

**Tuolumne County**  
**Community Corrections Partnership (CCP)**  
**FY 2017-18 Annual Report**  
**and**  
**FY 2018-19 Plan Update**

## Community Corrections Partnership (CCP) Executive Committee

<u>Name</u>	<u>Title/Agency</u>
Linda Downey	Chief Probation Officer Probation Department
Donald Segerstrom	Presiding Judge Superior Court
Bill Pooley	Sheriff Sheriff's Office
Laura Krieg	District Attorney District Attorney's Office
Robert Price	Public Defender Public Defender's Office
Turu VanderWeil	Chief of Police Sonora Police Department
Michael Wilson	Behavioral Health Director Behavioral Health Department

**Contents**

I. Background ..... 4

II. Key Components of AB 109..... 5

    A. Target Populations ..... 5

    B. Pre-Trial..... 6

III. Tuolumne County CCP FY 2017-18 Funding Utilization ..... 8

    A. PROBATION DEPARTMENT ..... 8

    B. SHERIFF’S OFFICE ..... 14

    C. GEO REENTRY SERVICES..... 19

        1. Day Reporting Center (DRC)..... 19

        2. Jail Re-entry Program (JRP) ..... 23

    D. DISTRICT ATTORNEY’S OFFICE ..... 25

    E. BEHAVIORAL HEALTH DEPARTMENT ..... 27

IV. Tuolumne County CCP FY 2018-19 Plan Update..... 28

    A. Budget..... 28

    B. Goals ..... 29

    C. Plan Update..... 29

V. Summary:..... 31

Attachment 1 ..... 32

Attachment 2 ..... 35

## I. 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 5, 2011. AB 109 changed the law to realign certain responsibilities for lower level offenders, adult parolees and juvenile offenders from state to local jurisdictions. AB 109 transfers responsibility for supervising these specified "lower level" inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. In his AB 109 signing message, Governor Brown stated:

*"For too long, the state's prison system has been a revolving door for lower-level offenders and parole violators who are released within months—often before they are even transferred out of a reception center. Cycling these offenders through state prisons wastes money, aggravates crowded conditions, thwarts rehabilitation, and impedes local law enforcement supervision."*

Implementation of the Public Safety Realignment Act became effective on October 1, 2011. Additionally, § 1230.1 of the California Penal Code was amended to "Each county local Community Corrections Partnership (CCP) established pursuant to subdivision (b) of § 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 CCP consisting of the chief probation officer of the county as chair, a chief of police, the sheriff, the district attorney, the public defender, presiding judge or his or her designee, and the department representative listed in either § 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 CCP 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, include, but not limited to, day reporting centers, drug courts, residential multi-service centers, mental health treatment programs, electronic and global positioning system (GPS) monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs."

On July 19, 2011, the Tuolumne County Board of Supervisors designated the Probation Department as the supervising county agency for the Post Release Community Supervision (PRCS) program.

## **II. Key Components of AB 109**

### **A. Target Populations**

AB 109 addresses three distinct target populations. The first is the Post Release Community Supervision (PRCS) population. This consists of offenders who are released back to the community after serving a term in State Prison. This population was previously placed on a grant of state parole which was supervised by the parole division of the CDCR. Supervision of this population is now the responsibility of local probation departments and is inclusive of offenders with a current commitment for a non-violent, non-serious, non-registerable sex offense regardless of any prior convictions. As of October 1, 2011, all parole revocations are served in county jail instead of state prison. In addition, as of July 1, 2013, the parole revocation process is now a local court-based process rather than a hearing in front of the Board of Parole.

The second largest population is offenders who will serve their felony prison commitments locally in county jail rather than in state prison. Pursuant to § 1170(h) of the Penal Code (PC), this population has been convicted of a non-violent, non-serious, or non-registerable sex offense. These offenders are comprised of two groups; those sentenced under § 1170(h)(5)(A) PC who will serve their entire sentence within the county jail and those sentenced under § 1170(h)(5)(B) who serve a portion of their sentence in the county jail with the remaining portion under mandatory supervision by the probation department. Since the implementation of sentencing pursuant to § 1170(h) PC, there has been a statewide push for courts to sentence pursuant to § 1170(h)(5)(B) PC to include grants of mandatory supervision. Tuolumne County is in accordance with this mandate and has, over time, maintained commitments pursuant to § 1170(h)(5)(B) PC. If an offender violates the terms of their Mandatory Supervision, the Probation Department will file a violation and a deputy district attorney will appear in court to represent the People. If the offender requests a contested hearing, the deputy district attorney must call witnesses to the stand and litigate the violation.

The third target population is released offenders who remain under the jurisdiction of state parole supervision. These offenders are classified as:

- Inmates paroled from life terms to include third-strike offenders;
- Offenders whose most recent commitment offense is violent or serious, as defined by §§ 667.5(c) and 1192.7(c) PC;
- High-risk sex offenders, as defined by static 99R risk score (6 and above)
- Offenders who must complete a treatment program in a state hospital pursuant to § 2962 PC

Parolees who violate the terms of their parole cannot be returned to state prison custody; rather these offenders serve their violations of parole in the county jail.

**Redefining felonies:** Revised the definition of 500+ felony offenses to mandate that the crimes are punishable in local county jail for the same length of term as prescribed in the Penal Code.

Offenders convicted of committing serious or violent felonies, and those who must register as sex offenders will continue to serve their terms in state prison. There are additional felonies (approximately 60) that have been specifically designated for commitment to state prison.

A violent felony is defined in § 667.5 (c) PC. A serious felony is defined in § 1192.7(c) PC. Registerable sex offenses are defined in § 290 PC (See Attachment #1).

**Post-Release Community Supervision (PRCS):** Offenders released from state prison after serving a sentence for an eligible offense are supervised by the probation department for a period not to exceed three years.

**Revocations Heard and Served Locally:** The courts hear revocations of PRCS filed by the probation and parole departments. PRCS and parole revocations are served in local jails (by law, maximum revocation sentence is up to 180 days), with the exception of paroled “lifers” who have a revocation term of greater than 30 days.

**Changes to In-Custody Credits:** Jail inmates earn four days of credit for every two days served. Time spent on home detention electronic monitoring is credited as time spent in jail custody.

**Alternative Custody:** § 1203.018 PC authorizes electronic monitoring for pre-trial inmates being held in the county jail in lieu of bail. Eligible inmates must first be held in custody for 60 calendar days post-arraignment, or 30 calendar days for those charged with misdemeanors.

**Community-Based Punishment/Sanction:** Authorizes counties to use a range of community-based punishment and intermediate sanctions other than jail incarceration alone or traditional probation supervision.

## **B. Pre-Trial**

The Pre-Trial Release Program was originally introduced in the second year plan update for FY 2012-13. During FY 2017-18, the CCP made a renewed commitment to formalize a Pre-Trial Release Program. The goal of releasing pre-trial inmates is to ensure the following:

- The safety of the community
- That the released person appears in Court for hearings
- Protect the presumption of innocence
- Maximize the number of jail beds for sentenced inmates

Currently, on any given day, approximately 60 to 75 percent of the County’s jail beds are occupied by inmates who have not yet been sentenced. The jail has a capacity of 147 inmates. A Pre-Trial workgroup was formed and has been meeting regularly to assess progress and issues with the implementation of the program. The CCP’s Pre-Trial workgroup involves the cooperation of the District Attorney, Public Defender, Sheriff, Jail staff, Chief Probation Officer, Probation staff, the Presiding Judge, and Court staff to support a program of identifying arrestees who can be safely released from custody without the requirement to post monetary

bond pending the outcome of their case in the Court system. A risk assessment tool specifically designed to meet the demographics of this county was adopted and implemented on November 1, 2017.

- The risk tool scores individuals and rated them Low, Moderate or High in terms of their risk to miss Court appearances or likelihood to be arrested for a new offense. Generally: Low risk individuals were released from jail with dates to appear in Court. Moderate risk individuals were also released, placed on electronic monitoring and monitored by probation with certain conditions. High risk individuals were only released with approval of the Court or by posting monetary bail established by the Court.
- Between November 1, 2017 and July 30, 2018, 172 individuals were released on the Pre-Trial program to be monitored in some capacity by Probation staff. Of those, 44 were successful in that they appeared at all their court hearings, and did not sustain new law violations. Twenty eight (28) were unsuccessful, in that they absconded from Court obligations or were re-arrested on new charges. The remaining individuals were still going through the Court process, acquitted or their cases were dismissed.
- At any given time, over the last year, approximately 40-50 people were monitored on pre-trial release with electronic monitoring in lieu of spending time in jail while awaiting resolution of their cases.
- Members of the Pre-Trial workgroup met regularly over the past year to ensure smooth functioning of the program.

### **III. Tuolumne County CCP FY 2017-18 Funding Utilization**

#### **A. PROBATION DEPARTMENT**

AB 109 funding allowed the Probation Department to provide intensive supervision of high risk offenders in close collaboration with the Sheriff's Office, as well as alternatives to incarceration such as the Work Release, Community Services, and Electronic Monitoring programs.

AB 109 funded staffing included one Supervising Probation Officer, two Deputy Probation Officers, three Work Release Coordinators, and one Legal Assistant. Additionally, Probation's funding provided for the building lease for the Alternatives to Detention site, which housed the GEO Reentry Services Day Reporting Center programming and staff offices, as well as the Work Release and Community Service programs and staff offices. Additional costs included Work Release equipment and supplies, supplementation of electronic monitoring costs, relevant training for assigned officers, drug testing supplies, and various other supplies related to the supervision of AB 109 offenders.

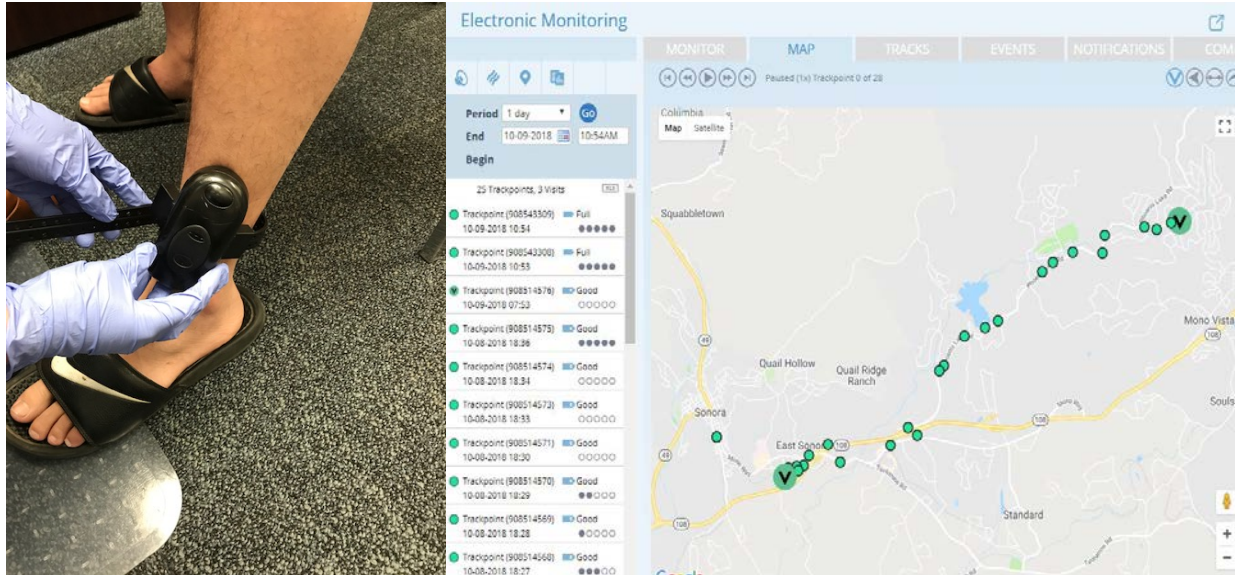
#### **Estimate Number Of Clients Served:**

- 10-15 per day in Work Release
- 5-10 per day on alcohol monitoring (SCRAM)
- 30-40 per day on G.P.S. electronic monitoring/home detention
- 45-50 offenders per day in the Day Reporting Center Program
- 330-350 moderate to high risk felony offenders actively supervised per day
- 110-125 PRCS and Mandatory Supervision Offenders actively supervised per day

#### **Electronic Monitoring Program (EMP)**

An additional Deputy Probation Officer was assigned to the EMP program for FY 2017-18, during which time there were **542** total enrollments. The Probation Department provides global positioning system (GPS) electronic monitoring and continuous alcohol transdermal testing via SCRAM Continuous Alcohol Monitoring (CAM) units. The GPS devices are used to closely monitor high risk offenders transitioning out of state prison or county jail, and offenders with poor reporting habits or victim sensitive cases with active criminal protective orders. The EMP program is also utilized as a sentencing alternative to county jail for misdemeanor dispositions, lower risk felony offenders, medically fragile offenders, and for pre-trial releases in lieu of bail. While EMP clients are charged fees for this service, the fee revenue generated only partially covers the cost of the program.





The images above shows an individual having a GPS device fitted and an example of an offender's location tracking over the course of single day.

### Work Release

Criminal justice realignment funds to the Probation Department continued to support the Work Release program which is only partially funded by offender fees. Work Release continued to be the primary alternative to secure custody utilized by the Court for misdemeanor dispositions and for lower risk felony offenders with technical violations of supervision. The Work Release program provides directly supervised charitable and public service work throughout the County five days a week.

- 1,724 days logged
- 10,344 man hours
- \$113,784 worth of labor performed (calculated at minimum wage)
- Approximately 85% of the labor performed was on County projects

Examples of recent Work Release projects:

#### Retaining wall installation at Rocca Park, Jamestown - 2017





Concrete picnic table pad at the Veterans Service Office - 2017



Trash clean-up in Groveland - 2018



**Community Service:**

Probationers completed over **12,180** community service hours at local registered non-profit organizations including animal shelters, children and family services, churches, clubs, fairgrounds, libraries, museums, parks, schools, and thrift stores. Some popular options include:



### **High Risk Supervision Team (HRST):**

Two Deputy Probation Officers, one Supervising Deputy Probation Officer, one Sheriff's Deputy, and one Sheriff's Sergeant were assigned to the High Risk Supervision Team (HRST) to perform compliance checks, conduct searches, provide drug testing, assist with warrant service, refer offenders to treatment services, and perform the various other duties of sworn peace officers.



During FY 2017-18, some of the highlights the HRST accomplished were:

- Participated in entry and room clearing training
- Participated in range training
- Assisted the Tuolumne Narcotics Team (TNT) with several search and arrest warrants
- Began to serve search warrants in relation to Prop 63 (firearms relinquishment)
- Assisted the Special Weapons and Tactics (SWAT) team with the service of search warrants including the local “gentlemen’s” club
- Recovered stolen property
- Over 759 probation incidents were created
- Over 100 arrests were made in relation to fresh cases and warrant arrests
- Probation compliance checks
  - Recovered stolen items such as vehicles (including all-terrain vehicles), utility wagon, credit cards, ID cards, bank statements, forged checks, mail, and other personal identifying information
  - Recovered illegal drug paraphernalia, drug paraphernalia with the intent to sell, and components consistent with manufacturing butane honey oil (a marijuana concentrate)
  - Recovered firearms, ammunition, explosive devices, expandable baton, illegal M-80 firecrackers, a billy club, and a military style smoke grenade

## Probation Demographics

Figure 1

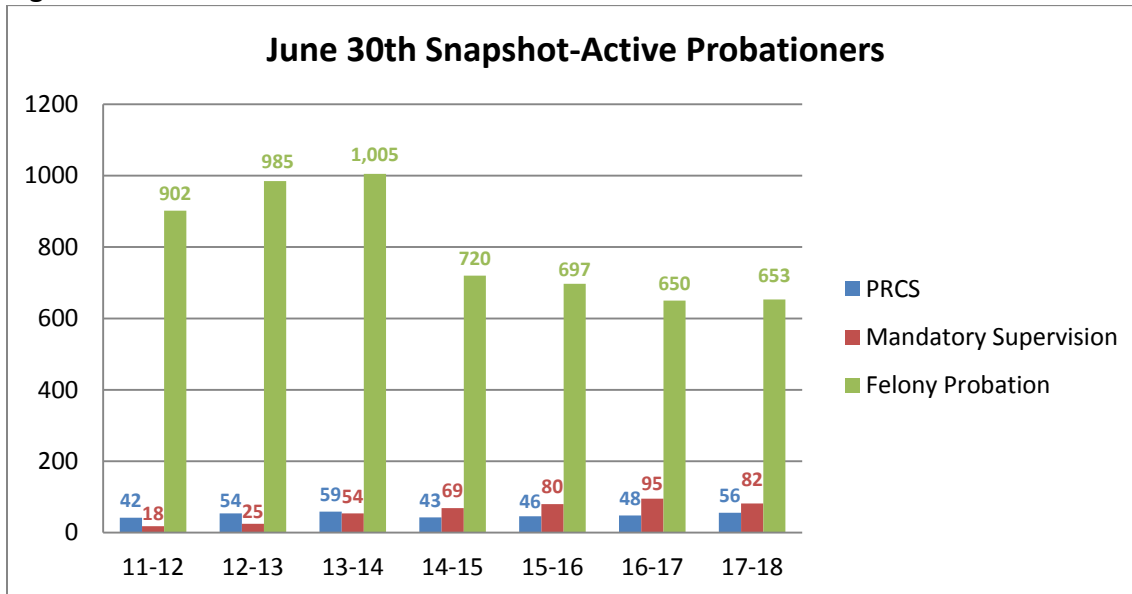


Figure 1 demonstrates a snapshot of active probationers on June 30<sup>th</sup> from fiscal years 2011-12 to 2017-18. This graph displays how many probationers Tuolumne County may be supervising at one time versus throughout the entire Fiscal Year (entire fiscal year counts can be found in Figures 2-4).

Figure 2

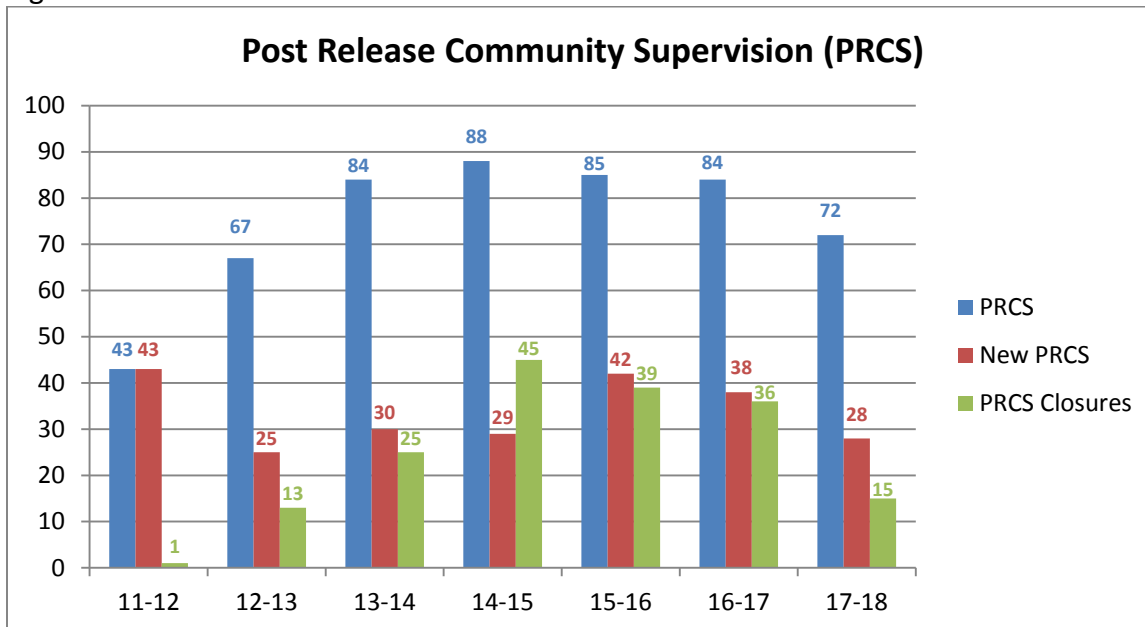


Figure 2 represents the PRCS population throughout fiscal years 2011-12 to 2017-18. "PRCS" reflects the number of PRCS individuals that were under supervision for the year. "New PRCS" reflects the number of new PRCS individuals that were released from CDCR. "PRCS Closures" represent the number of PRCS individuals whose cases were closed during the fiscal year.

Figure 3

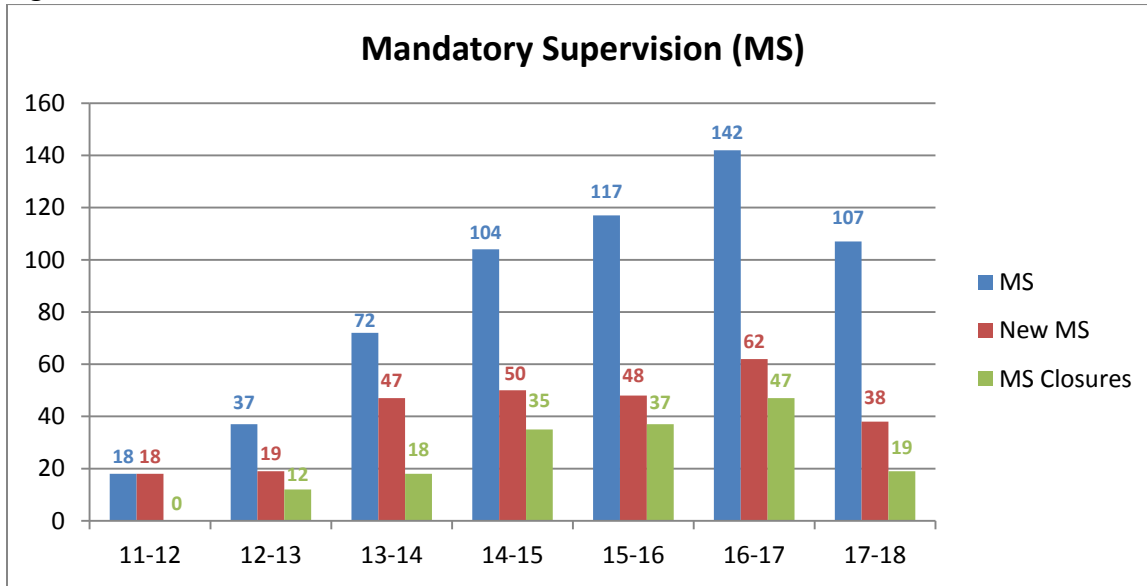


Figure 3 represents the Mandatory Supervision (MS) population throughout fiscal years 2011-12 to 2017-18. “MS” numbers reflect the number of MS individuals that were under supervision for the year. “New MS” reflects the number of new MS individuals during the fiscal year. “MS closures” represent the number of MS individuals whose cases were closed during the fiscal year.

Figure 4

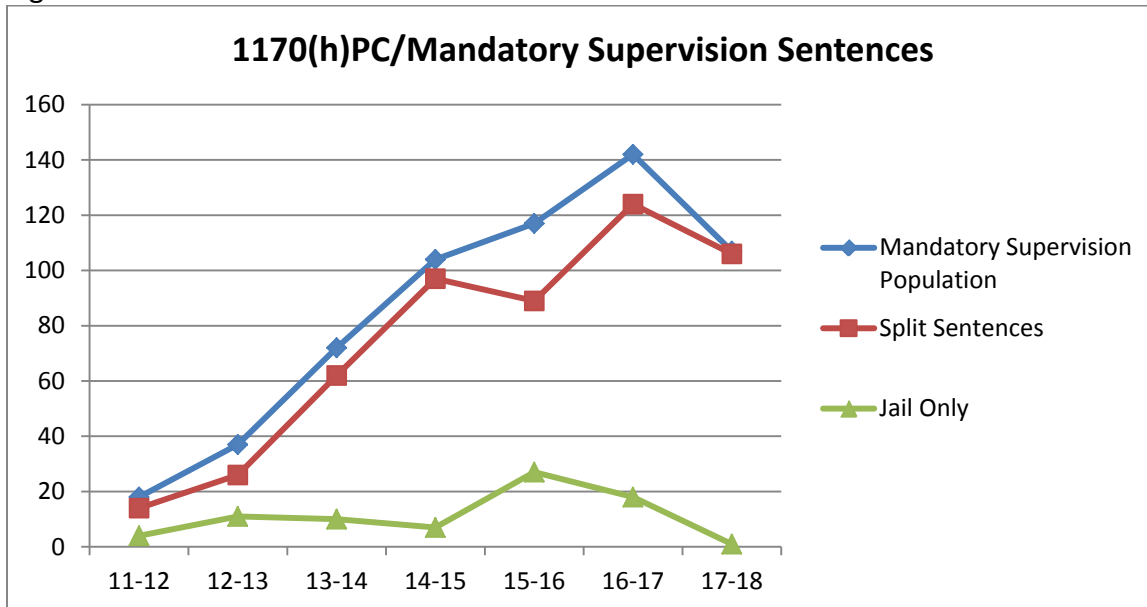


Figure 4 demonstrates the breakdown of sentences with Mandatory Supervision (MS) individuals. “Mandatory Supervision Population” numbers reflect the MS population. “Split Sentences” means that the defendants serve a portion of their time in custody and the remainder of their sentence supervised by the Probation Department on MS. “Jail Only” sentences are when the defendant serves all of their imposed term in custody.



## **B. SHERIFF'S OFFICE**

The Sheriff's Office's funding covered half of the Jail Commander salary, one Classification Officer, one Jail Program Specialist, one Jail Deputy, two deputies for the Inmate Work Crew, one Deputy and one Sergeant assigned to the High Risk Supervision Team (HRST), training and inmate program supplies.

### **Strategies for inmates:**

A 2018 snapshot of AB 109 in custody offenders showed just how engaged this demographic has become in evidence based programming and promising practices.

- 12% of the jail is made up of AB 109 offenders
- 30% of AB 109 offenders participated in work crews
- 12% participated in Narcotics Anonymous/Alcoholics Anonymous recovery programs
- 18% participated in Bible Study or other religious programming
- 12% were working on their GED high school equivalency certificate
- 18% were actively involved in the GEO Jail Reentry programming

This snapshot demonstrates that offering meaningful programming to offenders has offender buy-in and high participation rates which has been shown to anecdotally transfer to continued participation outside the jail setting.

Inmates housed in county jails are not afforded the same job opportunities to enhance their real world experiences and skills as inmates who are confined in state prisons. Ex-offenders with jail work experience find jobs faster and hold them longer than those without work experience. This jail work experience provides vocational skills and keeps inmates busy and productive while serving out their sentences. Inmate work programs have reduced recidivism and promote positive inmate behavior. Tuolumne County jail houses a growing number of long-term detainees and offenders. Work and industry programs provide valuable services and products to the community, and improve the likelihood of inmate's success after release from jail. All sentenced inmates are assessed to see if they meet the criteria for the program. Inmates can also volunteer to participate in the program. The work programs have continued to grow over the last few years. There is currently a male crew with two deputies supervising eight inmates and a female work crew consisting of one female deputy and five female inmates. The industry program has an assigned retail location at "Mountain Treasures" where the wood working projects created by the female crew are for sale to the public. As a "Certified Egg Handler", the program raises chickens and can sell their eggs to the public. Supervised inmates are also currently growing the nursery stock required for landscaping the new jail. Work crews will plant all the trees and shrubs at the new location, saving the county over \$160,000.



*Wood projects from the Female Inmate Work Crew.*

For Fiscal Year 2017-18, the Jail Inmate Work Crew Program experienced the following:

- Recorded over 122,800 work hours without incident
- 79 inmates assigned
- Crews have made over \$110,000 in revenue; and have saved the county over \$75,000 in labor

Work Crew jobs include:

- Parks, cemeteries, and baseball fields
- Highway 108 Fire Safe Council (shaded fuel break)
- Caltrans – clearing roadways
- Forest Service – Rim fire clean up, reforestation and clearing off-highway vehicle trails
- County road projects (trash removal along Tuolumne road to the casino)
- Don Pedro Campgrounds
- Work projects at the following schools: Sonora High School, Summerville High School, Curtis Creek Elementary, and Belleview Elementary
- Inmates cleared blackberry bush to recover a murder weapon in Groveland
- Oak trees cut up and hauled away from the new jail site. Saving the county over \$12,000
- Growing trees and plants for the new jail

#### Positive Quotes from In-Custody Work Programing

**Nicole C.** (Nursery Crew): “Not only have I gained new skills, I am very happy and motivated. I look forward to living a life drug free and putting all my new skills to use. Thank you very much for this program.”

**Craig S.** (Male Work Crew): “I really appreciate the outside work crew it has helped me in many ways, to build a strong work ethic and give back to the community.”

**Shawn J.** (Male Work Crew): “It helps immensely with my mental health.”

**Melissa B.** (Nursery Crew): “I’ve gained new skills that I can take with me to jobs. Overall, I feel as though being on work crew has helped me emotionally and physically. And I’m very grateful for it.”

**Steven K.** (Male Work Crew): “It is a great opportunity to give back to the community and gain experience that is valuable in the real world. It is a win-win for the inmate as well as the Sheriff’s Dept. I plan to use my saw experience throughout my future life.”

**Jeremiah W.** (Male Work Crew): “Being on the outside work crew has given me the opportunity to better myself. The skill set of working with a saw, cutting wood, burning brush piles and teamwork. Makes me want to be more in life than what I’ve been living.”

### Examples of Jail Inmate Work Program Projects

*Trail clearing project on Forest Road 17EV80*



*Weed eating project at Columbia Elementary*





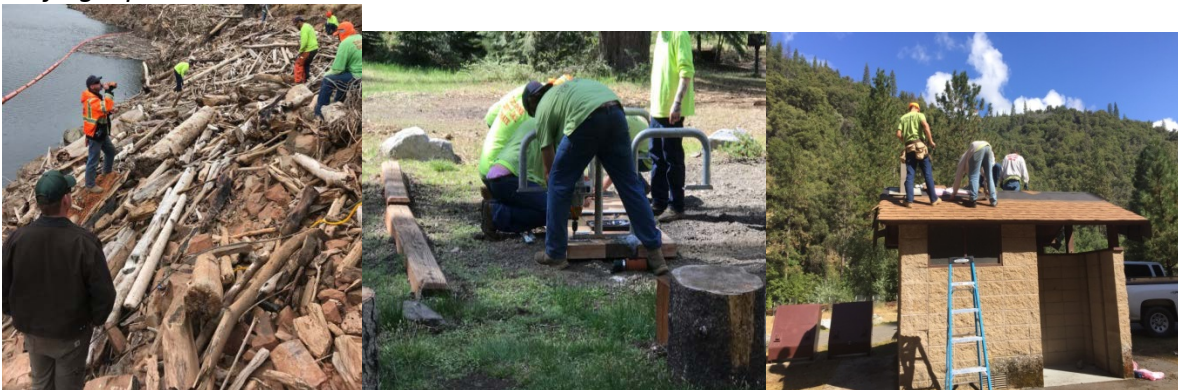
*Retaining wall construction at Curtis Creek Elementary*



*Working on landscaping projects for local high schools.*



*Left: Cutting in a thirty foot fire break for winter burning. This was a six week project for Lake Don Pedro. Center: Installing new picnic benches at Hull Creek Campground. Right: Re-roofing a public restroom.*



*Assisting the Forest Service with trail clearing projects.*



*Assisting with Rim Fire reforestation. The crew normally spends 10 to 14 weeks per year working on this project.*



The Tuolumne County Sheriff's Office has been using AB 109 inmates on supervised work crews since May 5, 2014. Based on data compiled since its inception, the statistics demonstrate that the work programs promote positive behavior, vocational skills, and employment which ultimately reduce the risk of recidivism.

- Total workers: 251 inmates
- Inmates that have been rearrested: 56
- Recidivism rate: 22.3%



## C. GEO REENTRY SERVICES

### 1. Day Reporting Center (DRC)

Several dynamic and static risk factors can help determine whether a person has a high chance of recidivism. Of the eight criminogenic needs, the static risk factor that cannot be changed is the criminal history. The seven dynamic risk factors that can be affected through treatment and intervention are anti-social attitudes, anti-social peers, anti-social personality, family, education and employment, pro-social activities, and substance abuse needs. GEO programs target criminogenic needs using evidence-based practices aimed at changing negative thoughts and criminal behaviors. Upon entering the program, each participant's criminogenic needs are assessed, and based on the assessment individuals are placed in programs designed to address the identified needs. Some of those classes include substance abuse prevention and/or treatment, life skills, employment readiness, and anger management or parenting. As a part of the programs, participants are encouraged to obtain employment or receive additional educational training in order to work on reducing their dynamic risk factors. Rather than targeting just one criminogenic need, programs target all of the identified needs in an effort to help participants successfully change their criminal thinking, thus reducing their risk of recidivism.

In order to help participants progress through the programs, staff provide them with cognitive skills training, also referred to as Moral Reconciliation Therapy (MRT). The 16-step treatment program used to deliver the training was designed by Gregory Little and Kenneth Robinson in order to "enhance self-image, promote growth of a positive, productive identity, and facilitate the development of higher stages of moral reasoning" (Little and Robinson, 1996). With the encouragement and support of a group setting, the participant gradually strives to evolve socially, morally and behaviorally through completing the steps that ultimately instill goals, motivation, and values within the individual. The MRT Freedom Ladder serves as the visualization of one's road to achieving the steps, and ultimately reaching a higher level of moral reasoning in conscious decision-making.

GEO Reentry programming at the Day Reporting Center include:

- Moral Reconciliation Therapy groups
- Individual Cognitive Behavioral Therapy
- SUBSTANCE ABUSE CLASSES
- Parenting Classes
- Drug Testing
- Job Skills/Resume Workshops
- Community Service
- Referrals to housing, employment, mental health, veteran services, and other social services including numerous community based organizations



Images from a family event sponsored by GEO where children of participants decorated bird houses.

Figure 5

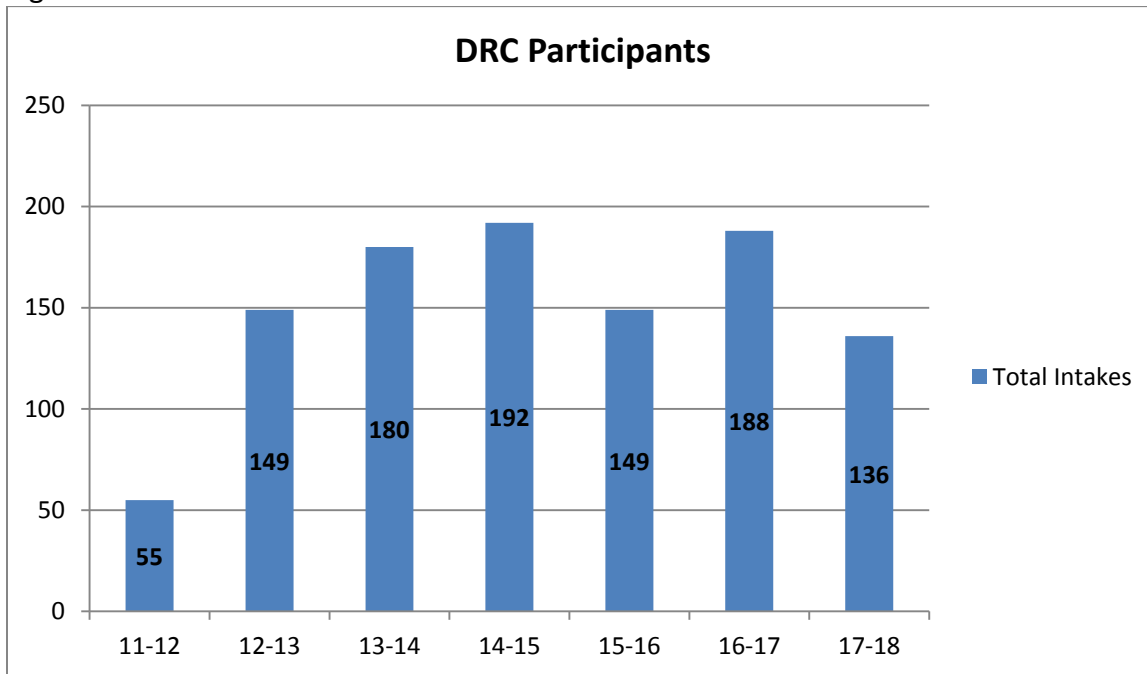
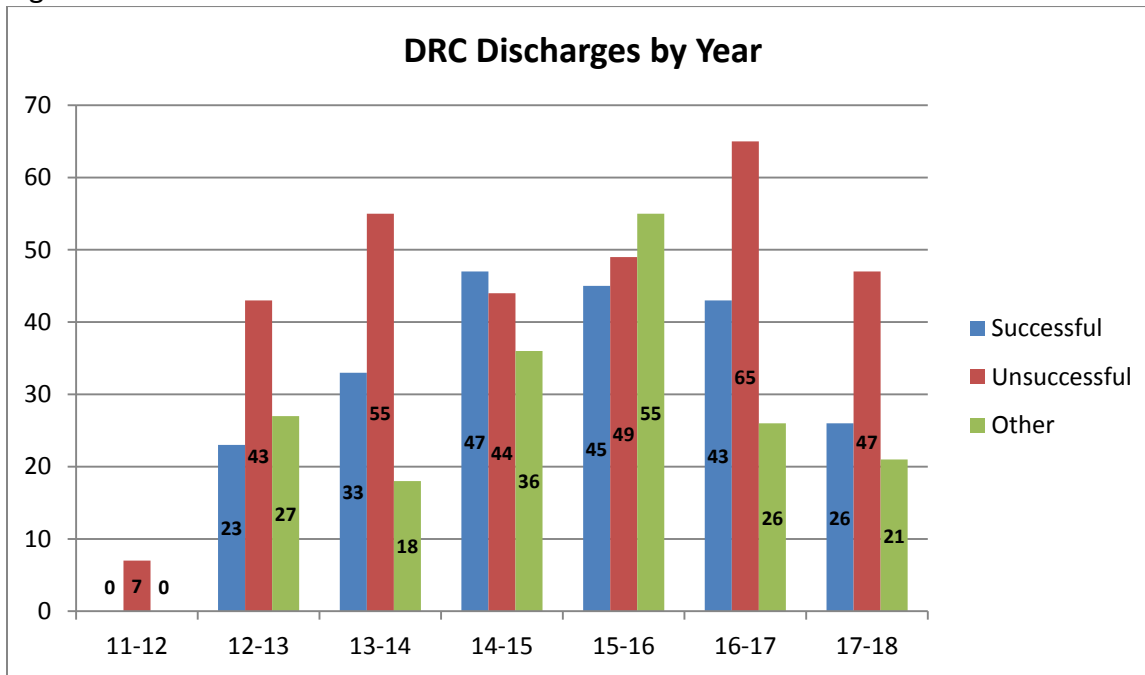


Figure 6



The DRC Program is intended for moderate to high risk offenders to provide a high degree of discipline combined with evidence based intensive treatment programs to prevent criminal behavior and encourage positive social attitudes. The program is extensive and demanding. In order to complete the program an individual must complete Phase I-III, Aftercare (in some cases), and obtain successful employment and housing. This process takes a minimum of 210 days. In order for individuals to move on to the next phase of the program, they need to finish each step in their Moral Reconciliation Therapy Workbook (MRT) and remain drug free. “Successful” is defined as completing all assigned programs and services (Phase I-III) and in some cases Aftercare as well. “Unsuccessful” includes participants who did not complete the program due to non-compliance, absconding, or going to jail. “Other” is considered to be when the individual did not complete the programs for external reasons. Some examples include: probation was transferred, Prop 47 sentence reductions, Prop 36 drug treatment, attaining full time employment, mental/physical limitations, deceased, etc.



*A DRC Aftercare participant receiving her high school diploma.*

## Day Reporting Center Spotlights

### **Spotlight on Jeremy K.**

Jeremy K. (the participant of the month) loves his job as a computer repairman. He loves the work and above all, appreciates his boss. “He’s my go-to guy for help,” Jeremy said. “I talk to him about everything and anything, and he’s always there for me.” It’s only recently that Jeremy has learned to open up to people, a breakthrough he attributes to participating in group sessions as the DRC. “At first I was nervous to talk and share in groups. But after a few weeks in the program, I realized that these classes help. Especially the life skills class. I learn something new every week and we have a good time, always smiling and laughing.” Jeremy is now on Step 7 of the MRT program, and formulating his “master goal plan.” This reflection has led him to realize he needs to allow himself to grieve the loss of his mother. “That’s the biggest thing I’ve learned in this program: to ask for help and counsel.”

### **Spotlight on the SFPUC Apprenticeship**

Participants Taylor G., Alesha N., Lisa V., Constance K., and Stephanie F. are all currently in an apprenticeship with the San Francisco Public Utilities Commissions. The San Joaquin County Office of Education offers this valuable job training, which involves a six-week course to teach basic construction skills such as concrete forming, safety, traffic control, and storm water pollution and prevention. Taylor says it’s a fun, hands-on experience that involves constant learning. “It’s a great way for women to reintegrate into society,” she said. The Public Utilities Commission hopes to hire the women at end of their training to assist in upgrading the infrastructure of the Hetch Hetchy, a large reservoir in Tuolumne County. Stephanie said that the opportunity “allowed me to see my accomplishments and potential. It’s good for the community and my life.”

### **Spotlight on Alyssa B.**

When Alyssa first joined the DRC in December 2016, she wasn’t happy about it. After losing custody of her children and being part of the Dependency Drug Court, she was focused on other commitments and issues in her life. However, her attitude quickly shifted as she learned

what the DRC's program had to offer. "My mind changed quickly from being unhappy to being very grateful that I was going to the DRC," Alyssa said. She credits her progress to what she learned in the program's classes, particularly Substance Abuse, and to the guidance of her case manager. With the staff's help, she's set clear goals for her future, including regaining custody of her children and regaining her license as a certified nursing assistant and medical technician. "I've come a long way," she said. "I'm excited for the future." Because of her progress, Alyssa now attends the DRC just three days a week and recently entered phase three of the program.

### **Spotlight on Jeffrey A.**

Jeffrey was unsuccessful in rehabilitative programs in the past because he was not willing to change. However, he's finally ready and open. "I'm absorbing everything that I can in order to improve and work on myself," Jeffrey said. He's quit using drugs and alcohol, and, through the program, has learned coping skills and tools to use during challenging situations. Currently in Substance Abuse I and II, Parenting and Moral Reconciliation Therapy, he says every single class has been extremely informative and helped him shift his attitude. "I'm learning things I wouldn't have thought about on my own," he said. Because of support from the center's counselors and staff members, Jeffrey has been inspired to become a substance abuse counselor in the future. "The DRC program is definitely beneficial, even to people who haven't been in trouble with drugs and alcohol." Jeffrey said. "It has to do with people who also have anger and impulse-control issues. It's a well-rounded program, and I look forward to completing it."

## **2. Jail Re-entry Program (JRP)**

In 2013, GEO's program was expanded to serve the jail population. The JRP is designed for inmates to participate in evidence based treatment while incarcerated. Individuals can either volunteer or are court mandated to complete the program. The program strives to provide a high degree of discipline combined with intensive treatment programs to prevent criminal behavior and encourage positive social attitudes. The overall goal of the program is to prepare participants for a successful re-entry back into the community. To be successful in the program the participants must finish at least 50% of the core program. Each participant develops a Release Plan 30-60 days prior to expected release. Participants are expected to transfer to the DRC for further programming after release from custody. The JRP provides:

- Individual assessment and treatment planning
- Weekly Cognitive Behavioral Therapy
  - 1-2 hours of Cognitive Behavioral group meetings per week
- Life Skills
- Cognitive Skills
- Substance Abuse Counseling
- Referrals to community resources
- Periodic evaluation of progress
- Awards and affirmation for compliance
- Assistance with job preparation and placement services upon release

Figure 7

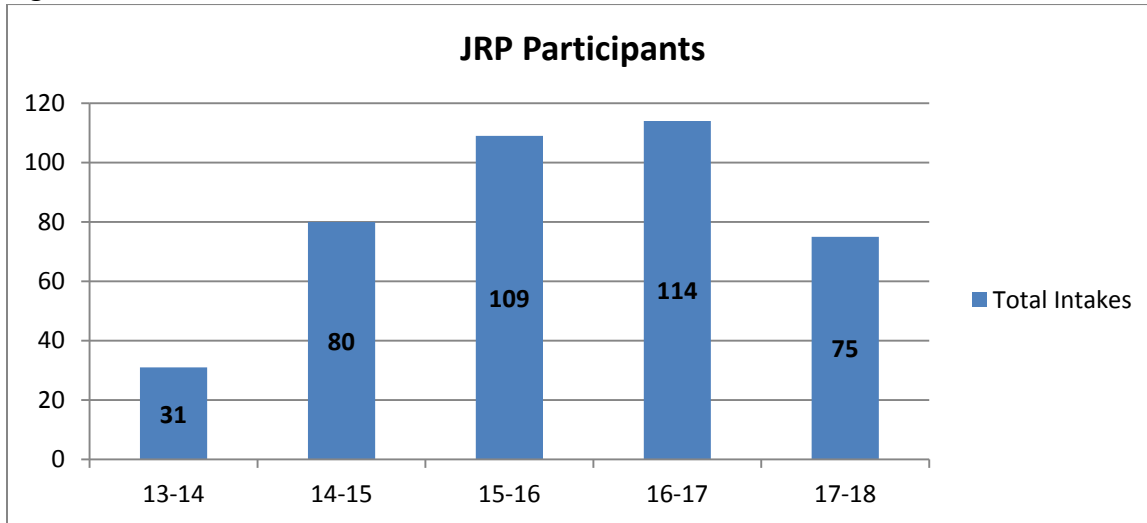
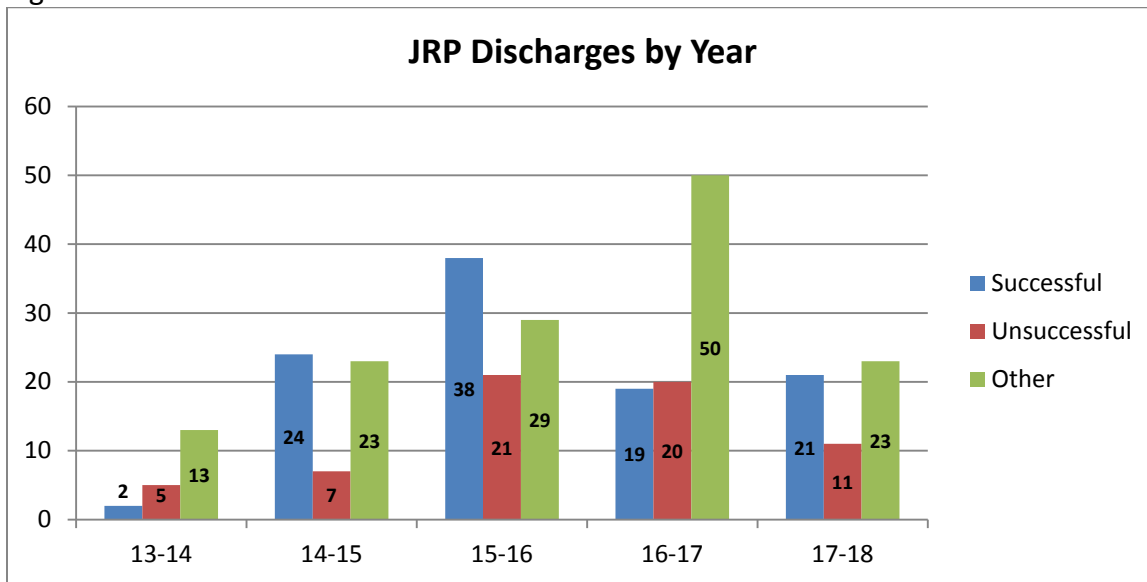


Figure 8



In order to complete the program successfully, an inmate must complete 50% of the program and leave in good standing. “Unsuccessful” include participants who did not complete the program due to non-compliance. “Other” is considered to be when the individual did not complete for external reasons. Some examples include: being released from jail early, transferring to the DRC, etc.



#### D. DISTRICT ATTORNEY'S OFFICE

The District Attorney's Office utilized AB 109 funds to fund one full time Victim/Witness Advocate. The mission of the DA Victim/Witness Program is to reduce the trauma that victims may experience in the wake of a crime, to improve the criminal justice system's understanding of the needs of victims, and to attempt to decrease the incidence of unreported crimes by establishing trust in the criminal justice system. Often after reporting a crime, many victims are left feeling unsure and confused as to what happens next. The Victim/Witness Program offers support and information about victim's rights within the criminal justice system through services such as, case status updates, court escorts, and referral to community services, information regarding restitution, and jail release information. The AB 109 Advocate assists in collecting restitution information and victim impact statements for presentencing reports.

When AB 109 was first enacted, the Tuolumne County Community Corrections Partnership acknowledged that the criminal justice realignment would not only effect the populations identified in the realignment, but also the local populations on probation and incarcerated in our local jails. This has a direct effect on the victims of the defendants that are charged with a felony but will be serving "local prison time". There were further changes such as in the collection of restitution when a defendant is serving time in the county jail versus state prison, early releases due to custody credits, and alternatives to custody for both felons and misdemeanants. Receiving AB 109 funds has allowed the District Attorney's Office to have a specially trained Advocate that can provide information to victims about these changes and assist victims throughout the life of the case and after.

The Victim/Witness Advocate provided services to crime victims, including, but not limited to, drunk driving, burglary, assault, car theft and vandalism. During FY 2017-18, the Victim/Witness Advocate funded by AB 109 has provided services to **288** new victims of crime, offering over **5,691** services to those victims.



*Left: The District Attorney Victim/Witness Booth at a recent local event. Right: Victim/Witness Court Support dogs, Stewart and Ann.*

The District Attorney's criminal division also received AB 109 funding for deputy district attorney time to review and respond to incoming petitions, prepare and appear in court hearings concerning parole revocation, contested PRCS and violation of Mandatory Supervision. AB 109 created new hearings and responsibilities for the District Attorney's Office. A violation of PRCS or parole often results in a petition for revocation being filed. Generally within five days of this filing, the court will hold a hearing. The District Attorney's Office provides a deputy district attorney to staff these hearings. This deputy reviews the petition and represents the People at the hearing. In Tuolumne County during FY 2017-18, the People attended a total of **101 PRCS hearings, 3 contested PRCS hearings, and 78 Violation of Mandatory Supervision hearings.**

As mentioned above, AB 109 (as well as Prop 57, the Public Safety and Rehabilitation Act of 2016) have drastically increased the amount of appearances and reviews done by the District Attorney's Office. With the early release of offenders, the District Attorney's Office is struggling to review all board of parole hearing early release notification letters and respond within 30 days. In 2017-18 in Tuolumne County, the People **reviewed and responded to 42 nonviolent parole release review letters.** This takes an incredible amount of time and resources. Finally, the Tuolumne County District Attorney's Office has seen an overwhelming increase in both PRCS and Mandatory Supervision hearings.

## E. BEHAVIORAL HEALTH DEPARTMENT

The Behavioral Health Department received AB 109 funding to support substance use treatment in effort to support the goals of reducing recidivism and increasing employment.

Behavioral Health's focus continued to emphasize recovery oriented service management to access stable housing and/or treatment, including residential support for stabilization. Recidivism often occurs as a result of challenges to meet basic needs, relapse of substance use, and poor inter-social relationships. Stable supported housing, networking and focused recovery and rehabilitative treatment toward meeting the unique needs of persons with co-morbid substance and mental health challenges.

- 9 Individuals went to residential treatment
- Treatment episodes per individual were from 7 to 89 days with a total of 360 days of treatment provided overall
- 6 of the 9 individuals successfully completed residential treatment

### Positive Quotes from Substance Use Disorder Programing

**Levi C:** "I learned valuable tools and life skills I needed to stay clean and achieve some goals I had made for myself in my recovery. If it were not for these programs I wouldn't be where I am at in my life."

**Kim H:** "I realize not everyone who enters treatment is serious about changing their life for the long term. That is not me. I want to be sober for the rest of my life. I am thankful for the ongoing treatment and support."

**Sarah S:** "With these programs I have learned not only to live my life without using drugs, I have also learned to make better choices and regain trust in my family and myself."

**IV. Tuolumne County CCP FY 2018-19 Plan Update**

On June 19, 2018, your Board accepted the CCP’s FY 2018-19 Plan update.

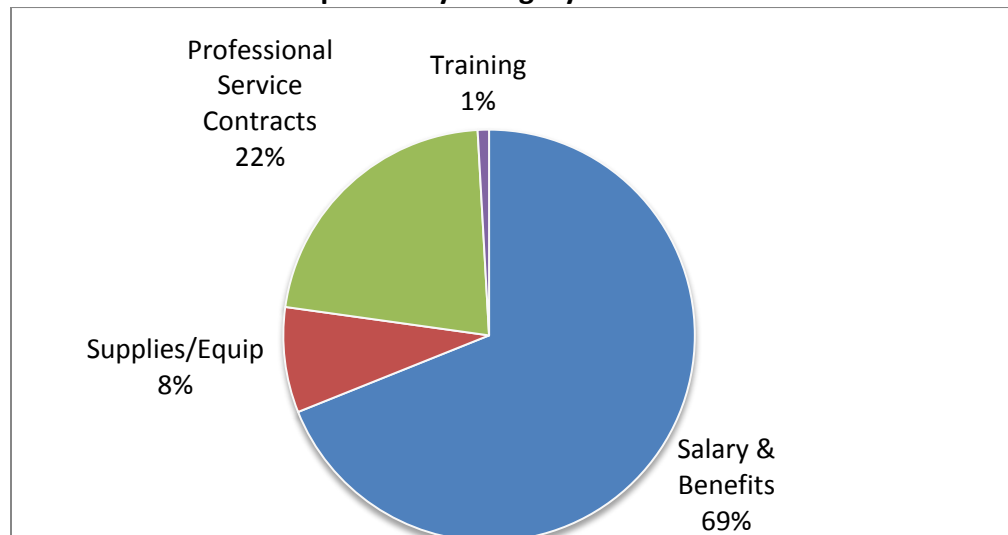
**A. Budget**

The CCP has a FY 2018-19 budget of \$2,251,259. The tables below show the CCP’s approved expenses by category, as well as revenue and trust balances. Please see Attachment 2 for the FY 2018-19 CCP full line item budget, approved your Board on June 19<sup>th</sup>.

**CCP AB 109 FY 2018-19 Budget by Category**

EXPENSE		
Category	Totals	Details
Salary & Benefits	\$ 1,551,866	All Tuolumne County staffing costs for Probation Dept., Sheriff’s Office, District Attorney’s Office, & Behavioral Health Dept.
Supplies/Equipment	\$ 186,305	Includes building rent, program supplies, operational costs such as phones, safety equipment, etc.
Professional Service Contracts	\$ 493,088	Day Reporting/Jail Reentry programs, substance abuse residential treatment, drug testing, pre-trial check-in/reminders, & EMP costs
Training	\$ 20,000	Probation Dept. & Sheriff’s Office relevant trainings
<b>Total Expenses</b>	<b>\$ 2,251,259</b>	<i>Inclusive of all approved expenses</i>

**FY 18-19 CCP AB 109 Expenses by Category**



The pie chart above illustrates that the bulk of CCP expense is attributed to staffing. The next highest cost is for professional services, most significantly GEO Reentry Services programming. All other costs, including supplies, equipment, and training, make up less than 10 percent of total AB 109 costs.

REVENUE		
<i>Estimated Allocation for Operations</i>	\$ 2,253,307	<i>Forecasted FY 2018-19 base allocation per Governor's Final Budget, plus actual FY 2017-18 growth allocation</i>
<i>Implementation &amp; Planning Revenue</i>	\$ 100,000	<i>To be received for completing annual CCP Survey</i>
Excess to be Saved in Trusts	\$ 102,048	

Trust Balances as of 6/30/2018		
Total Operations	\$ 442,045	Minimum \$400,000 reserve
Total Implementation & Planning	\$ 752,743	For non-recurring expenses only
<i>Total Held In Trust</i>	<b>\$ 1,194,788</b>	<i>Inclusive of all funds in trust as of 06/30/18</i>

## B. Goals

Two new goals were chosen to guide CCP progress for FY 2018-19, which were as follows:

1. Formation of a multi-disciplinary treatment team to work collaboratively towards identification and treatment of offenders' medical, mental health, substance use, and housing needs.
2. Creation of a trial mental health competency program to assist offenders that are found mentally incompetent to stand trial under 1368 P.C. with treatment and possibly restoration services while locally incarcerated and awaiting placement in the state hospital system.

## C. Plan Update

Highlights of the FY 2018-19 AB 109 Budget/Plan Update accepted by your Board on June 19, 2018 include the following:

- Alternatives to Detention/Day Reporting Center operations will be moved to County owned locations by November 1, 2018, resulting in \$38,480 rent savings for FY 2018-19.
- The Behavioral Health Department includes funding for half of a full time Behavioral Health Clinician and a specific line item for housing and residential substance abuse treatment services for AB 109 offenders. The department also maintains limited funding for Recovery Counselor and Peer Specialist positions. All funding will be utilized in an effort to provide a smooth transition and necessary mental health and/or substance use disorder services, and to support success in the community while meeting judicial requirements.
- The District Attorney's Office continues to fund a Victim/Witness Advocate assigned to AB 109. The purpose of the program is to reduce the trauma that victims may experience in the wake of a crime, to improve the criminal justice system's understanding of the needs of victims, and to attempt to decrease the incidence of unreported crimes by establishing trust in the criminal justice system. The office also

increased funding for Criminal Division attorney staffing to work on Post Release Community Supervision (PRCS) and Mandatory Supervision cases.

- The Probation Department reduced funding to the Work Release (WR) program and increased funding to its pre-trial services, including the Electronic Monitoring Program (EMP), due to corresponding fluctuations in participation and service demands. While sentencing and participation in WR has decreased somewhat, EMP (global positioning system and alcohol monitoring) sentencing and participation have significantly expanded. Probation's pre-trial related work has put a larger than expected demand on staff. The Probation Department is tracking the results of the Pre-Trial program to provide valuable statistics to the CCP Pre-Trial workgroup and the BOS. Probation is also looking to improve participant success by adding an automated text or telephone call Court Reminder and Reporting System.
- The Sheriff's Office continues to utilize AB 109 funding for related staffing, training, and male/female inmate work crew supplies. The purpose of Sheriff's Office funding remains to ensure the proper care, control, safety, and skill enhancement of AB 109 inmates.

CCP members understand the importance of securing additional funding and continue to actively search for possible grant opportunities and cooperative agreements that may further enhance services and reduce costs. The CCP is also working to solidify outcome measures and improve data collection to assist in determining the success of our Plan and to provide statistical backing for possible future grant applications. It is apparent that the funding level for AB 109 is unlikely to ever reach the level of actual expenses incurred as a result of the legislation and mandated programs. It is incumbent upon the County to actively seek further efficiencies, revenue opportunities, and expense reductions in order to sustain the overall AB 109 program into the future.

Programs such as the High Risk Supervision Team, Day Reporting Center, Jail Reentry Program, the inmate and out of custody work programs, Pre-Trial Risk Assessment and electronic monitoring are all evidence based or promising practices that have shown distinctly positive results in our community in terms of on-going public safety, reducing recidivism, and increasing education and employment opportunities for criminal offenders.

#### **D. Bail Reform – SB 10**

SB 10 passed in the California legislature, and was signed into law by Governor Jerry Brown. This bill, which will become law effective 10/1/2019, eliminates the monetary bail system, requires instead the Court to consider risk factors for the individual committing a new offense and the probability of the individual returning to Court for hearings and or trial. SB10 mandates a state-wide system similar to the CCP's Tuolumne County Pre-Trial program, but it will also include an expansion of duties of services provided by the Court and presumably the Probation Department. Probation will also work closely with the Courts to ensure compliance with SB10.

## **V. Summary:**

The Tuolumne County Public Safety Realignment Act Implementation and Updated Plans are intended to provide a comprehensive approach to addressing public safety, while effectively addressing criminal recidivism. Elements of the plan manage offenders returning to Tuolumne County from state prison and those who are committed to serve their sentence locally instead of state prison. In addition, the plan targets alternatives to traditional incarceration for certain offenders by utilizing a core one stop treatment center (the Day Reporting Center) and additional evidence based programs to supervise and rehabilitate the AB 109 population while reserving scarce jail beds for the most serious offenders.

**Attachment 1**

**Violent Felony Reference Sheet**

<b>Charge</b>	<b>Description</b>	<b>PC 667.5 Reference</b>
	Any felony punishable by death or life imprisonment	667.5(c)(7)
PC37	Treason	667.5(c)(7)
PC 128	Perjury resulting in capital punishment	667.5(c)(7)
PC 136.1	Preventing or dissuading testimony, if a felony under Penal Code Section 186.22	667.5(c)(20)
PC 187	Murder	667.5(c)(1)
PC 192	Voluntary manslaughter	667.5(c)(1)
PC 203	Mayhem	667.5(c)(2)
PC 205	Aggravated mayhem	667.5(c)(2)
PC 207	Kidnapping	667.5(c)(14)
PC 211	Any robbery	667.5(c)(9)
PC 215(a)	Carjacking	667.5(c)(17)
PC 220	Assault with intent to commit specified felony	667.5(c)(15)
PC 261(a)(2),(a)(6)	Rape	667.5(c)(3)
PC 262(a)(1),(a)(4)	Spousal rape	667.5(c)(3)
PC 264.1	Rape, spousal rape <sup>1</sup> or sexual penetration in concert	667.5(c)(18)
PC 286(c),(d)	Sodomy	667.5(c)(4)
PC 288(a),(b)	Lewd or lascivious act	667.5(c)(6)
PC 288.5	Continuous sexual abuse of a child	667.5(c)(16)
PC 288a(c), (d)	Oral copulation	667.5(c)(5)
PC 289(a), (j)	Sexual penetration	667.5(c)(11)
PC 451(a)l (b)	Arson	667.5(c)(10)
PC 459, 460(a)	First degree burglary of inhabited dwelling with person present	667.5(c)(21)
PC 518	Extortion which would constitute a felony violation of Penal Code Section 186.22	667.5(c)(19)
PC 664/187	Attempted murder	667.5(c)(12)
PC 11418(b),(c)	Use weapon of mass destruction in form that may cause widespread illness/injury or damage to natural resources	667.5(c)(23)
PC 12022.3(a)	Use of firearm in commission of specified sex offenses	667.5(c)(8)
PC 12022.5	Use of firearm in commission of felony	667.5(c)(8)
PC 12022.53	Use of discharge of firearm in specified felony	667.5(c)(22)
PC 12022.55	Intentional infliction of great bodily injury or death by discharging firearm from vehicle	667.5(c)(8)
PC 12022.7	Infliction of great bodily injury in commission of felony	667.5(c)(8)
PC 12022.8	Infliction of great bodily injury in commission of specified sex offenses	667.5(c)(8)
PC 12022.9	Intentional infliction of injury upon pregnant victim which terminates pregnancy	667.5(c)(8)
PC 12308	Explosion of device with intent to commit murder	667.5(c)(13)
PC 12309	Explosion of device which causes bodily injury	667.5(c)(13)



PC 12310	Explosion of device which causes death, mayhem or great bodily injury	667.5(c)(13)
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### Serious Felony Reference Sheet

Charge	Description	Penal Code Reference
	Any felony punishable by death or life imprisonment	1192.7(c)(7)
	Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm	1192.7(c)(8)
	Assault by life prisoner on a non-inmate	1192.7(c)(12)
	Exploding a destructive device with intent to injure	1192.7(c)(15)
	Attempt to commit a felony punishable by death or imprisonment in the state prison for life	1192.7(c)(22)
	Any felony in which the defendant personally used a dangerous or deadly weapon	1192.7(c)(23)
	Selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 of subdivision (a) of Section 11100 of the Health and Safety Code	1192.7(c)(24)
	Attempt to commit a crime listed in 1192.7(c) other than an assault	1192.7(c)(39)
	Conspiracy to commit a crime listed in 1192.7(c)	1192.7(c)(42)
PC 136.1	Victim or witness intimidation	1192.7(c)(37)
PC 186.22	Criminal street gang activity that constitutes a felony	1192.7(c)(28)
PC 187	Murder	1192.7(c)(1)
PC 191.5	Gross vehicular manslaughter while intoxicated	1192.8
PC 192(a),(c)(1)	Voluntary manslaughter, Vehicular manslaughter	1192.7(c)(1), 1192.8
PC 192.S(a),(b), (c)	Vehicular manslaughter-vessel	1192.8
PC203	Mayhem	1192.7(c)(2)
PC207	Kidnapping	1192.7(c)(20)
PC211	Robbery/bank robbery	1192.7(c)(19)
PC 215(a)	Carjacking	1192.7(c)(27)
PC 220/211/261	Assault with intent to commit rape/robbery	1192.7(c)(10)
PC220	Assault with intent to commit mayhem, rape, sodomy, or oral copulation	1192.7(c)(29)
PC244	Assault with caustic chemicals, etc.	1192.7(c)(30)

PC245	Assault with a deadly weapon or instrument on a peace officer or firefighter	1192.7(c)(11)(31)
PC 245.2, 245.3, 245.5	Assault with a deadly weapon or instrument on a public transit employee, custodial officer or school employee	1192.7(c)(32)
PC 246	Discharging firearm at inhabited dwelling, vehicle, or aircraft	1192.7(c)(33)
PC 246.3	Discharging firearm in grossly negligent manner. (People v. Leslie (1996) 47 Cal.App.4th 198, rev .denied).	1192.7(c)(8)
PC 261	Rape	1192.7(c)(3)
PC 264.1	Rape/sexual penetration in concert by force or violence	1192.7(c)(34)
PC 273.5	Corporal Injury	1270.1(2)
PC 286(c)	Sodomy by force, violence, duress, menace, fear or threat of retaliation on victim or another	1192.7(c)(4)
PC 288	Lewd acts on a child under 14	1192.7(c)(6)
PC 288.5	Continuous sexual abuse of a child	1192.7(c)(35)
PC 288a(c)	Oral copulation by force, violence, duress, menace or fear	1192.7(c)(5)
PC 288a(d)	Oral copulation by force, violence, duress, menace or fear-acting in concert	1192.7(c)(5)
PC 289(a)	Sexual penetration by force, violence, duress, menace or fear	1192.7(c)(25)
PC 422	Criminal threats	1192.7(c)(38)
PC 451(a)	Arson	1192.7(c)(14)
PC 459	First degree burglary	1192.7(c)(18)
PC 487	Grand theft involving firearm	1192.7(c)(26)
PC 664/187	Attempted murder	1192.7(c)(9)
PC 4501	Assault with a deadly weapon by an inmate	1192.7(c)(13)
PC 4503	Holding of hostage by state prisoner	1192.7(c)(21)
PC 11418(b), (c)	Use weapon of mass destruction in form that may cause widespread illness/injury or damage to natural resources	1192.7(c)(41)
PC 12022.53	Use or discharge of firearm in specified felonies	1192.7(c)(40)
PC 12034(c),(d)	Shooting from a vehicle	1192.7(c)(36)
PC 12308	Explosion of destructive device with intent to commit murder	1192.7(c)(17)
PC 12309	Explosion of destructive device which causes bodily injury	1192.7(c)(16)
PC 12310	Explosion of destructive device which causes bodily mayhem or great bodily injury	1192.7(c)(16)

**Attachment 2**

**Community Corrections Partnership (CCP) Approved AB 109 Budget  
Fiscal Year 2018-19**

<b>Department</b>	<b>Description</b>	<b>FY 2018-19 Approved</b>
Behavioral Health	Housing/Residential Substance Abuse Treatment	\$30,000
Behavioral Health	Staff-BH Clinician II (0.5 FTE)	\$47,235
Behavioral Health	Staff-Peer Specialist (0.1 FTE)	\$3,608
Behavioral Health	Staff-Recovery Counselor (0.1 FTE)	\$5,550
District Attorney	Staff-Attorney (0.12 FTE)	\$15,000
District Attorney	Staff-Victim Witness Advocate	\$77,677
Probation	Cell phone service for AB 109 Field Staff	\$1,920
Probation	Confidential Document Shredding Services	\$960
Probation	Drug Testing Services	\$3,600
Probation	Electronic Monitoring Adult On-Call	\$11,250
Probation	Electronic Monitoring Program (GPS, AMS)	\$63,200
Probation	Expendable Equipment & Personal Supplies	\$3,000
Probation	Office Supplies for Probation AB 109 Staff	\$2,500
Probation	Phone Charges for Probation AB 109 Staff	\$5,175
Probation	Photocopy/Forms (Probation AB 109 related)	\$4,000
Probation	Pre-Trial Automated Check-In/Reminders	\$4,800
Probation	Probation Vehicle	\$31,000
Probation	Small Tools/Supplies-Work Release	\$2,500
Probation	Staff-Legal Assistant (II)	\$58,042
Probation	Staff-Office Assistant (Sr.)	\$52,048
Probation	Staff-Probation Officer (Deputy I)	\$57,440
Probation	Staff-Probation Officer (Deputy II)	\$109,341
Probation	Staff-Probation Officer (Sr. Deputy)	\$105,695
Probation	Staff-Probation Officer (Supervising)	\$126,670
Probation	Staff-Work Release Site Coordinator	\$59,822
Probation	Staff-Work Release Site Coordinator (Sr.)	\$72,623
Probation	Training for Probation AB 109 Staff	\$10,000
Probation	Workers Compensation-Work Release	\$40,280
Shared	Building Rent-Day Reporting Center (7/1/18 - 10/31/18)	\$18,720
Shared	BI/GEO Contract-Day Reporting Center & Jail Re-entry Program	\$391,488
Sheriff	Inmate Work Crew program supplies	\$65,000
Sheriff	Staff-Classification Officer	\$98,333
Sheriff	Staff-Jail Commander (0.5 FTE)	\$74,130
Sheriff	Staff-Jail Deputy-Inside Jail	\$83,312
Sheriff	Staff-Jail Deputy-Work Crew Female	\$90,407

Sheriff	Staff-Jail Deputy-Work Crew Male	\$77,621
Sheriff	Staff-Jail Program Specialist (Work Crew Mgr.)	\$69,211
Sheriff	Staff-Sheriff Deputy	\$111,378
Sheriff	Staff-Sheriff Sergeant	\$156,723
Sheriff	Training for Sheriff AB 109 Staff	\$10,000
<b>Total Expense</b>		<b>\$2,251,259</b>