

BOARD MINUTES

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

SUPERVISORS STEVE BENNETT, LINDA PARKS,  
KATHY I. LONG, PETER C. FOY AND JOHN ZARAGOZA  
September 27, 2011 at 11:30 a.m.

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Approval of the Local Community Corrections Partnership's Phase I Plan for the Implementation of the 2011 Public Safety Realignment; Approval of the Phase I Funding Allocations for Fiscal Year 2011-12 (Recommendations 1 and 2 Will Be Deemed Accepted Unless Rejected by a 4/5ths vote); Approval of, and Authorization for, the Director of Human Resources to Establish the Recommended Positions; and Authorization for the Auditor-Controller to Process the Necessary Accounting Transactions. **(Probation) RECOMMENDATION NO'S 3 THROUGH 9 REQUIRE 4/5THS VOTE**

- (X) All board members are present.
- (X) The following persons are heard by the Board: Mark Varela and Geoff Dean.
- (X) The following documents are submitted to the Board for consideration:
  - (X) PowerPoint Presentation: Public Safety Realignment.
- (X) Upon motion of Supervisor Long, seconded by Supervisor Zaragoza, and duly carried, the Board hereby approved the attached staff recommendations.

By: Paola L. Quiñó  
Deputy Clerk of the Board

CLERK'S CERTIFICATE

I hereby certify that the annexed instrument is a true and correct copy of the document which is on file in this office.  
MICHAEL POWERS, Clerk of the Board of Supervisors,  
County of Ventura, State of California.

Dated: 10-10-11

By: Paola L. Quiñó  
Deputy Clerk of the Board



Item# 32  
09/27/11

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# Ventura County Probation Agency

Mark Varela  
Director/Chief Probation Officer

September 27, 2011

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, California 93009

**SUBJECT: Approve the Local Community Corrections Partnership's Phase I Plan for the Implementation of the 2011 Public Safety Realignment; Approve the Phase I Funding Allocations for FY 2011-12 (Recommendations 1 and 2 will be Deemed Accepted Unless Rejected by a 4/5ths vote); Authorize the Director of Human Resources to Establish the Recommended Positions; and Authorize the Auditor-Controller to Process the Necessary Accounting Transactions. (RECOMMENDATIONS 3 THROUGH 9 REQUIRES 4/5THS VOTE.)**

## RECOMMENDATIONS:

It is recommended that your Board:

1. Approve the Local Community Corrections Partnership's Phase I plan as set forth in this Board letter for the implementation of the 2011 Public Safety Realignment pursuant to AB 109, AB 117, and AB 118.
2. Approve the following Phase I Plan funding allocations for Fiscal Year 2011-12:

|                                | Local Community Corrections Account (LCCA) | District Attorney & Public Defender Account | LCCA - Planning | LCCA - Start Up Costs | Totals      |
|--------------------------------|--|---|-----------------|-----------------------|-------------|
| FY12 State Funding             | \$5,696,790                                | \$204,203                                   | \$200,000       | \$401,975             | \$6,502,968 |
| Probation                      | \$1,470,383                                |   | \$100,000       |                       | \$1,570,383 |
| Sheriff                        | \$1,342,284                                |   |                 | \$250,000             | \$1,592,284 |
| District Attorney              | \$123,602                                  | \$87,035                                    |                 |                       | \$210,637   |
| Public Defender                | \$53,614                                   | \$102,100                                   |                 |                       | \$155,714   |
| Behavioral Health              | \$943,000                                  |   |                 |                       | \$943,000   |
| Local Law Enforcement          | \$320,000                                  |   |                 |                       | \$320,000   |
| Total Allocations              | \$4,252,883                                | \$189,135                                   | \$100,000       | \$250,000             | \$4,792,018 |
| Unallocated FY12 State Funding | \$1,443,907                                | \$15,068                                    | \$100,000       | \$151,975             | \$1,710,950 |

3. Authorize the Director of Human Resources to establish the following regular position allocation in the Probation Agency, effective October 2, 2011:

| Job Code | Description         | Business Unit        | Department | FTE | Comp Frequency | Annual Salary Range        |
|----------|---------------------|----------------------|------------|-----|----------------|----------------------------|
| 01293    | Fiscal Assistant IV | Adult Field Services | 4200-4235  | 1.0 | Bi-weekly      | \$30,341.15 to \$42,472.92 |

4. Authorize the Director of Human Resources to establish the following regular position allocations in the District Attorney's Office, effective January 1, 2012:

| Job Code | Description         | Business Unit | Department | FTE | Comp Frequency | Annual Salary Range          |
|----------|---------------------|---------------|------------|-----|----------------|------------------------------|
| 00219    | Attorney III        | DAOVC         | 3400-3403  | 2.0 | Bi-weekly      | \$105,291.79 to \$127,989.29 |
| 00586    | Victim Advocate III | DAOVC         | 3400-3403  | 1.0 | Bi-weekly      | \$35,624.79 to \$50,092.73   |

5. Authorize the Director of Human Resources to establish the following regular position allocations in the Public Defender's Office, effective October 2, 2011.

| Job Code | Description      | Business Unit | Department | FTE | Comp Frequency | Annual Salary Range        |
|----------|------------------|---------------|------------|-----|----------------|----------------------------|
| 00219    | Attorney III     | PDO           | 3600-3602  | 1.0 | Bi-Weekly      | \$105,291.79- \$127,989.29 |
| 01788    | Social Worker IV | PDO           | 3600-3602  | 1.0 | Bi-Weekly      | \$41,511.98- \$58,177.81   |

6. Authorize the Director of Human Resources to add the following regular position allocations to the Sheriff's Detention Services Division, effective October 2, 2011:

| Job Code | Description            | Business Unit | Department | FTE | Comp Frequency | Annual Salary Range       |
|----------|------------------------|---------------|------------|-----|----------------|---------------------------|
| 00550    | Deputy Sheriff         | SHFVC         | 4050-4054  | 1.0 | Bi-Weekly      | \$60,160.64 - \$83,990.80 |
| 01057    | Senior Deputy Sheriff  | SHFVC         | 4050-4054  | 1.0 | Bi-Weekly      | \$88,190.78 - \$92,583.04 |
| 01331    | Management Assistant I | SHFVC         | 4050-4054  | 1.0 | Bi-Weekly      | \$28,739.95 - \$40,185.95 |

7. Authorize the Director of Human Resources to add the following regular position allocation to the Sheriff's Detention Services Division, effective December 25, 2011:

| Job Code | Description             | Business Unit | Department | FTE | Comp Frequency | Annual Salary Range       |
|----------|-------------------------|---------------|------------|-----|----------------|---------------------------|
| 00622    | Program Administrator I | SHFVC         | 4050-4070  | 2.0 | Bi-Weekly      | \$48,447.90 - \$67,827.06 |

8. Authorize the Director of Human Resources to establish the following regular position allocation in the Health Care Agency's Mental Health Adult Services - Prop 63 Adult Program, effective January 1, 2012:

| Job Code | Description                    | Business Unit | Department | FTE       | Comp Frequency | Annual Salary Range |                          |
|----------|--------------------------------|---------------|------------|-----------|----------------|---------------------|--------------------------|
| 00431    | Behavioral Health Clinician IV |               | MHL        | 5130-5132 | 1.0            | Bi-Weekly           | \$50,563.29- \$70,831.09 |

9. Authorize the Auditor-Controller to process the necessary accounting transactions to establish appropriations and unanticipated revenue for FY 2011-12 as follow:

Budget Organization 3400-3403

INCREASE Realignment Revenue 2011 \$ 210,637  
 INCREASE Salaries and Benefits \$ 210,637

Budget Organization 3600-3602:

INCREASE Realignment Revenue 2011 \$ 155,714  
 INCREASE Salaries and Benefits \$ 155,714

Budget Organization 4200-4235

INCREASE Realignment Revenue 2011 \$1,470,383  
 INCREASE Salaries and Benefits \$ 824,646  
 INCREASE Services and Supplies \$ 645,737

Budget Organization 4200-4210

INCREASE Realignment Revenue 2011 \$ 420,000  
 INCREASE Services and Supplies \$ 420,000

Budget Organization 4050-4052

INCREASE Realignment Revenue 2011 \$ 784,160  
 INCREASE Services and Supplies \$ 784,160

|                                      |                          |            |
|--------------------------------------|--------------------------|------------|
| <u>Budget Organization 4050-4054</u> |                          |            |
| INCREASE                             | Realignment Revenue 2011 | \$ 558,042 |
| INCREASE                             | Salaries and Benefits    | \$ 304,642 |
| INCREASE                             | Services and Supplies    | \$ 253,400 |

|                                      |                          |            |
|--------------------------------------|--------------------------|------------|
| <u>Budget Organization 4050-4070</u> |                          |            |
| INCREASE                             | Realignment Revenue 2011 | \$ 250,082 |
| INCREASE                             | Salaries and Benefits    | \$ 87,208  |
| INCREASE                             | Services and Supplies    | \$ 162,874 |

|                                      |                          |            |
|--------------------------------------|--------------------------|------------|
| <u>Budget Organization 5130-5132</u> |                          |            |
| INCREASE                             | Realignment Revenue 2011 | \$ 597,000 |
| INCREASE                             | Salaries and Benefits    | \$ 66,000  |
| INCREASE                             | Services & Supplies      | \$ 531,000 |

|                                      |                          |            |
|--------------------------------------|--------------------------|------------|
| <u>Budget Organization 5150-5153</u> |                          |            |
| INCREASE                             | Realignment Revenue 2011 | \$ 346,000 |
| INCREASE                             | Services & Supplies      | \$ 346,000 |

**FISCAL MANDATES/IMPACT:**

Mandatory:  
Source of Funding:

- Yes  
**Local Revenue Fund 2011 for FY 2012** as follows:
1. District Attorney and Public Defender Account - \$87,035 for DA, \$102,100 for PD.
  2. Local Community Corrections Account - \$123,602 for DA, \$53,614 for PD, \$1,342,284 for Sheriff, \$1,470,383 for Probation, \$943,000 for Behavioral Health, and \$320,000 for Local Law Enforcement Agencies paid through Probation.
  3. Local Community Corrections Account, Planning - \$100,000 for consultant through Probation.
  4. Local Community Corrections Account, Start-Up Costs - \$250,000 for development of AB 109 Case Tracking Management Information System paid through the Sheriff.

Funding Match Required: None  
Impact on Other Departments: Entire local justice system is impacted

|  |                     |                   |
|--|---------------------|-------------------|
| <b>Summary of Revenue and Total Costs:</b> | <b>FY 2011-2012</b> | <b>FY 2012-13</b> |
| Revenue:                                   | \$4,792,018         | unknown           |
| Costs:                                     |                     |                   |
| Direct                                     | \$4,792,018         | unknown           |
| Indirect – Dept.                           |                     |                   |
| Indirect – County CAP                      |                     |                   |
| Total Costs                                | \$4,792,018         | unknown           |
| Net County Cost, Including Indirect        | \$0                 |                   |
| Recovered Indirect Cost:                   | \$0                 |                   |

| <b>Current FY 2011-12 Budget Projection for District Attorney BU #3400</b> |                |                 |                  |                            |
|--|----------------|-----------------|------------------|----------------------------|
|  | Adopted Budget | Adjusted Budget | Projected Budget | Estimate (Savings/Deficit) |
| Appropriations   | \$38,327,909   | \$38,327,909    | \$38,327,909     | 0                          |
| Revenue  | \$14,722,909   | \$14,722,909    | \$14,722,909     | 0                          |
| Net Cost   | \$23,605,000   | \$23,605,000    | \$23,605,000     | 0                          |

| <b>Current FY 2011-12 Budget Projection for Public Defender BU #3600</b> |                |                 |                  |                            |
|--|----------------|-----------------|------------------|----------------------------|
|  | Adopted Budget | Adjusted Budget | Projected Budget | Estimate (Savings/Deficit) |
| Appropriations   | \$13,900,851   | \$13,900,851    | \$13,900,851     | 0                          |
| Revenue  | \$ 2,745,851   | \$ 2,745,851    | \$ 2,745,851     | 0                          |
| Net Cost   | \$11,155,000   | \$11,155,000    | \$11,155,000     | 0                          |

| <b>Current FY 2011-12 Budget Projection for Sheriff Detention BU #4050</b> |                |                 |                  |                            |
|--|----------------|-----------------|------------------|----------------------------|
|  | Adopted Budget | Adjusted Budget | Projected Budget | Estimate (Savings/Deficit) |
| Appropriations   | \$87,193,092   | \$87,283,519    | \$87,283,519     | 0                          |
| Revenue  | \$34,818,164   | \$34,818,164    | \$34,818,164     | 0                          |
| Net Cost   | \$52,374,928   | \$52,465,355    | \$52,465,355     | 0                          |

| <b>Current FY 2011-12 Budget Projection for Probation BU #4200</b> |                |                 |                  |                            |
|--|----------------|-----------------|------------------|----------------------------|
|  | Adopted Budget | Adjusted Budget | Projected Budget | Estimate (Savings/Deficit) |
| Appropriations   | \$59,113,642   | \$59,113,642    | \$59,113,642     | 0                          |
| Revenue  | \$26,632,642   | \$26,632,642    | \$26,632,642     | 0                          |
| Net Cost   | \$32,481,000   | \$32,481,000    | \$32,481,000     | 0                          |

| <b>Current FY 2011-12 Budget Projection for Mental Health Adult Services<br/>BU #5130-5132</b> |                   |                    |                     |                               |
|--|-------------------|--------------------|---------------------|-------------------------------|
|  | Adopted<br>Budget | Adjusted<br>Budget | Projected<br>Budget | Estimate<br>(Savings/Deficit) |
| Appropriations   | \$10,295,081      | \$10,295,081       | \$10,295,081        | 0                             |
| Revenue  | \$10,351,025      | \$10,351,025       | \$10,351,025        | 0                             |
| Net Cost   | \$55,944          | \$55,944           | \$55,944            | 0                             |

| <b>Current FY 2011-12 Budget Projection for ADP – Non-Residential Program<br/>BU #5150-5153</b> |                   |                    |                     |                               |
|---|-------------------|--------------------|---------------------|-------------------------------|
|   | Adopted<br>Budget | Adjusted<br>Budget | Projected<br>Budget | Estimate<br>(Savings/Deficit) |
| Appropriations  | \$3,828,201       | \$3,828,201        | \$3,828,201         | 0                             |
| Revenue   | \$3,828,201       | \$3,828,201        | \$3,828,201         | 0                             |
| Net Cost  | \$0               | \$0                | \$0                 | 0                             |

**Executive Summary:**

As part of the 2011-2012 State budget, the State shifted much of the responsibility for the housing of lower level inmates and monitoring of parolees to the counties. Along with this shift, the State provided additional money to the counties; this year the County will receive approximately \$6.5 million under the program. The combination of these acts is known euphemistically as "Realignment".

To qualify for the funding, each county must establish a community corrections partnership (CCP) comprised of designated local officials and chaired by the Chief Probation Officer of each county. An executive committee of each CCP must present a recommended plan to its county's board of supervisors setting out how the realignment program will be implemented and how the additional money will be spent. Phase 1 of the County's CCP's recommended plan is set forth in recommendations number one and two, above, and in the body of this board letter. The plan provides for the expenditure of approximately \$ 4.8 million of the \$6.5 million allocated to the County for the program. The Phase I plan was unanimously passed by the CCP at its September 14, 2011 meeting. The CCP intends to return to your board later this fiscal year with recommendations for how the remaining \$1.7 million in unallocated funds should be spent. Unless the Board of Supervisors rejects the recommended plan by a 4/5ths vote, the plan is deemed approved. If the plan is rejected by the requisite vote, the matter will be returned to the County's CCP for further consideration and a new recommended plan.

**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 by the Governor on April 4, 2011. AB 109 transfers jurisdictional

responsibility for the management of specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. The systemic changes reflected in AB 109 and subsequently AB 117 and 118 (collectively referred to as AB 109) stand to substantially impact local criminal justice systems and communities throughout California. Reform efforts offer California and counties a unique opportunity to address long-standing issues related to the management of the correctional population at both the state and local levels. Prospectively, applied to all offenders sentenced after October 1, 2011, AB 109 redefines a felony enabling California to close the revolving door of lower level inmates cycling in and out of state prison. The legislation is designed to afford maximum flexibility and control to local jurisdictions.

AB 109 makes statutory changes to the California Penal Code. Section 1230.1 of the Penal Code was added to read:

Each county's 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. Section 1230.1(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, 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. Section 1230.1(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. Section 1230.1(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.

On July 26, 2011, your Board adopted a Resolution approving and authorizing the Ventura County Probation Agency to be the designated county agency to provide community supervision to the post release community supervision population being released from CDCR. In addition, your Board designated the Director of Behavioral Health as an executive committee member of the CCP and the County Executive Officer as a general member of the CCP.



**Summary of Revenue and Total Costs:**

The State allocated the County of Ventura the following funding amounts: \$5,696,790 for AB 109 program costs; \$401,975 for one-time start-up costs; \$200,000 for one-time non-competitive grant funding for planning costs related to the CCP, and \$204,203 for the District Attorney and Public Defender related to the parole/probation revocation process. This State funding will be deposited into Ventura County's Local Revenue Fund 2011 and allocated in the following two accounts as determined by State formula: Local Community Corrections Account and the District Attorney and Public Defender Account. These revenues and associated costs were not included in the FY 2011-12 Adopted Budget.

Of the total \$6,502,968 State funding allocated to Ventura County, the CCP is recommending that the Board approve \$4,792,018 to begin the Phase I implementation of the 2011 Public Safety Realignment for Ventura County as described below. This includes \$250,000 for the Sheriff from the start-up costs to pay for IT Services to develop an AB 109 Case Tracking Management Information System within VCIJIS. The CCP is also recommending \$100,000 for Probation from the one-time planning funds to hire a consultant to assist in further developing the Phase II plan and incorporating community based organizations and partners into a comprehensive plan. This leaves a reserve of over \$1.7 million, of which \$151,975 remains for one-time start-up costs and \$100,000 for one-time planning costs. The remaining balance is for Phase II and any other unanticipated costs. There will be no net county costs associated with the implementation plan. The CCP will return to your Board for review and approval when Phase II proposals are finalized. (See Exhibit 1 for a summary of all fiscal recommendations.)

**Ventura County Public Safety Realignment Implementation Plan – Phase I:**

In an effort to prepare and effectively assume the responsibilities statutorily outlined in AB 109, Ventura County's realignment implementation plan is being submitted in two phases. Phase I of the implementation plan addresses resources which need to be in place to implement AB 109 starting on October 1, 2011. These resources will enable Ventura County agencies tasked with the incarceration, supervision, treatment, and court process functions for the post release community supervision population to immediately respond to the shifting offender populations. Therefore, this board letter represents the CCP's Phase I implementation plan, which outlines the roles and responsibilities of each agency, the operational plans, and the recommended new positions and funding to carry out their duties for FY 2011-12. (See Exhibit 2 for the major roles and responsibilities for each agency.)

In addition, Phase I recommends the hiring of an expert consultant to assist in the development of a comprehensive long-term plan that will be included in Phase II. It is anticipated that the in-depth process will include a complete assessment of current

resources within Ventura County, identified gaps in services, evidence-based treatment options, models and interventions, and community engagement. Phase II of the implementation plan will address the long-term and on-going systemic changes which Ventura County must initiate to successfully implement the remaining aspects of AB 109. The CCP anticipates taking several more months of planning before returning to the Board with recommendations for the Phase II implementation plan.

In the meantime, it is imperative that the primary agencies be allocated the recommended portion of Ventura County's realignment funds to get started on these initial core functions and tasks. As such, the Phase I operational needs and plan along with the roles and responsibilities for each agency are described as follows:

**Sheriff's Office.** The criminal sentencing provisions of AB 109 will affect those individuals who are sentenced on or after October 1, 2011. As a result, many convicted persons who were formerly sent to state prison will remain in local jails to serve their sentences. Ventura County will experience a significant surge in the jail population over the next 30 months. CDCR estimates that Ventura County will need 440 additional bunks to accommodate the increase. During calendar year 2011, Ventura County jails have averaged 1,430 inmates a day. CDCR's estimates will cause our local jail population to rise by approximately 31%.

Ventura County jails will increase housing capacity by placing bunks into common areas of existing housing sections. This will essentially create dormitory style housing in many areas. Operating under these circumstances will require additional staffing for security. Jail managers have determined personnel should be added at two different population benchmarks, 1,700 and 1,800 inmates. The 1,700 threshold should occur around August 2012 and the 1,800 threshold in August 2013. Under these circumstances, the estimated cost of realignment to the Sheriff's Office over the next three fiscal years is as follows:

- FY 11/12 - \$1,342,000
- FY 12/13 - \$5,160,000
- FY 13/14 - \$7,780,000

The funds will be used to provide basic housing needs, enhance programming capabilities, and implement an electronic monitoring program.

Predicting population growth, and when certain population benchmarks will be achieved, may prove to be difficult. Alternative housing and other population management options such as electronic monitoring, reverse contracting, and accelerated release are being explored; however, the impact these programs will have on the local inmate population is not yet known. Additionally, CDCR's estimates rely on multi-year averages for not only number of offenders, but length of sentence as well. Changes in local sentencing practices, or even normal fluctuations, could impact these figures.

The Sheriff's Office intends to enhance vocational, educational and treatment programs offered to inmates in local custody. Efforts have already been made to expand both program options and inmate participation. This will continue as the population rises. Extended hours and more inmate participation will require the addition of deputies for security and Inmate Services personnel to facilitate the growth.

Inmate Services will add two Program Administrators for the purpose of enhancing program and vocational opportunities. Realignment will result in a greater number of inmates with lengthier sentences, which is ideal for some programs. The Sheriff's Office would like to expand the discharge planning program by teaming with Behavioral Health and others to bring more drug, alcohol, and mental health treatment programs inside the jails. Additionally, there will be an increase in the number of educational classes offered to both men and women, a greater emphasis on computer labs, and the Todd Road Jail is planning to expand their print shop operation. The increased course and program offerings will be labor intensive in terms of screening and processing inmates.

As part of an inmate population management strategy, the Sheriff's Office is designing an electronic monitoring program. At its inception, enrollment in the electronic monitoring program is anticipated to be approximately 25 inmates. The program would fall under an existing management and supervision structure at the PTDF, however, one new senior deputy, one new deputy, and one management assistant allocation will be required to appropriately operate the program.

Costs for medical care, food, supplies, and a number of other aspects of jail operations will rise with a higher population. The jail currently contracts with the California Forensic Medical Group (CFMG) for medical, dental, and psychiatric services. CFMG has submitted a request for additional staffing as well, should the jail consistently stay near maximum capacity.

After AB 109 is implemented, there will be a need to reassess our strategies, goals, accomplishments, and weaknesses. This is a work in progress and adjustments to proposals and practices are anticipated as the countywide plan is executed.

**Probation Agency.** It is anticipated that 300-350 post release community supervision (PRCS) offenders will be released from CDCR to Ventura County within the next nine months. Prior to October 1, 2011, these offenders would have been supervised in the community by state parole agents. As a result of the jurisdictional changes in AB 109 and subsequently in Assembly Bill 117 (AB 117), the case management of these offenders will be the responsibility of the Ventura County Probation Agency. PRCS offenders will reside throughout Ventura County. CDCR will provide the Probation Agency with 30-days advance notice of an offender's release. This will allow the Probation Agency to create case files on each offender and provide local law

enforcement agencies with general information about the individual. Communication is crucial among county safety agencies and local law enforcement departments.

Upon release from CDCR, these offenders will be assigned to a community supervision deputy probation officer (DPO) in one of three regional offices – Simi Valley, Oxnard or Ventura – based on their reported residence address. These offenders will be supervised in the community on an intensive level and placed on a DPO caseload of 40:1. These DPOs will be trained on evidence-based intervention approaches and they will be required to be knowledgeable of community resources and programs. Additionally, the DPOs will be working closely with local law enforcement departments to ensure that the offender is in compliance with his/her individualized parole/probation conditions.

All post release community supervision offenders will be assessed for community risk using a validated risk assessment instrument. Additionally, these offenders will have a full scale needs assessment completed which will be the basis for the development of an individualized case plan. A thorough assessment will address each offender's criminogenic factors and individualized needs. This assessment will be updated every 6-12 months to determine progress and possible modification of the case plan.

DPOs assigned to supervise post release community supervision offenders will be well-versed in graduated community sanctions, victim needs, and services offered by community-based organizations in their regions. Those offenders who are not in compliance with their parole/probation conditions will be held accountable and, if necessary, returned to Court for a revocation hearing and/or jail. Offenders can have their probation terminated if they have committed no new law violations within a 12-month period, have paid off victim restitution, and/or have complied with the terms and conditions of parole/probation.

The PRCS offenders represent an additional population and responsibility for the Probation Agency. In order to provide adequate supervision and services for the PRCS offenders, the Probation Agency will be creating one additional unit within the Agency's Adult Services Division. Funding for eight line-DPO positions are being recommended as well as supervisory and support (clerical and fiscal) personnel. The additional staff will need related safety training, introduction to evidence-based principles and approaches, and necessary equipment to manage this challenging population. There are enough vacant DPO and support positions to support nearly this entire recommendation. As such, the Probation Agency is requesting one additional FTE for a Fiscal Assistant IV.

Data gathering and analysis is crucial to determine the impact on recidivism with this population and the program's success. As such, the Probation Agency will add an evaluation component to the Agency's efforts towards working with the post release community supervision offenders. The data gathering through this tracking and

evaluation process will assist the CCP and your Board in making resource decisions in subsequent fiscal years.

It is anticipated that the post release community supervision offenders will have individualized needs outside of the basic mental health and intensive alcohol/drug treatment. As such, funding for the Probation Agency is being recommended to support the development of contracts with community/public providers in the areas of housing, vocational training, education services, anger management, batterers' treatment, victim awareness, parenting skills, and transportation.

**District Attorney.** As a result of the changes outlined in AB 109, the District Attorney anticipates significant increases in workflow associated with increases in criminal filings, shaping appropriate alternative sentencing and intervention programs, participating in parole revocation proceedings, expanded victim services responsibilities, and re-training and educating departmental staff on the particulars of realignment implementation. In order to continue to fulfill the department's criminal justice system role effectively and continue to protect the public, the department will at a minimum, need to add two additional prosecutors and a victim advocate to its staff to ensure that realignment's deployment occurs in a coordinated and responsible manner given the potential impacts on the safety of our citizens and the health of our community.

One deputy district attorney position is to be paid for from a portion of the \$204,203 funding earmarked for parolee revocation at an estimated cost of \$87,035 for the development of policies, practices and implementation of handling parole revocation matters. An additional \$15,068 of the parole revocation earmark is to be held in trust to meet other related expenses. A second deputy district attorney and a victim advocate are to be paid for from a portion of the \$5,696,790 designated for general AB 109 implementation to meet increased complaint review, filing, litigation, intervention and victim services responsibilities at an estimated cost of \$123,602. The labor costs for each position are for the period of January 1, 2012, through June 30, 2012.

**Public Defender.** Realignment mandated by AB 109 will have a significant impact on the Public Defender's workload as more clients need to be represented and more complex dispositions need to be arranged to appropriately sentence clients on the local level. The CCP is initially recommending for the Public Defender allocations and funding for an Attorney (\$108,414) and a Social Worker (\$47,300) to meet the new responsibilities.

The Public Defender's workload will be impacted by clients who previously would have been sentenced to state prison and had their rehabilitation needs assessed and addressed by the CDCR. Realignment will expand the role of the Public Defender in helping these clients and the courts find alternatives to incarceration. The Public Defender will become responsible for working with other agencies to determine the most appropriate placement or alternative sentence available for these clients to ensure that they receive the appropriate disposition for their case, any available rehabilitation is

utilized, and the jails do not become overcrowded. This will create additional court appearances for the Public Defender and additional work for the sentencing specialists that cannot be absorbed by existing staff.

The Public Defender will also become responsible for representing clients who violate the terms of their parole or the terms of their county post release community supervision. Previously, the Public Defender did not represent parole violators. This new mandate will add more clients to the system, increasing the number of appearances by attorneys, and taxing existing clerical and support staff resources.

At this time, an additional attorney is needed to make additional court appearances, represent clients who are entitled to parole hearings, and to discuss sentencing options with clients. A social worker is needed to assess clients' needs, identify suitable programs, and design alternative sentencing strategies. If approved, The Public Defender intends to fill both positions immediately and will closely monitor the workload with the goal of maximizing existing resources. However, this is an initial assessment of the Public Defender's needs and it may be necessary to return to your Board if additional resources are necessary to competently meet the new responsibilities of this mandate.

**Behavioral Health.** There is general consensus among members of the CCP that realignment will be more successful if the emphasis shifts from incarceration to alternatives to incarceration. For this reason, Behavioral Health plays a critical role in the development of a comprehensive programming plan. The proposed Behavioral Health (BHD) AB 109 program aims to identify and treat alcohol and other drug and/or mental health issues with the goals of: reducing recidivism (prison, jail, and psychiatric hospitalization); increasing public safety; increasing the individual's ability to live safely and productively in the community; and supporting long-term recovery.

Of the 2.3 million inmates in our nation's prisons and jails, 1.5 million meet diagnostic criteria for substance abuse or addiction. Another 458,000 have histories of substance abuse (National Center on Addiction and Substance Abuse at Columbia University). In California, 42% of inmates have a "high need" for alcohol treatment and 56% have a high need for drug treatment; however less than 17% have participated in some form of treatment intervention while in State custody or control. (*Understanding California Corrections*, by J. Petersilia, University of California-Irvine, and the California Policy Research Center.). Therefore, we anticipate that the majority (over 80%) of individuals released to county supervision will have significant, unaddressed alcohol and other drug problems, which will put them at high risk for recidivism. We estimate that there will be approximately 200 individuals participating in mandatory alcohol and other drug treatment by end of FY 2011-12.

Given the characteristics of this population, these individuals will require a specialized outpatient drug and alcohol program featuring higher-frequency services (both in groups and individually). This population may be expected to access services across the continuum of ADP care (detoxification - outpatient). Additionally, case management

across a multi-agency team handling the core issues that impact the individual's ability to obtain and sustain recovery will be integral to reduce recidivism.

BHD plans to expand its residential and detoxification services and to establish a new outpatient program through a contract provider. A total of \$346,000 is recommended to cover anticipated costs through June 30, 2012. In addition, BHD proposes to hire 1 FTE Behavioral Health Clinician IV to support the collaborative efforts of a one-stop evaluation process with the Probation Agency, for the purposes of screening, assessment, and referral to the appropriate level of care. Anticipating a January 2012 hire date, this position will cost \$66,000 for the period through June 30, 2012.

In order to understand the level of mental health needs for those to be released, we consulted CDCR data. CDCR classifies inmates with mental illness in two categories: Correctional Clinical Case Management System (CCCMS) inmates who are housed with the general population and receive outpatient level services; and Enhanced Outpatient Program (EOP) inmates who receive additional, structured clinical activities and individualized clinical contacts. EOP parolees are seriously and persistently mentally ill. These individuals have poor reality testing, poor judgment, maladaptive social interactions, and may not be able to care for themselves if left to their own devices in the community. Parolees with serious mental illness are especially vulnerable to recidivism and re-offend at a rate of 77.9% - 90% in three years.

In order to serve the mental health needs of the PRCS offenders, BHD proposes a two-tiered program with a capacity of 20 individuals with high-intensity needs and 34 with less intensive needs who may be served at an outpatient level. For those with intensive needs, BHD plans to implement an intensive Assertive Community Treatment (ACT) model program to provide 365 days/year, 24/7 intensive case management, medication monitoring, some housing supports, and medication. Clients requiring a lower level of service would receive medication management and case management. Service in both tiers has the potential to access federal funding (Medi-Cal) and LIHP to help offset the total cost.

BHD proposes a phased-in approach to service PRCS offenders with mental illness who are released through June 30, 2012. BHD proposes to contract with Telecare Corporation, who currently collaborates with BHD and the Sheriff's Office on the jail release program. Additionally, Telecare also ran a pilot program specifically for this population in collaboration with three other counties: Los Angeles, San Bernardino, and San Diego. The average length of stay in the program was 185 days. In the pilot study, approximately 93% were between the ages of 26-59; 75% did not have a high school diploma; 81% were male; 66% were diagnosed with schizophrenia or other thought disorders; and 34% were diagnosed with bi-polar or other mood disorders.

Telecare's program was very successful with only 29.5% clients returning to custody in the first year (compared to 77.9% - 90%). In the 12 months prior to enrollment, 2,290 hospital days were used compared to 632 hospital days for those in the program; saving

the state \$3M in the first year. There was also a 78% drop in homeless days. The average annual cost per client for a program such as Telecare's is approximately \$20,238.00; while the average in-custody cost for individuals with serious mental illness, who require increased staffing and expensive medications, is much higher.

BHD is committed to treating individuals in the least restrictive setting possible; however, some may require acute psychiatric hospitalization or residential placement (including IMD). For those services, the CCP recommends \$150,000 for BHD. For mental health treatment, the CCP recommends \$531,000 in funding through June 30, 2012. Combined with the ADP care services, the total funding recommendation for BHD is \$943,000.

**Local Law Enforcement.** State Prison Realignment as set forth in AB 109 was developed as a solution to a nearly decade old problem of escalating state prison system costs, prison overcrowding, and ineffective rehabilitation treatment results. CDCR has been forced by judicial actions to address these issues. Solutions implemented by the CDCR, such as non-revocable parole and other early release programs, has increased the release of parolees in the community and reduced or eliminated the proactive supervision of convicted felons living in local communities.

The net result of the State's prison realignment will be to continue this trend of more prisoners being released into our local communities after spending less time in custody and less time on supervised release. Although these inmates have been deemed "lower level" offenders, the vast majority of them are chronic offenders. As indicated by our District Attorney, for every year the average prison inmate spends incarcerated, 18 crimes have been prevented. AB 109 will have a significant effect on local law enforcement agencies and could potentially create a public safety hazard in our communities.

Modern day local law enforcement provides a variety of proactive crime-fighting strategies. Effective crime fighting is much more complex than merely responding to calls for service, making arrests, and patrolling neighborhoods. Over two decades ago, law enforcement implemented the concept of Community Oriented Policing and Problem Solving (COPPS). Using COPPS strategies, Ventura County law enforcement has a successful history of working with our communities and criminal justice partners in addressing crime and quality of life problems. These COPPS strategies have become ingrained in the delivery of our municipal policing.

One example of an effective COPPS approach was the successful implementation of the Gang Violence Suppression (GVS) program by the Ventura and Oxnard Police Departments. These cities effectively reduced gang crime and influence by utilizing a multi-agency collaborative approach with the Probation Agency, schools, community based organizations, and the District Attorney's Office. This effort provided a continuum of prevention, intervention, and enforcement services that was highly successful in impacting gang violence in the community. The GVS model also provided first-hand



evidence to the participating agencies that effective intervention and prevention programs can help in reducing crime.

A GVS-type strategy can be replicated to address the law enforcement challenges caused by realignment and there is tremendous potential for the same high level of success. The Probation Agency's risk assessment instrument is a critical tool in identifying which parolees will be amenable to change. It is also important to know which parolees are more likely to re-offend. Municipal police departments are uniquely qualified to contribute a wide variety of skills and services such as: assisting probation officers with home visits and compliance checks, ensuring effective and timely information sharing amongst the criminal justice agencies, investigating criminal activity and making "fresh" arrests, assisting community-based-organizations in identifying client needs, and maximizing safety for collaborative partners and local communities.

In order to meet this need, it is the recommendation of the municipal law enforcement agencies that a portion of the realignment funding be dedicated to establish a Police-Parole Partnership Team. This team will partner with key members of the CCP assigned to supervise and provide services to county parolees. During the initial year of the program, one full-time police officer will be staffed at each of the three Probation Agency regional offices (Oxnard, Ventura and Simi Valley). The police officer will be dedicated to work with assigned probation staff at the regional office as a key member of the team tasked with the responsibility to monitor and implement a rehabilitation and reentry plan for each new parolee assigned to the regional office. The assigned police officer will also assist the regional office in establishing an information sharing process necessary to provide timely and relevant parolee information to regional law enforcement agencies.

The agency providing officers for the CCP program will receive approximately \$106,665 each from the CCP as reimbursement for funding an officer for the first nine months of the program (October 1, 2011 – June 30, 2012). The CCP is recommending an amount not to exceed \$320,000 for local law enforcement agencies. Future funding and staffing levels for each new fiscal year will be discussed by the CCP Executive Board as part of the annual CCP funding allocation process. Terms of participation and payment to local enforcement agencies will be through a Memorandum of Agreement with the Probation Agency. The annual cost for each fully-benefited police officer position is approximately \$150,000.

**Potential Additional Funding:**

In terms of opportunities, the County received approval to participate in the State's Low Income Health Program (LIHP) effective July 7, 2011. Passage of AB 1628 recently removed the restriction barring State prison inmates from enrollment in Medi-Cal and LIHP. The Health Care Agency will be in discussions with the Sheriff's Office to implement a program for county inmates who may qualify for the County's LIHP called

the ACE Program. Such a program will help offset the costs of providing medical services to eligible inmates.

**Outcomes:**

Once Phase I begins implementation, the CCP members will face many challenges and opportunities - adjustments are anticipated. One challenge is to ensure that information and communication regarding the realigned inmates/offenders is available to all of the appropriate justice partners in a timely manner. A subcommittee has been formed to develop a proposal to address this issue. Also, the CCP will start developing detailed outcome measures for each agency in order to evaluate the efficacy of the implementation plan. For example, a common definition for recidivism and a method to measure it still needs to be established. The CCP will incorporate our solutions to these and other challenges and opportunities into Phase II of the implementation plan and return to your Board for approval at a future date.

The County Executive Office, the Auditor-Controller's Office, County Counsel, the Sheriff's Office, the District Attorney's Office, the Public Defender's Office, and Behavioral Health have reviewed this letter. If you have any questions regarding this item, please feel free to contact me at 805 654-2100.

Sincerely,



MARK VARELA  
Director/Chief Probation Officer  
Chair, Ventura County Community Corrections Partnership

Attachments: Exhibit 1 – CCP FY 2011-12 Realignment Fiscal Summary – Phase I  
Exhibit 2 – CCP Roles & Responsibilities

### CCP FY 2011-12 Realignment Fiscal Summary - Phase I

|   | Local<br>Community<br>Corrections<br>Account | District<br>Attorney &<br>Public<br>Defender<br>Account | Local<br>Community<br>Corrections<br>Account -<br>Planning | Local<br>Community<br>Corrections<br>Account -<br>Start-Up | Totals             | New<br>Positions<br>Requested | Total<br>Positions<br>Funded |
|---|--|---|--|--|--------------------|-------------------------------|------------------------------|
| FY12 State Funding 1/   | \$5,696,790                                  | \$204,203   | \$200,000  | \$401,975  | \$6,502,968        |                               |                              |
| Probation 2/  | \$1,470,383                                  |   | \$100,000  |  | \$1,570,383        | 1                             | 9                            |
| Sheriff   | \$1,342,284                                  |   |  | \$250,000  | \$1,592,284        | 3                             | 3                            |
| District Attorney   | \$123,602                                    | \$87,035  |  |  | \$210,637          | 3                             | 3                            |
| Public Defender   | \$53,614                                     | \$102,100   |  |  | \$155,714          | 2                             | 2                            |
| Behavioral Health   | \$943,000                                    |   |  |  | \$943,000          | 1                             | 1                            |
| Local Law Enforcement   | \$320,000                                    |   |  |  | \$320,000          | 3                             | 3                            |
| <b>Total Allocations</b>  | <b>\$4,252,883</b>                           | <b>\$189,135</b>  | <b>\$100,000</b>   | <b>\$250,000</b>   | <b>\$4,792,018</b> | <b>13</b>                     | <b>21</b>                    |
| Unallocated FY12<br>State Funding   | \$1,443,907                                  | \$15,068  | \$100,000  | \$250,000  | \$1,808,975        |                               |                              |
| <p>1/ State Funding based on estimates by CDCR of an increase in 300-350 post-release community supervision offenders in 9 months for Ventura County and an increase of 440 inmates in the average daily population for the local jails at full implementation in 3 years. Sheriff estimates jail population will grow by 243 inmates in FY 2011-12.</p> <p>2/ Probation is requesting funding to fill 8 vacant unfunded DPO positions to supervise the additional offenders.</p> |  |   |  |  |                    |                               |                              |

## ROLES & RESPONSIBILITIES OF THE CCP IMPLEMENTATION PLAN – PHASE I

| Agency   |   | Major Roles & Responsibilities  |
|--|---|---|
| Probation  | <ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul> | Lead Agency for PRCS Supervision<br>Chair of CCP<br>Responsible for risk/needs assessment & case planning<br>Determine use of flash incarceration & EM/GPS<br>Establish new revocation standards & processes in conjunction with Courts & justice partners<br>Review PRCS pre-release packets<br>Coordinate tracking of offenders to establish recidivism rates.  |
| Sheriff  | <ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>                                  | Lead development of integrated “AB 109 Case Tracking” MIS and communication system<br>Determine use of EM/GPS, & other alternatives<br>Housing of offenders<br>Assist in the discharge planning   |
| District Attorney<br>Public Defender<br>Superior Court | <ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>            | Lead the revocation hearing process<br>Assess use of sentencing alternatives to incarceration & intervention programs<br>Assist offender in obtaining appropriate treatment programming or services<br>Enhance victim services<br>Examine potential for Drug Court<br>Prosecution & defense of parole violators   |
| Behavioral Health                                      | <ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>                                  | Work Collaboratively with the Probation Agency to review packets and determine referrals into the AB 109 Mental Health and ADP treatment programs<br>Assess MH/ADP Treatment Needs of Individuals Referred into Program<br>Develop Treatment Plans and Linkage to Treatment For Individuals Accepted into MH/ADP Program<br>Participate in outcome measures tracking related to MH/Alcohol and Drug Treatment |
| Human Services Agency                                  | <ul style="list-style-type: none"> <li>✓</li> <li>✓</li> </ul>  | Provide services requested by Probation, Sheriff, Behavioral Health, & other justice partners<br>Referral of transition services to CBOs  |
| County Executive Office                                | <ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> </ul>   | Lead on realignment funding and staffing management<br>Coordinate accounting, budgetary, personnel issues<br>Oversight & tracking of revenues & expenditures  |
| Local Law Enforcement                                  | <ul style="list-style-type: none"> <li>✓</li> <li>✓</li> </ul>  | Assist Probation with the PRCS Supervision at regional offices<br>Assist in developing and implementing programming plans   |
| Community-Based Organizations                          | <ul style="list-style-type: none"> <li>✓</li> </ul>   | Provide services requested by Probation, Sheriff, Behavioral Health, & Human Services Agency.   |