



Public Safety Realignment

Planning for FY 2013/14 AB 109 Implementation

Presented by Yolo County's

Community Corrections Partnership

Brent Cardall, Chief Probation Officer (Chair)

Ed Prieto, Yolo County Sheriff

Jeff Reisig, Yolo County District Attorney

Shawn Landry, Court Executive Officer

Tracie Olson, Yolo County Public Defender

Kim Suderman, Director of Alcohol, Drug and Mental Health

Landy Black, City of Davis Police Chief

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“The legislature and governor have fundamentally changed the way lower-level felons are punished in California...Corrections realignment does not ask counties to simply do more of what they were doing before—it asks that they do things differently.”

Dean Misczynski, Public Policy Institute of California, 2011

Yolo County

Update to AB 109 Realignment Plan

The 2011 Public Safety Realignment Initial Mitigation Plan, submitted and approved by the Yolo County Board of Supervisors on September 13, 2011 identified strategies necessary to address initial mitigation activities anticipated during the first months of the Public Safety Realignment effort. The plan also identified the need to initiate long-term planning efforts to ensure that Yolo County is prepared to assume the responsibilities statutorily outlined in Assembly Bill (AB) 109.

Prior to that approval, on September 10, 2011, the Community Corrections Partnership (CCP) hosted an all-day planning session to begin the process of identifying the long-term strategies needed to ensure sustainability of this safety realignment effort into the future. Members of Yolo County law enforcement organizations, direct service providers, health and human services organizations, employment and training organizations, individual Yolo County board members, and other interested individuals attended the planning session and provided input to the planning effort.

This Year-2 Implementation Plan reflected the work generated since the CCP's initial meeting to implement and sustain the Public Safety Realignment efforts within Yolo County and contains the following (Approved July 24th, 2012):

- Background on AB 109 and subsequent clarifying legislation
- Yolo County's AB 109 Implementation Framework
- 2011-2012 (Year 1) goals and accomplishments
- 2012-2013 (Year 2) AB 109 Workgroup Recommended Strategies
- The CCP's 2012-2013 Recommendations
- Outcome Measurement (Amended to Tactical Plan)
- Long Term Planning

The CCP adopted the following overarching mission statement for public safety realignment and the work performed by each of the associated programs builds on this goal.

Yolo County's AB 109 Public Safety Realignment Mission Statement

Yolo County will implement AB109 realignment through well-informed offender/probationer case management, bringing about an appropriate blending of criminal justice supervision and evidence-based treatment strategies that maintain, but then improve, community public safety through recidivism rate reductions that ultimately lead to long-term crime rate reductions.

Year 2 Realignment Planning and Implementation Review

The Community Corrections Partnership experienced a number of large, systematic changes during the beginning of FY 2012/13, not least of which was a change in leadership within the chairing department, Probation. Probation is responsible for the planning, development, and implementation of a much or the work associated with Realignment. For the majority of the year, Marlon Yarber served as Interim Chief Probation Officer and chair to the CCP. He managed a number of priorities to maintain the planning efforts of the Year 2 Realignment Plan. As a number of the programs became operational, organizational planning shifted from individualized, chartered workgroups, to a collaborative working group devoted to implementing the priorities identified in Yolo County's Public Safety Realignment Planning for 2013:

1. Establishment through RFP of a Yolo County Day Reporting Center
2. Substance Abuse and Dual Diagnosis Treatment Capacity Expanded through RFP
3. Development of Employment Referral Resources
4. Expanded Offender Accountability Resources (District Attorney)
5. Reorganized Programming Capacity for Pre-Trial Services
6. Development and maintenance of Data Dashboard
7. Justice Reinvestment Initiative(JRI) Phase I Technical Assistance Planning
 - a. JRI Phase II Grant Application Development
8. CalRAPP Court Planning
9. Crime and Justice Institute Technical Assistance Review
10. University of Cincinnati: Policing Project
11. Mental Health Court Grant Application

Yolo County's Year 3 Planning Process and Recommendations

The CCP elected to coordinate with the County Administrator's Office (CAO) to conduct a programmatic review of its AB 109 funded Year 2 strategies. The Crime and Justice Institute(CJI), possessing a unique perspective on Yolo County because of its work on Yolo County's Justice Reinvestment Initiative, was contracted to conduct a programmatic review of AB 109 funded strategies. This work included a Community Corrections System Intervention Review, a Program Assessment of three realignment funded strategies, and a literature review of each CCP funded strategy.

After reviewing this report, the CCP, in collaboration, with the County Administrator's Office began an effort to respond to the technical assistance recommendations in the report. This process has been tracked closely by the CCP and the CAO's office in anticipation of an update for the Board in tandem with the presentation of the CCP Plan. The CJI Yolo County Assessment Report of Realignment Plan Strategies compared the CCP and Board Strategies to national best practices. With this analysis, the existing strategies to mitigate impacts of AB 109 will continue on the foundation of this past year's efforts. The responses to the CJI recommendations will improve and support more effective operations of the reviewed strategies. It is for this reason that the strategies funded in FY 12/13 were reapproved by the CCP and recommended for Board approval for 2013/14.

The CCP unanimously recommends the following strategies approved at June 10th's CCP meeting for the County's AB 109 Year 3 Realignment Plan:

1. Maintain Jail Bed Capacity (Sheriff) \$ 942,860

Charged with the safety, welfare, and health of those incarcerated as well as those employed in the jail, the Yolo County Sheriff's Office (YCSO) must manage a jail impact that includes 351 new local prison commitments (1170s) since October, 2011. This has contributed to longer jail terms, full occupancy under the jail's federal consent decree, and more work for jail staff. AB 109 funds support 8 Correctional Officers (COs) and 4 Deputy I to staff this growth in inmates to manage these impacts to jail operations.

2. Electronic Monitoring (Sheriff) \$ 586,000

Electronic monitoring requires offenders to wear devices that monitor their proximity to a designated residence in order to ensure home detention compliance. Home custody allows offenders to remain in their community under increased supervision. Offenders have the opportunity to begin rehabilitation by building community support, attending classes, maintaining employment and utilizing family support. The EM population has held consistently around 70 to 85 placements since the Crime and Justice Technical Assistance Review. Those on EM have been directed to attend the Day Reporting Center and have been receiving assistance with re-entry into the community.

3. Community Corrections Case Management (Probation) \$ 1,647,804

Ensures the Probation Department is sufficiently resourced to continue case managing all high-risk offenders in the community with caseloads of approximately 50 offenders per officer. This allows officers the time and resources to needs assess each offender under his/her supervision, develop individualized needs-assessment-driven case plans, and assist the offender in his/her rehabilitative efforts. Serving dual purposes of compliance monitoring, officers also meet regularly with offenders (based on the offenders needs at the time, with a minimum of one face-to-face meeting per month) to engage and motivate the offender to follow through with rehabilitative goals while making referrals to available community services. As of 10/14/13, there were 649 High Risk Offenders under supervision.

This strategy also has a substantial role in long-term data gathering, analysis and planning as each needs assessment completed on an offender is stored in a database from which aggregate data on the entire high-risk population can be extracted and analyzed to ascertain the service needs for the high-risk offender population in Yolo County.

4. Local Law Enforcement (Davis, Woodland, West Sacramento, and Winters Police Departments)

\$ 400,000

This option perpetuates the partnership between Yolo County and municipal jurisdictions as established in the 2011 initial mitigation proposal. Resourcing includes mitigation of the population shift as well as an allowance for full policing participation in planning efforts. Perhaps most

importantly, it includes data sharing and collaborative analysis of current and future impacts of realignment to help inform future resources allocation. The University of Cincinnati Policing Project has been revived and analysis under this project will use police data and probation data to highlight offenders on probation in specific communities that have the highest risk of re-offense. The University will coordinate strategies once the data is finalized at the end of September.

5. Long Term Planning (Probation) \$ 150,000

Some of the most recent research in the emerging field of implementation science reveals that when implementing evidence-based practices in human services, reaching a point of full implementation can take as long as two to four years. Findings also emphasize the importance of slow and deliberate planning, implementation, and measurement in order to maximize the likelihood of sustainability. Deliberate and collaborative planning capable of accepting data feedback to guide future decision-making is an essential component to accomplishing the stated mission of the public safety realignment initiative. This line item also incorporates the costs associated with maintaining data analysis capabilities and securing critical technical assistance and training. This will support a number of the recommendations from the CJ report including planning and training for a jail/probation risk/needs assessment tool to replace the tools of a previous provider.

6. Additional AB 109 Dedicated Beds to total 75 at the Leinberger Facility (Sheriff) \$ 627,823

Due to impacts from the new local prison population, additional impacts to jail staffing were realized in 2012. After the YCSO added 8 Correctional Officers (COs) and 4 Deputy I to staff this growth in inmates, the jail realized an additional need. In Year 2 of Realignment, YCSO expanded the inmate programs offered in Leinberger. As the number of inmates related to AB 109 increases, the need for additional staff arose. In summary, this item funds staffing for 75 beds at Leinberger and the retention of 8 corrections officers and 2 Corrections Records Specialists (data collection).

7. Treatment Services/Day Reporting Center (Probation) \$ 1,000,000

Yolo County recognizes that past and existing criminal justice system practices are do not resolve the revolving custody door commonly associated with the offender population. Realignment efforts must incorporate and build a system-wide capacity for offering evidence-based practices with interventions that target criminogenic needs of the County's offender population.

One mechanism considered by the CCP for building both comprehensive, wrap-around services and alternatives to custody is the Day Reporting Center. Alternatives to custody and the application of graduated sanctions are becoming increasingly critical to managing jail population pressures as Yolo County accepts the expanded correctional responsibilities because of AB 109. According to the National Institute of Justice, a Day Reporting Center, DRC, serves overlapping purposes: 1) enhanced offender surveillance; 2) provide or broker treatment services; and 3) target offenders who would otherwise be confined.

This funding source has been dedicated to other community treatment services including but not limited to: behavioral health needs, correctional interventions, education and employment services, independent living needs, and offender stability needs. Contracts based on referral trends have been established for:

1. Residential Substance Abuse Treatment (Cache Creek Lodge and 4th and Hope),
2. Outpatient Substance Abuse Treatment (CommuniCare),
3. Transitional Housing for Re-entry as an alternative to jailed custody and housing support (Cache Creek Lodge and 4th and Hope),
4. Medical and Mental Health Medication gap funding (ADMH)
5. Transportation Support in the form of Bus Passes, and
6. Hygiene Products, Clothing, and other items on an as needed basis.

8. Pre-Trial Program (Probation) \$ 499,196

Pre-Trial services perform functions that are critical to the effective operation of local criminal justice systems by assisting the court in making prompt, fair, and effective release/detention decisions, and by monitoring and supervising released defendants to minimize risks of non-appearance at court proceedings, risks to the public safety and to individual persons. The existing program, operated by Probation, was planned to sunset as the supporting grant funds ended in September 2012. During a time when jails and community corrections partners alike are accepting increased responsibilities, there is consensus that pre-trial is an essential program for Yolo County and its realignment efforts. This program, as of 10/14/13, monitors 112 offenders pending trial, directly alleviating bed space for more dangerous/high risk-to-reoffend felons in the jail.

9. Supplemental Funding for District Attorney's Office \$ 425,000

Guaranteeing a "swift, certain and proportionate" response to violations of the law and/or conditions of probation, mandatory supervision and/or parole is at the foundation of AB 109 and its goal of reducing recidivism. The District Attorney is an essential entity in ensuring prompt and appropriate offender accountability. Only the District Attorney can prosecute new crimes and/or violations in court and also guarantee that victims of bad acts are protected too. In order to meet its critical obligations under AB 109, the District Attorney's office must be appropriately funded to support key prosecution, investigative and victim services that are tied to AB 109.

Summary of Enhancements and Priorities in Yolo County's FY 13/14 AB 109 Realignment Plan

Chief Probation Officer and Community Corrections Partnership Chair Brent Cardall has worked with the Community Corrections Partnership to structure additional support to the FY 12/13 AB 109 Implementation Plan. The review and recommendations of this report are intended to be in addition to the planning and program efforts developed over the past two years.

1. Continue sustainable delivery of services established from previous AB 109 Implementation Planning
 - a. Funding for COLA and Operational Service Need increases for previously supported realignment strategies
2. Establish and support expansion of Day Reporting Center (DRC) services in Woodland and West Sacramento
 - a. Support Site Expansion of DRC into West Sacramento
 - b. Enhancing Day Reporting Center GED Capacity

- i. Expanded Treatment Contingency Funding for Community and Day Reporting Center Services
- 3. Enhance Education and Treatment Capacity, Streamline Referral Processes, Strengthen Assessment and Screenings for Substance Use Disorder Referrals to better manage Resources and Outcomes
 - a. Yolo Library Offender Literacy Services
 - b. Treatment Contingency Fund for Community and Day Reporting Center Services
- 4. Enhance Jail Re-entry Planning
 - a. Social Worker to support Jail Discharge Coordination
- 5. Records Mitigation Project with UC Davis
- 6. Independent Technical Assistance Program Review (CJI or CPC)
 - a. Respond and Complete Recommendations from FY 12/13 Crime and Justice Technical Assistance Review
 - b. Capacity to fund County Program and Treatment Services Technical Assistance Review for FY 13/14
- 7. Restorative Justice Programs
 - a. DA and Probation Restorative Justice Plan Development
 - b. Probation Community Review Board
- 8. Funding Reserves
 - a. Contingency for Unforeseen Realignment Costs
- 9. Maintain and Expand Data Dashboard Reporting for CCP and Board Review of Strategies

New Additional Costs and Strategies

The Community Corrections Partnership delayed recommending additional programming above last year's revenues until the growth funding amounts were confirmed with the state. On September 9th, the CCP reviewed the areas of need identified by partner agencies. Due to larger than expected allocations from the state and a fund balance associated with delays in Year 2 Realignment programming implementation, a strategic and equitable breadth of programming is included in this plan. The following programs were approved by the CCP for recommendation to the Board of Supervisors:

Support of Established Realignment Strategies- \$1,313,288

- 1) COLA Increases and Full Funding of Pre-Trial Program (Probation) \$ 360,629

Supervision of persons released own recognizance. The unit carries smaller caseloads in an effort to provide close supervision. Services include reminder calls, transportation to court, supervision through home and office visits, GPS, and Scram. Officers also write OR reports, conduct reference checks, provide regular status updates to the court, appear at arraignment hearings, and make referrals to community based services and county agencies. The unit uses the Ohio Risk Assessment System (ORAS) pre-trial tool to aid in their recommendations.

Historically, AB109 was used to backfill Bureau of Justice Assistance grant dollars for this program. Staffing was reduced by 2 line officers (down from 9 total). Last year's funding did not support full operational expenses. AB 109 funding only supported pre-trial operation for 2/3 of fiscal year 12/13. The program will be cut severely if this annualized funding amount not met.

This funding will ensure the stability of Pre-Trial services and maintain the level of case management with the continued goal of alleviating population pressures on the Jail and assuring offender accountability.

2) COLA Increases for staffing of Community Corrections Case Management (Probation) \$50,750

3) COLA Increases for Sheriff Allocations (Sheriff) \$408,453

4) Victim Services Advocate and COLA Increases for District Attorney, (District Attorney) \$93,456

Victims of AB109 related crimes are solely served by the District Attorney's Victim Services Division, which is charged with protecting the Constitutional rights of victims. Also, beginning July 1, 2013, parole revocations previously handled by state agents are the responsibility of the District Attorney. In order to meet its critical obligations under AB109, the District Attorney's office should be appropriately funded to support key prosecution, investigative and victim services that are tied to AB109. This allocation will ensure the support of existing services and increase the case management capacity of Victim's Services by hiring one full time advocate to manage impacts from AB 109. The position is funded three quarters of the year.

5) Community Treatment/DRC Contingency, (Probation) \$300,000

This fund will support variations in treatment and DRC needs as described above in Treatment Services/Day Reporting Center.

6) Technical Assistance Review Capacity, (CCP) \$100,000

This fund will guarantee the ability of the CCP to independently review and evaluate programs funded with realignment dollars, both county and treatment provider alike. Last year, the Crime and Justice Institute conducted a program assessment of Pre-Trial Services, Community Corrections Case Management, and Electronic Monitoring Program. This set-aside will give the CCP and the Board of Supervisors the ability to conduct a technical assistance review for FY 13/14 programs.

New Strategies Mitigating Impacts of AB 109- \$219,868

7) Hiring of Senior Social Worker (Public Defender) \$62,829

The Senior Social Worker would identify and present alternatives to justice involved clients' problems, consult with other agencies and community groups, develop and implement treatment plans, and oversee the activities of social worker interns.

Duplication of services offered by the Probation Department would be avoided by focusing on clients whose cases are pre-sentencing or those who will not be subject to Probation's supervision. The development of treatment plans during pre-sentence could drive favorable plea negotiations while allowing attorneys to focus on the legal aspects of their caseload and investigators to focus on assigned tasks. The social worker would work directly with jail staff to create and implement discharge plans for incarcerated clients. Having a social worker on staff would also increase the Office's capacity to host social worker interns and relieve the attorney currently tasked with sole responsibility with their oversight. Lastly, the social worker would be tasked with implementing an internal mechanism to streamline the process of identifying clients eligible for public benefits such as Affordable Care Act coordination and provide case management in collaboration with DESS to ensure benefits are established.

8) Hiring of Legal Processing Clerk III (Public Defender) \$40,539

While for a time it appeared that fresh criminal filings were decreasing, recent reports are that this trend has reversed. Additionally, as of July 1, 2013, the parole revocation process for those released to the CDCR Division of Adult Operations' supervision will be a court-based process. This means that local courts will be the sole parole authority for all "parolees," with certain limited exceptions. The responsibility to defend these cases will fall to the Public Defender's Office. All of these new events bring with them a concomitant increase in workload to the Office's existing support staff.

Approximately three years ago, 2 of the Public Defender Office's 7 support staff were lost through lay-offs. In roughly the same period of time, the Yolo County Public Defender's Office began accepting appointments on new types of cases, specifically PRCS and Mandatory Supervision matters.

9) Jail/In-Custody Treatment Services (Sheriff) \$105,500

The Yolo County Sheriff's Office recognizes that without engaging offenders in change while in custody, rehabilitation outside of custody will be more difficult. Reentry programs in corrections are essential in order to prepare offenders for their eventual release back into the community and reduce the number of offenders in jail awaiting trial. The needs and service requirements of an inmate serving a three year term are much different than an inmate who is only serving 72 hours and the Sheriff's Office is preparing to meet those changing needs.

In prior years, the Inmate Welfare Fund (IWF) has assisted in paying for many of the in custody programs. Unfortunately, due to the volatility of the inmate population as a result of AB 109, IWF revenue has declined and as a result, it can no longer support these important programs.

This allocation will support the Woodland Library GED program with a current enrollment of 18 in-custody and Sexual Assault and Domestic Violence Center Anger Management and Parenting and classes with 130 having received services in custody.

10) Yolo Library Offender Literacy Support (Yolo County Library) \$11,000

Yolo County Library will provide resources to the entire population, and will target the offender population on furthering their education and career or job goals. This will include on-line instruction and resources, data collection and analysis, and distribution of resources to the target population.

Yolo County Library will also support the Yolo County Day Reporting Center users with basic adult literacy support so that they can achieve the goals that they set for their re-entry. The Library will provide the Day Reporting Center with materials supporting those with literacy levels below 6th grade reading level.

11) Records Mitigation Project (Public Defender) \$20,000 (Match funding from UC Davis: \$25,000)

This stigma of arrest follows offenders well beyond the period of community supervision. Examples include loss or restriction of professional license, ineligibility for public funds including welfare benefits, housing and student loans, loss of voting rights, ineligibility for jury duty, and deportation for immigrants. Social stigma and reduced employment opportunities accrue as well. These civil penalties remain with defendants long after the criminal sentence has been served and serve as barriers to successful reintegration into society.

On appropriate motion, the Court may make post-conviction orders that will mitigate the impact of felony and misdemeanor convictions on people's lives. Appropriate motions include motions to withdraw a guilty or nolo contendere plea, or set aside a verdict, and dismiss the accusations (commonly referred to as "expungements"); to reduce felony convictions to misdemeanor convictions; and to seal juvenile records.

Currently, the Yolo County Public Defender's Office performs record mitigation services for adults and juveniles on a limited basis. Many Public Defenders' Offices do not perform these services at all. The Records Mitigation Project will work towards the goal of increasing opportunities for convicted persons to achieve long term economic stability.

The \$20,000 in funds sought from the CCP will be used to hire an extra help, part-time attorney for one fiscal year to create, organize, recruit, and implement the project. The Yolo County Public Defender's Office will utilize its legal experience and expertise and offer training, guidance and oversight to the new hire. The UCD Law School will match these funds to augment the salary and hours of the attorney, thereby enabling the attorney to work at full-time capacity. Private funding will be sought to replace CCP funding in subsequent years.

Reserves and Contingencies- \$393,195

12) Contingency for Unforeseen Costs, (CCP) \$393,195

Over the past couple years of Realignment, it has become clear that a budgeted contingency fund will be critical to account for unforeseen impacts to the Community Corrections Partnership.

In addition, the CCP will explore Restorative Justice Programming needs and a portion of this contingency will be used to fund services.

Reporting on Program Effectiveness

The CCP and the Board continue to rely on the Realignment Data Dashboard to aggregate information on the funded realignment programs and the populations they serve. In an effort to maintain the highest standard of reporting, the CCP will conduct a review of the measures captured by the current structure of the dashboard to ensure accurate and appropriate data is maintained. Currently, there are

175 separate data sets that require processing in order to maintain the system. Probation is working to ensure appropriate data collection, assessment and management activity continues under the new strategies.

In addition, the Probation Department has assessed its current case management system and identified deficiencies with integration, data reporting, and systems staffing for further internal development. This review led Probation to pursue a case management system request for proposals to review purchasing a finished system from a third party provider. A functional case management system should include but is not limited to the following:

1. Risk/ Needs Assessment of Supervised Offender Population (Integration into system)
2. Interview/Case Notes (Chronological Entries, Searchable, Automated Visitation Management)
3. Probation Profile Information (Demographics, Identifying information, Known Associates)
4. Workload Measurement Tools (Report Status, Caseload Size, Supervision Expirations)
5. Officer Caseload Management (Reminders, Officer Safety Instructions, Restitution, Expirations)
6. Case Planning (Goals for Offenders)
7. Aggregated Reports/Queries (by Division, Jurisdiction, Status (Adult/Juvenile, PRCS, 1170))
8. Calendar/Email Integration for Appointment Management
9. Auto-Populate Pre-Sentencing Investigations, Court Templates
10. Data Collection and Management (Audits, Research, Dashboard Management, Annual Reports – SB 678, AB 109, etc.)

The functions listed above will automate most of the AB 109 data tracking efforts for Yolo County Probation. An RFP is planned for release in the 4th quarter of 2013.