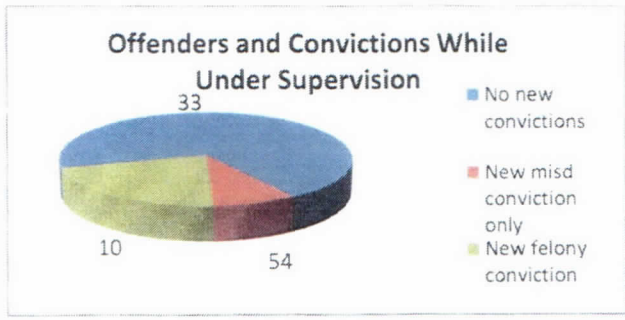






PRCS Cases	
Offenders Currently Supervised	12
Offenders Pending Release from CDCR	5
Packets Rejected	11
Offenders Transferred out to Other Counties	6
Offenders Transferring in from Other Counties	16
Total PRCS Packets Received	**75**

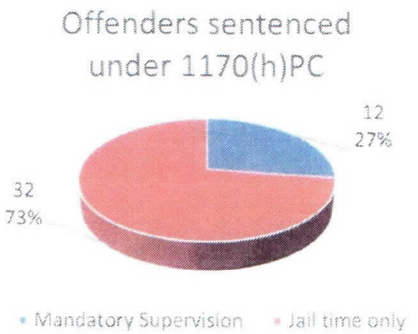




- 3 PRCS Offenders have been sentenced to Local Prison in Trinity County
- 13 PRCS Offenders have been sentenced to Jail in Trinity County
- 4 PRCS Offenders have been sentenced to State Prison again

COUNTY JAIL PRISON AND MANDATORY SUPERVISION (MS) 1170 PC

- 45 offenders sentenced under the 1170(h) PC since the program began
- 13 offenders were split sentenced under Mandatory Supervision (MS)
- 6 Mandatory Supervision are active
- 44 offenders were sentenced to jail for a total of 808 months/67.3 years for an average of 18.4 months per offender
- 1 offender was sentenced to 36 months Electronic Monitoring
- The supervision period for the 13 MS cases after jail was served was a total of 284 months/23.7 years for an average of 21.8 months supervision per offender



Population of Trinity County: 13,583

Table A1: Trinity County Incarceration Rates for 2007, 2014 and 2015

Metric	2007	2014	2015	Change 2007-2014	Change 2007-2015	Change 2014-2015
Total Incarceration Rate	769.1	737.9	724.4	-4.1%	-5.8%	-1.8%
CDCR Incaceration Rate	495.6	348.3	353.4	-29.7%	-28.7%	1.5%
Jail Incarceration Rate	273.4	389.6	371.1	42.5%	35.7%	-4.7%
Non-Sentenced Jail Inmates	43.5%	64.2%	78.2%	47.6%	79.8%	21.8%

Notes: Rates of CDCR, jail and total incarceration are calculated by taking the average number of people incarcerated for the year and dividing the average by the relevant population (county or state). The resulting quotient is multiplied by 100,000, producing an incarceration rate per 100,000 people. Percent changes are calculated using ratios of the recent to the previous rate. Changes in the non-sentenced percentage are calculated by subtracting the previous from the more recent rate. Care should be exercised when comparing rates for counties with populations under 100,000. Small changes in the number of events will result in significantly changes in the rate.

Table A2: Trinity County Crime and Economic Measures for 2007, 2014 and 2015

Metric	2007	2014	2015	Change 2007-2014	Change 2007-2015	Change 2014-2015
Felony Arrest Rate	1,537.7	3,492.8	2,775.5	127.1%	80.5%	-20.5%
Misdemeanor Arrest Rate	3,728.1	2,552.4	2,915.4	-31.5%	-21.8%	14.2%
Violent Crime Rate	145.1	253.8	250.3	74.9%	72.5%	-1.4%
Property Crime Rate	1,008.2	1,298.6	1,796.4	28.8%	78.2%	38.3%
Poverty Rate	N/A	18.7%	19.5%	N/A	N/A	4.3%
Unemployment Rate	N/A	13.0%	9.0%	N/A	N/A	-30.8%

N/A - Data unavailable

Notes: Rates of arrests and crimes are expressed in rates per 100,000 people in the population (county or state). Percent changes are calculated using ratios of the recent to the previous rate. Changes in the non-sentenced percentage are calculated by subtracting the previous from the more recent rate. Care should be exercised when comparing rates for counties with populations under 100,000. Small changes in the number of events will result in significantly changes in the rate.

Population of California: 39,071,323

Table B1: California Incarceration Rates for 2007, 2014 and 2015

Metric	2007	2014	2015	Change 2007-2014	Change 2007-2015	Change 2014-2015
Total Incarceration Rate	703.7	563.9	525.1	-19.9%	-25.4%	-6.9%
CDCR Incaceration Rate	476.1	352.0	336.5	-26.1%	-29.3%	-4.4%
Jail Incarceration Rate	227.6	211.8	188.6	-6.9%	-17.1%	-11.0%
Non-Sentenced Jail Inmates	68.0%	62.3%	62.9%	-8.4%	-7.5%	1.0%

Notes: Rates of CDCR, jail and total incarceration are calculated by taking the average number of people incarcerated for the year and dividing the average by the relevant population (county or state). The resulting quotient is multiplied by 100,000, producing an incarceration rate per 100,000 people. Percent changes are calculated using ratios of the recent to the previous rate. Changes in the non-sentenced percentage are calculated by subtracting the previous from the more recent rate. Care should be exercised when comparing rates for counties with populations under 100,000. Small changes in the number of events will result in significantly changes in the rate.

Table B2: California Crime and Economic Measures for 2007, 2014 and 2015

Metric	2007	2014	2015	Change 2007-2014	Change 2007-2015	Change 2014-2015
Felony Arrest Rate	1,431.6	1,142.8	805.6	-20.2%	-43.7%	-29.5%
Misdemeanor Arrest Rate	2,715.5	1,979.3	2,138.1	-27.1%	-21.3%	8.0%
Violent Crime Rate	523.9	393.3	426.4	-24.9%	-18.6%	8.4%
Property Crime Rate	3,043.2	2,459.0	2,620.4	-19.2%	-13.9%	6.6%
Poverty Rate	13.0%	16.4%	16.3%	26.2%	25.4%	-0.6%
Unemployment Rate	6.9%	11.0%	9.9%	59.4%	43.5%	-10.0%

Notes: Rates of arrests and crimes are expressed in rates per 100,000 people in the population (county or state). Percent changes are calculated using ratios of the recent to the previous rate. Changes in the non-sentenced percentage are calculated by subtracting the previous from the more recent rate. Care should be exercised when comparing rates for counties with populations under 100,000. Small changes in the number of events will result in significantly changes in the rate.

CCP	Budget	Requests for Increase	Proposed Budget	Diff+/- from Final FY1617 Budget to FY1718 Req
Probation Department Salaries/Benefits	**2016/17**	**2016/17**	**2017/18**	
Regular Wages				
Deputy Probation Officer III	$95,609.00		$103,527.00	$ 7,918
Deputy Probation Officer II	$81,631.00		$88,932.00	$ 7,301
Worker's Comp	$1,535.00		$921.00	$ (614)
Uniform	$1,600.00		$1,600.00	$ -
OBEP	$5,984.00		$26,626.00	$ 20,642
UAL	$19,881.00		$0.00	$ (19,881)
On Call	$7,200.00		$7,200.00	$ -
Probation Department Operating Expenses	**$213,440.00**		**$228,806.00**	**$ 15,366.00**
Electronic Monitoring Equipment	$10,000.00		$8,000.00	($2,000.00)
				$0.00
Noble Risk Assessment - Pre Trial Tool	$5,997.00		$4,998.00	($999.00)
				$0.00
CSS Case Management System	$16,560.00		$16,560.00	$0.00
				$0.00
Testing Supplies	$3,000.00		$3,000.00	$0.00
				$0.00
Publications/Legal Notices	$0.00		$582.00	$582.00
				$0.00
Maintenance of Equipment	$3,500.00		$3,500.00	$0.00
				$0.00
Office Supplies	$3,000.00		$3,000.00	$0.00
				$0.00
Transportation/Travel	$5,000.00		$5,000.00	$0.00
				$0.00
Communications	$3,000.00		$3,000.00	$0.00
				$0.00
Indirect Costs	$9,425.00		$11,842.00	$2,417.00
Sub-Total Operating Expenses	**$59,482.00**	$0.00	**$59,482.00**	**$0.00**
Other Agency		**Request for Increase**		
DA - Revocations	$5,000.00		$5,000.00	$0.00
TSCO - Correctional Officer	$77,326.00		$98,027.00	$20,701.00
Deputy Sheriff	$130,831.00		$146,412.00	$15,581.00
Behavioral Health	$5,894.00	$10,000.00	$10,000.00	$0.00
Substance Abuse Counselor	$58,441.00	$62,000.00	$75,293.00	$13,293.00
HRN - Transistional Housing/Employee	$27,500.00		$27,500.00	$0.00
Sub Total-Other Agency	**$304,992.00**	**$72,000.00**	**$362,232.00**	**$49,575.00**
Special Requests:				
Sheriff Dept EDOVO Program 90 day Trial	$6,580.00	$0.00	$0.00	$ (6,580.00)
	$6,580.00	**$0.00**	**$0.00**	**$ (6,580.00)**
Total 2016/17 Budgeted	**$584,494.00**	$7,665.00		
	Total Amount increased	**$7,665.00**		$ -
2016/17 Base Allocation	$608,486.05			
2015/16 Estimated Growth	$26,124.00			
**********No new numbers yet using FY1617	$634,610.05			
16/17 FY Budget Plus Increase	**$592,159.00**	**$592,159.00**	**$650,520.00**	**$58,361.00**
17/18 FY Proposed Budget	**$650,520.00**			
Cash Balance as of 5/10/2017	**$488,513.12**			

Base – Workload

45%-	Caseload	Recognizing the quantifiable effects of 2011 Realignment on county public safety services.
45%-	Crime and Population	Recognizing both general county costs and the costs of diversionary programs not counted in caseload data.
10%+	Special Factors	Recognizing socioeconomic and other factors affecting counties' ability to implement realignment.

Caseload factors include 1170h jail inmates, PRCS, and felony probation.
Crime and population factors are the number of serious crimes and the adult population.
Special factors include poverty, small county minimums, and presence of a state prison.

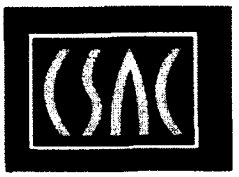
Growth – Performance

80%-	Probation	Rewarding success and improvement in probation outcomes.
20%+	Incarceration	Rewarding success and improvement in reducing prison incarcerations.

Probation factors include the number of non-failed probationers and improvement in the success rate.
Incarceration factors include reducing the number of felons admitted to state prison, reducing felons admitted to prison as 2nd strikers, and success measured by the per capita rate of prison admissions.

Transition Payments

Recognizing both the decline in funding some counties will receive under the new formula and the extra one-time funds available in October of 2015, we allocate a one-time lump sum proportionately to the counties seeing a decline to help them smooth their year-to-year funding levels. Enough growth funds still remain after this allocation to fund performance incentives at a greater level than in years with similar revenue growth.



Detailed Description of Growth Allocation

For the growth formula to function as an incentive system, as it is designed to be, the incentives must be clear enough that counties know which outcomes are rewarded.

The formula is broken down into three categories in which there are sub-categories. The three are:

1. 2nd Striker Reduction= $27,309 per reduction
2. Probation= 80%
3. Incarceration= 20%

In each of these categories, the formula rewards both ongoing success and year-over-year success.

2nd Striker Reduction

The first step in calculating growth allocations is to determine which counties sent fewer felons to prison with second-strike designations than in the previous year. Counties get a direct allocation of $27,309 for each one fewer second striker than the previous year. This allocation is taken off the top, so it is not part of the portions allocated based on incarceration or probation.

Probation – 80%

Felony Probation Success – 60%: Sixty percent of growth funds are allocated by taking a county's annual felony probation population and subtracting the number of those revoked to prison or jail. The number of each county's non-revoked probationers is then calculated as a share of the number statewide and the county receives that share of these funds.

Felony Probation Improvement – 20%: Twenty percent of growth funds are allocated to counties that improve their felony probation failure rate from one year to the next. A county's failure rate is determined by dividing its annual felony probation population by the number of probationers revoked to prison or jail. If that rate decreases from one year to the next, then the difference is multiplied by the county's total felony probation population. This gives the number that would have been revoked under the previous year's higher revocation rate. That number is then calculated as a share of the total number among all counties that qualify and the county receives that share of these funds.

Incarceration – 20%

Incarceration Reduction – 10%: Ten percent of the growth funds are allocated to counties that send fewer felons to prison on new convictions from one year to the next. The difference is then calculated as a share of the total difference among all counties that qualify and the county receives that share of these funds.

Low Incarceration Rate – 10%: Ten percent of the growth funds are allocated to counties that have a lower rate of incarceration per capita than the statewide rate. The rate is calculated by taking a county's number of felon admissions for new convictions and dividing it by the county's adult population (those aged 18 to 64). That rate is then compared to the statewide rate to determine how many more people would be imprisoned if the county's rate were not lower than the statewide rate. That number is then calculated as a share of the total number for all counties that qualify and the county receives that share of these funds.

Calculating Trinity County's 2015-16 Growth

2nd Striker Reduction ($27,309 per)						
			2nd Strikers - 2014	2nd Strikers - 2013	Reduction	$
Trinity			2	2	n/a	n/a
California			10,311	9,883	418	$ 11,415,162

Felony Probation Success (60%)						
		2014 Probation Population	Revoked to Jail or Prison	Successes	Statewide Share	$
Trinity		192	2	190	0.07%	$ 16,826
California		305,515	17,176	288,339		$ 25,602,454

Felony Probation Improvement (20%)						
	2014 Failure Rate	2013 Failure Rate	Improvement	# of Probationers Improvement Represents	Statewide Share	$
Trinity	1.04%	1.77%	0.72%	1.39	0.05%	$ 4,213
California	5.62%	6.06%	0.44%	2,807		$ 8,534,151

Incarceration Reduction (10%)						
	Incarcerated from County - 2014	Incarcerated from County - 2013	Incarcerated from County - Difference	Incarceration Reduction	Statewide Share	$
Trinity	11	12	-8.33%	1	0.08%	$ 3,553
California	38,176	37,750	1.13%	1,201		$ 4,267,076

Low Incarceration Rate (10%)						
	County Population	Incarceration Rate - 2014	Rate Below Statewide	Prisoners Fewer Because Lower	Statewide Share	$
Trinity	13,389	0.08%	0.02%	2.33	0.04%	$ 1,532
California	38,340,074	0.10%		6,496.10		$ 4,267,076

Total			
		Statewide Share	Total Growth $
	Trinity	0.0530%	$ 26,124
Wednesday, October 05, 2016	California	100.00%	$ 54,085,919

TRINITY COUNTY

Probation Department

Tim Rogers, Chief Probation Officer
333 Tom Bell Rd.
P.O. Box 158
Weaverville, CA 96093
Phone: (530) 623-1204 Fax: (530) 623-1237

Trinity County Probation and Sheriff's Department
Home Detention and Electronic Monitoring Statistical Report
October 1, 2011 — April 30, 2017

In October of 2011, after the passage of AB 109, the Trinity County Probation Department and the Trinity County Sheriff's Department continued oversight of the Home Detention and Electronic Monitoring Program. The program continues to utilize equipment from BI Incorporated.

This is a brief overview of statistical measurements that have been organized in the following categories:

1) Program Participation
2) Sentencing Compliance
3) Reported Program Violations
4) Recidivism

This Report contains program findings for October 1, 2011 through the end of April, 30, 2017. The statistical data used in this report was gathered from Trinity County Probation Department records.

Overview of Program Participation	
Outcomes	Participant
Total number of participants	122
Adults	72
PRCS	30
1170(h)	2
Juvenile	18
Days of EM completed	6753
Participants who have completed the EM program	114
Participants who have been removed from the EM program for non-compliance	8
Participants who have been removed from the EM program for new charge	1