Contra Costa County
2011/12 Public Safety Realignment
Implementation Plan

Executive Committee
Diana Becton, Presiding Judge
Cynthia Belon, Health Services
Philip Kader, Chief Probation Officer (Chair)
Robin Lipetzky, Public Defender
David Livingston, Sheriff-Coroner
Chris Magnus, Chief, Richmond Police Department
Mark A. Peterson, District Attorney

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Introduction

The Community Corrections Partnership (CCP) has been developing and refining this document since Assembly Bill 109 became law in late June 2011. This responsibility has not been taken lightly. We have spent many hours of meeting virtually every week since early July and many additional hours developing this CCP Plan. We have had excellent attendance of the voting members. We have attended training seminars, held several community forums and invited anyone interested to attend our weekly meetings.

It has become abundantly clear that the only plan that should be offered is one that continues as a work in progress. There are ongoing discussions involving interventions that could impact the State projections, and service opportunities that may decrease the number of incarceration beds and probation supervision cases. There is continued discussion regarding strategies to minimize incarceration of the AB 109 population, such as remodeling the County's bail-process, holding early disposition hearings, and increasing the use of electronic monitoring, to name but a few. The CCP will convene a community advisory group of members who will review data on outcomes, provide input on community needs and assessments of implementation, and advise on community engagement strategies. The CCP will meet with this group periodically to receive and discuss the group's input and advice. The CCP supports the implementation of County Re-Entry Strategic Plan and will participate in meetings to implement the strategic plan while gathering input on strategies to integrate realignment with broader re-entry policies and programs.

There is simply no way to know at this time if our planning assumptions will bear out. We have completed this Plan by carefully weighing all the possibilities and coming to a reasoned conclusion with the initial information we have studied. We offer this Plan fully understanding that it will be reviewed and likely modified during monthly meetings of the CCP. We expect that the careful collection of relevant data will inform our proposals to reallocate resources, if necessary, as well as provide early indications of the effectiveness of our case management.

There are several things we do know unequivocally. The prior funding from the State to offset the cost of incarcerating those pending state parole revocation hearings ($777,000 a year) will no longer exist beginning October 1, 2011. We know that the 20 to 30 parolees previously transferred from our jail to prison every week will remain in County custody. We know that 20 to 30 people released from prison every month will be placed on Post-Release Community Supervision provided by our Probation Department rather than on State Parole.

Criminal Justice Realignment is a paradigm shift for California counties. No longer will it be enough for each criminal justice partner to focus on its own distinct mission within the justice system. Achievement of realignment goals will depend on the commitment and collaboration of all justice partners towards a combined mission, while recognizing the critical role that each justice partner plays in achieving positive outcomes.

The CCP is committed to doing the best job we can with the resources we have been provided. We are also prepared to adjust our Plan to ensure the best utilization of the limited revenue forwarded to us from State. Finally, we remain committed to vigorously search for the

very best alternatives and aggressively engage our communities in our effort to best serve our county.

Executive Summary

Overview.

The California Legislature passed the Public Safety Realignment Act (Assembly Bills 109), which transfers responsibility for supervising specific low-level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. Assembly Bill 109 (AB 109) takes effect October 1, 2011 and realigns three major areas of the criminal justice system. On a prospective basis, the legislation:

- Transfers the location of incarceration for lower-level offenders (specified non-violent, non-serious, non-sex offenders) from state prison to local county jail and provides for an expanded role for post-release supervision for these offenders;

- Transfers responsibility for post-release supervision of lower-level offenders (those released from prison after having served a sentence for a non-violent, non-serious, and non-sex offense) from the state to the county level by creating a new category of supervision called Post-Release Community Supervision (PRCS);

- Transfers the housing responsibility for parole and PRCS revocations to local jail custody

AB 109 also tasked the local Community Corrections Partnership (CCP)[1] with recommending to the County Board of Supervisors a plan for implementing the criminal justice realignment, which shall be deemed accepted by the Board unless rejected by a 4/5th vote. The Executive Committee of the CCP is composed of the County Probation Officer (Chair), Sheriff-Coroner, a Chief of Police (represented by the Richmond Police Chief), District Attorney, Public Defender, Presiding Judge of the Superior Court or designee, and Health Director as agreed by the County Administrative Officer.

This document is the criminal justice realignment implementation plan developed and recommended by the CCP Executive Committee. The Executive Committee has met almost every week since early July. The plan attempts to meet the stated legislative objectives within a very limited funding allocation, as described below, under "Assumptions". While we would like to be able to say that this is a comprehensive plan to deliver the full complement of incarceration, supervision, and rehabilitative/re-entry services contemplated by AB 109, the limited state allocation simply does not provide sufficient funds for everything we would like to include in this plan. Consideration was also given to provide supportive social and rehabilitation services to those offenders released from prison as well as those sentenced by the local courts and those spending custody time in the local jail.

Planning Assumptions.

As this dramatic and multi-dimensional criminal justice realignment (being an initiative that would have, under normal circumstances, required years of collaborative planning) was

[1] The Community Corrections Partnership was previously established under SB 678.

literally developed in a matter of months, the Executive Committee had to make a number of assumptions where definitive answers are currently unavailable:

State Funding Formula. The funding amount allocated to each California County is based upon the number of non-violent, non-serious, non-sex offenders sentenced to state prison by each county, rather than on the number of arrests or other contributing factors. Historically, Contra Costa County has sentenced fewer offenders to state prison per capita than many other counties and, consequently, finds itself "under-funded" compared with other counties that have historically sentenced proportionally more offenders to state prison. While making no value judgment on the sentencing practices of other counties, the state funding formula for 2011/12 realignment ironically rewards those counties that contributed most to state prison crowding. As a result of concerns expressed by this County and other disadvantaged counties, the state has agreed to reconsider the funding formula for future years. Therefore, we must emphasize that this plan is only relevant for the period October 1, 2011 through June 30, 2012. Any planning beyond June 2012 must be contingent on a yet to be determined funding formula.

Length of Confinement. Although the State Department of Finance has projected that the terms of confinement for parole revocations will be on average 30 days, the Sheriff's Office anticipates that a more realistic average term of confinement for planning purposes should be 90 days (the maximum term). Contra Costa County currently has unutilized and unstaffed bed space within its detention facilities. In anticipation of the coming new offender population, pods within the West County Detention Facility and the Marsh Creek Detention Facility will be reopened and staffed, adding considerably to the costs of the Implementation Plan.

Budget.

The amount allocated to the County is $4,572,950. The following is a breakdown of the recommended allocations, which are described in greater detail in the AB 109 Criminal Justice Realignment Budget for 2011/12, which is being transmitted to the Board in a separate item today:

Table 1. Contra Costa County AB 109 Spending Plan, FY2011-2012

Agency	FY2011-2012 (9-Month) Budget	Percent of Total FY2011-2012 (9-Month) Budget
Sheriff's Office	$2,489,750	54.4%
Probation Department	$1,000,000	21.9%
Health Services	$895,109	19.6%
Office of the Public Defender	$120,591	2.6%
District Attorney Office	$67,500	1.5%
Total	**$4,572,950**	**100%**

New Population Estimates.

AB 109 will place newly released non-violent, non-serious, non-sex offenders under County supervision and will keep new lower-level offenders in local custody rather than state prison. For Contra Costa County, the new population estimates are:

Post-Release Community Supervision (PRCS) population. Between October 2011 and June 2012, it is estimated that 215 offenders will be released from prison and returned to the County at a rate of approximately 24 offenders per month.

Lower-level offenders serving county jail sentences. It is expected that over 60 new offenders will be added to the county jail population during the nine-month implementation period. The average length of sentences that will be served by these newly sentenced offenders is unknown and unpredictable at this time.

New mandatory probation supervision population. It is expected that a large number of the local sentenced AB 109 population will also be sentenced to a period of mandatory probation supervision to follow their county jail sentence. The size of this population and the average length of the term of probation supervision are as yet unknown.

New county jail population of parole/PRCS/probation violators. Beginning November 1, 2011, large numbers of parolees will be serving their sentences in local jail facilities rather than in state prison. In FY 2010-2011 1,276 new parolees were sent to state prison on parole revocations from Contra Costa County. These offenders will now remain in local custody. The actual rates of incarceration and the average length of the sentences to be served remain unknown at this time.

Implementation Strategies.

The Community Corrections Partnership has crafted strategies to protect the community and provide services to AB 109 offenders.

- The *Sheriff's Office* will open housing units within two of its three detention facilities to accommodate the increasing number of offenders that must be incarcerated, and expand its electronic monitoring program to supervise offenders within the community.

- The *Probation Department* will create a specialized unit to supervise and case manage the offender population, developing an individualized treatment plan for each offender and providing or referring probationers to a full range of community supervision services.

- For those AB 109 offenders who require assistance, *Health Services* will provide substance abuse treatment, mental health services, and homelessness prevention services through its Behavioral Mental Health Clinic, Behavioral Health Homeless Program, and community-based residential and outpatient drug programs. Additional bed space will be reserved for AB 109 clients provided in partnership with local community-based organizations.

- The *District Attorney's Office* will provide victim advocacy services, helping connect victims with relevant services. They will also gather information about the impact of the crime for the purposes of setting bail and release conditions (when appropriate) to assist in reducing local incarceration rates.

- The *Office of the Public Defender* will conduct a social history and needs assessment of clients pre-disposition and, pursuant to PC 1203.4 (clean slate), will assist in the filing of petitions for probationers to have their records cleared at the end of their terms of probation when eligible and in conjunction with the other justice partners.

- Staff members from each of the CCP agencies will participate in required orientations for PRCS offenders as they return to the community from state prison. During these meetings, CCP agencies and community-based organizations will provide information on service availability and the possible consequences of law violations.

- The CCP will meet monthly between October 2011 and June 2012 to monitor and evaluate the Implementation Plan. Particular emphasis will be placed on accuracy of client population estimates and costs, management information system development, receptiveness of offenders to offered services, identified gaps in the services and programs provided, and outcomes for AB 109 offenders. It is the Committee's intent to continue to refine the plan and reallocate resources as appropriate in the coming months.

Proposed Outcomes.

To gauge the effectiveness of AB 109 realignment in the county, the CCP will gather feedback from the partners on the effectiveness of the plan along with recidivism and quality of life outcomes for AB 109 offenders.

Recommendations

The Executive Committee submits the following recommendations to the Board of Supervisors, Contra Costa County:

1. ACKNOWLEDGE that State Criminal Justice Realignment is a work in progress, and that the plan recommended for adoption today may have to be adjusted in accordance with changing circumstances.

2. RECOGNIZE that the funding formula selected by the state to allocate realignment funding to local government provides insufficient funding to Contra Costa County for providing the expected continuum of incarceration, supervision, and rehabilitative/re-entry services contemplated under realignment.

3. RECOGNIZE that there is an ongoing need to secure funding for the County's Strategic Reentry Plan separate and apart from the funding allocated for criminal justice realignment.

4. RECOGNIZE that the plan recommended for adoption today is an implementation plan only and cannot be sustained on an annualized basis without increased state funding.

5. ACKNOWLEDGE that the Sheriff has the ability to offer a home detention program, as specified in section 1203.016 of the California Penal Code, in which inmates committed to the County Jail may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in the County Jail or other County correctional facility.

6. ACKNOWLEDGE that the Sheriff has the ability to offer an electronic monitoring program as specified in section 1203.018 of the California Penal Code, for inmates being held in lieu of bail in the County Jail or other County correctional facility.

7. ADOPT the Implementation Plan recommended herein as the Contra Costa County 2011/12 Public Safety Realignment Implementation Plan as required by PC1230.1 and the Post-Release Community Supervision strategy as required by PC3451 (as added by the Post-Release Community Supervision Act of 2011 contained in AB 109).

Overview of 2011 Public Safety Realignment Act (AB 109)

The goals of The Public Safety Realignment Act are to restructure supervision and incarceration, address the overcrowding problem in California's prisons, and reduce the cost of the centralized state prison system. AB 109 transfers responsibility for supervising low-level inmates and parolees (those convicted of non-serious, non-violent, or non-sex offenses) from the California Department of Corrections and Rehabilitation to counties. Implementation of AB 109 is scheduled to begin October 1, 2011.

AB 109 amends Section 1230.1 of the California Penal Code to read: "Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the County Board of Supervisors for the implementation of the 2011 public safety realignment. (b) The plan shall be voted on by an executive committee of each county's Community Corrections Partnership consisting of the Chief Probation Officer of the county as chair, a Chief of Police, the Sheriff, the District Attorney, the Public Defender, a presiding judge or his or her designee, and the department representative listed in either section 1230 (b) (2) (G), 1230 (b) (2) (H), or 1230 (b) (2) (J) as designated by the county board of supervisors for purposes related to the development and presentation of the plan. (c) The plan shall be deemed accepted by the County Board of Supervisors unless rejected by a vote of 4/5ths in which case the plan goes back to the Community Corrections Partnership for further consideration. (d) Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs, including but not limited to, day reporting centers, drug courts, residential multi-service centers, mental health treatment programs, electronic and GPS monitoring programs, victims restitution programs, counseling programs, community service programs, educational programs, and work training programs."

Target Population: The post-release community supervision population, released from prison to community supervision, is the responsibility of local probation departments. This population includes non-violent, non-serious, non-sex offenders with or without a prior conviction for a serious or violent offense or a sex-offender registration requirement. The population that will serve their prison sentences locally includes the non-violent, non-serious, non-sex offender group. Upon full implementation of AB 109 in Contra Costa County it is estimated that the annual average daily population of AB 109 offenders will be approximately 450. These offenders will require a range of supervision, sanctions, and service resources. These offenders become a local responsibility on October 1, 2011 when AB 109 is implemented.

- Local Post-Release Community Supervision: Offenders released from state prison on or after October 1, 2011 after a sentence for an eligible offense shall be subject to, for a period not to exceed 3 years, post-release community supervision provided by a county agency designated by that county's Board of Supervisors. The Probation Department is the designated community supervision agency in Contra Costa County.

- Revocations Heard and Served Locally: Post-Release Community Supervision and parole revocations will be served in local jails (by law the maximum revocation sentence is up to 180 days). The Courts will hear revocations of Post-Release Community

Supervision offenders. The Board of Parole Hearings will conduct parole violation hearings until July of 2013 when this responsibility shifts to local courts.

- Changes to Custody Credits: Most jail inmates will now earn custody credits that equal the amount of custody days served (day for day credit).

- Alternative Custody: Penal Code Section 1203.018 authorizes electronic monitoring for inmates being held in the county jail in lieu of bail. Eligible felony inmates must first be held in custody for 60 days post-arraignment, or 30 days for those charged with misdemeanor offenses. Any program implemented under this penal code section will be in collaboration with the District Attorney's Office and the Superior Court of Contra Costa County.

- Community-Based Accountability: Emphasizes the use of a range of community-based consequences other than jail incarceration.

- Evidence-Based Practices: Emphasizes the use of supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or post-release supervision.

Local Planning and Oversight

COMMUNITY CORRECTIONS PARTNERSHIP

In the last two years, there have been statewide efforts to expand the use of evidence-based practices in sentencing and probation practices, and to reduce the state prison population. SB 678 (2009) established a Community Corrections Partnership (CCP) in each county, chaired by the Chief of Adult Probation, charged with advising on the implementation of SB 678 funded initiatives. AB 109 (2011) established an Executive Committee of the CCP charged with the development of a 2011 Realignment Plan that will recommend a countywide programming plan for the realigned population, for consideration and adoption by the Board of Supervisors.

The CCP Executive Committee will advise on the progress of the Implementation Plan. Chaired by the Chief Probation Officer, the CCP Executive Committee will oversee the realignment process and advise the Board of Supervisors in determining funding and programming for the various components of the plan. Voting members of the Executive Committee include: a Judge (appointed by the Presiding Judge); Chief Probation Officer; County Sheriff-Coroner; District Attorney; Chief of Police; Public Defender; and Direct of County Social Services/Mental/Public Health (as determined by the Board of Supervisors).

Budget

Contra Costa County's share of the block grant dollars is $4,572,950 million over FY2011-2012 beginning October 2011. The planning process has revealed that this amount is inadequate to comprehensively provide for the needs of the AB 109 offender population. The

protection of the community and case management of the clients rely on effective and swift responses to the needs of the clients while being mindful of the needs of the victims and our neighborhoods. Realignment also recognizes that delivery of evidence-based services and sanctions is most effective at reducing recidivism and improving public safety. However, there is a significant gap between this proposal and budget, and the best opportunities to provide a meaningful and comprehensive approach to Realignment. Facing these constraints, the partners have developed a budget based on the State's distribution pursuant to the established allocation. There is also an added projected annual budget that suggests the actual costs for a full fiscal year as noted below. These figures will exceed the expected annual budget for the next fiscal year. There is significant concern that adjustments to the FY2011-2012 Budget will adversely affect this plan. Among the Community Corrections Partnership, the funding will be divided as follows:

Table 2. Contra Costa County AB 109 Spending Plan: One-Time Costs, FY2011-2012, and Projected Annual Budget.

Agency	One-Time Costs	Percent of Total One-Time Costs	FY2011-2012 (9-Month) Budget	Percent of Total FY2011-2012 Budget	Projected Annual Budget	Percent of Projected Annual Budget
Sheriff's Office	$252,500	78.3%	$2,489,750	54.4%	$5,224,717	64.7%
Probation Department	$70,175	21.7%	$1,000,000	21.9%	$1,436,162	17.8%
Health Services	$0	0%	$895,109	19.6%	$1,169,626	14.5%
Office of the Public Defender	$0	0%	$120,591	2.6%	$160,788	2.0%
District Attorney Office	$0	0%	$67,500	1.5%	$90,000	1.1%
Total	**$322,675**	**100%**	**$4,572,950**	**100%**	**$8,081,293**	**100.0%**

(Detailed budgets for each Agency have been presented to the Board of Supervisors.)

Proposed Implementation Strategies

AB 109 offenders will come from one of two sources: (1) Individuals released from state prison that would have normally been placed on parole and (2) offenders who will no longer be eligible to be incarcerated in state prison, but who may do time in county jail. These offenders may also have their jail sentences followed by a period of probation supervision. Even with the fiscal challenges noted above, the Contra Costa County criminal justice stakeholders will address the needs of criminal offenders returning to the community from state prison and those diverted away from state prison. The proposal stresses the use of enhanced resources that include but are not limited to the Sheriff's Office, Probation, Health Services, District Attorney, Public Defender, Superior Court, and community partners.

SHERIFF'S OFFICE

The Sheriff's Office expects impacts to its facilities and programs to be greater than projected by the State of California. During the fiscal year 2010-2011, the Sheriff's Office had 1,276 inmates transfer to the State to serve parole violations. In addition, the Sheriff's Office sent 505 inmates to the State for new prison commitments.

The State has projected that the terms of confinement for parole violations will go from an average of four months to an average term of 30 days. All parole violations that would have been served back in prison will now be served in local custody (with the exception of those offenders on parole for "life" terms). Furthermore, the Board of Parole Hearings maintains jurisdiction over the pre-October 1, 2011 parolees until 2013. Thus, the impacts of local control of the offenders and their related consequences and opportunities will not fully be realized until after July 1, 2013.

The Sheriff's Office will assume the term of confinement for offenders at 90 days. With this assumption the Sheriffs Office will see an impact of 106 inmates per month for the first three months, or 318 inmates. In addition, the impacts of local sentencing and local violations are assumed at 12 per month (the three year ramp up average expected by the State). After 90 days, the Sheriff's Office expects an inmate population increase of 354 inmates.

The Sheriff's Office manages the three county jail facilities – Martinez Detention Facility, Marsh Creek Detention Facility, and the West County Detention Facility. In anticipation of the increase in the inmate population, the Sheriff's Office will open a new housing unit within the Marsh Creek Detention Facility. This unit will have a 60 bed capacity and will be used to house AB 109 (non-serious, non-violent, and non-sex) offenders locally. Additionally, the Sheriff's Office anticipates an increase the population of the West County Detention Facility by an estimated 200 inmates.

In collaboration with the Community Corrections Partnership and prior jail operational practices there are many service opportunities for those incarcerated locally. The Sheriff's Office, various County Departments (Office of Education, Probation, Health and Human Services), and several community-based organizations have provided opportunities for offenders in custody. These services are transitional in focus and help provide for successful re-entry. These include but are not limited to:

- GED preparation and testing
- High school diploma completion
- English as a Second Language training
- Computer application and design
- Parenting classes
- Re-entry / transitional services
- Woodshop / woodworking skills
- Engraving/sign/vehicle detailing shop
- Landscaping
- Library services

- Legal Research Services
- Proud Father Classes
- Alcoholics' and Narcotics' Anonymous classes
- Domestic Violence Prevention classes
- Veteran Affairs
- SSA/SSI Homeless Outreach Collaborative
- U.C. Davis Immigration Law Center

The Sheriff's Office will also enhance it electronic monitoring (EM) program currently provided through it Custody Alternative Facility (CAF) program. The Sheriff's Office will hire additional staff to monitor AB 109 offenders. It is expected that the number of monitored EM inmates will increase by about 100 (a 50% increase in inmate counts). Offenders in EM pay $0-41.50 per day for supervision. Fees are waived or reduced for inmates unable to pay.

Electronically monitored offenders meet with program staff weekly to review their required scheduled appointments, review the geographic areas that are "off limits" to them, and submit samples for urinalysis. Monitored offenders may be outfitted with a standard GPS monitor that allows the tracking of whereabouts (location and time) or an enhanced SCRAM unit, which is a trans-dermal blood alcohol monitor that is typically used with 2nd and 3rd time DUI offenders, and includes RF (house arrest) monitoring.

After offenders have been convicted and remain in custody to serve their sentence, they can apply for County Parole after the sentencing judge has approved County Parole as an option. The cost and program implementation are similar to the EM program if placed into County Parole by the County Parole Board.

A small number of AB 109 offenders may be given county parole. This option is reserved for inmates that are serving custody time in County Jail. After approval from the sentencing Judge for this option, the case will be forwarded to the County Parole Board which consists of the Deputy Probation Officer, a Sheriff's Office Manager, and a member of the public approved for appointment by the Presiding Judge.

If a sentence is less than 30 days, inmates will be assigned Work Alternative where offenders pay $16/day for supervision, and work off their sentences while they are out of custody.

PROBATION

The Probation Department estimates there will be 250 prison released offenders during the first year of the Realignment and is projected to grow to 350 during the second year of the Realignment. The Department will be responsible for administering programs directed to the post-release community supervision population. The Department will provide or refer probationers to a full range of community supervision services including:

- Pre-release "reach-in" services (assessments and supervision planning pending release from county jail)

- Case management
- Intensive community supervision (with routine home visits)
- Cognitive behavioral interventions (both pre-release and after released from jail)
- Restorative justice programs (both pre-release and after release from jail),
- Urinalysis testing
- Residential substance abuse treatment
- Outpatient behavioral health treatment
- Community service
- Family strengthening strategies
- Referral to education vocational training/employment services and housing resources
- Imposition of up to 10 days jail ("flash incarceration") as a sanction for violating supervision conditions

Post-release community supervision will not exceed three years, and individuals may be discharged following as little as 6 months of successful community supervision. Probationers may be revoked for up to 180 days; all revocations will be served in the local jail. Post-release community supervision will be consistent with evidence-based practices demonstrated to reduce recidivism. The Department may impose appropriate terms and conditions, appropriate incentives, treatment and services, and graduated sanctions.

Probation has and continues to invest heavily in establishing evidence-based supervision and intervention practices proven effective in reducing recidivism and improving outcomes. Central to evidence-based practice are the concepts of risk, need and responsivity (the practice of assessing and identifying criminogenic risk factors contributing to ongoing criminal behavior, which can be changed through application of culturally, developmentally, and gender appropriate interventions, teaching new skills and building on offender strengths to mitigate criminality). The Department uses the National Council on Crime and Delinquency's (NCCD) Criminal Assessment & Intervention System (CAIS) to guide the level of supervision provided to each probationer.

Probation will create a specialized unit that will provide intensive probation supervision to the AB 109 population. Each probationer will be administered the CAIS and will have an individualized treatment plan. Probation anticipates gradually deploying seven (7) deputy probation officers (DPOs) to provide services to the AB 109 population. The Department anticipates having DPOs based in West County, Central County, and East County to ensure contact is community based. The number of DPOs assigned to the unit will increase as appropriate.

A system of rewards and responses is being developed for use with the post-release community supervision population, and ultimately will drive intervention decisions with all offenders under supervision. The use of rewards and response decisions will guide the DPO regarding the type of intermediate sanction to impose in responding to violations. Successfully implementing AB 109 will require developing an effective violation hearing process combined with consistent imposition of graduated sanctions in response to violations of supervision conditions.

As AB 109 probationers are initially likely to be high-risk as evidenced by their Correctional Assessment and Intervention System (CAIS) scores. The Department will require DPOs to provide intensive probation supervision at a ratio of clients to DPO of 50:1.

Collaborative case planning is the focal point of this active engagement approach involving the offender, his/her family, the DPO, law enforcement and multiple service providers (such as housing, employment, vocational training, education, physical health, behavioral health, and pro-social activities). Individual factors such as strengths, risk factors, needs, learning style, culture, language, and ethnicity are integral to determination of appropriate interventions and services. The individualized treatment plan will determine the level of supervision and identify the types of evidence-based treatment and services the probationer needs to successfully avoid re-offending and increase pro-social functioning and self-sufficiency.

HEALTH SERVICES

Some AB109 offenders will have substance abuse problems, mental health problems, and/or will be homeless. These conditions will require intervention to facilitate the offender's re-integration into the community and prevent recidivism. Health Services will provide services to AB109 offenders through its Behavioral Health Division, which includes homeless, mental health, and alcohol and other drug services.

Health Services estimates that during the first nine months of AB109's implementation in Contra Costa County, approximately 50 offenders will require mental health services. With its share of the funding Health Services will fund a registered nurse (0.5 FTE), a licensed clinical specialist (1.0 FTE), a portion of a psychiatrist's time (0.25 FTE), and a clerk (0.5 FTE) within the mental health outpatient clinics. These staff members will provide mental health treatment and medication management services to AB109 offenders with mental health needs. Additionally, Health Services will provide psychotropic medication and laboratory services to the offenders.

Health Services will also fund an SSI Coordinator (.5 FTE), fund shelter beds (8 beds per night, per year), and transitional housing (2 spaces per night, per year) within the Behavioral Health Homeless Program. Health Services estimates that seventy (70) offenders will be provided housing services during the first nine months and estimates that eighty-five (85) offenders will be provided housing services during the second year.

The total number of AB 109 offenders requiring drug treatment services in Residential Drug Facility is unknown at this time. A total of 46, 90-day episodes in residential alcohol and other drug treatment will be made available for clients requiring alcohol and other drug treatment through Behavioral Health Alcohol and Drug Services.

During the first 9-months of AB 109 Implementation in Contra Costa County approximately $396,000 (or 9% of the total allocation) will be paid to community-based organizations providing housing, residential alcohol and drug treatment services within Contra Costa County.

DISTRICT ATTORNEY OFFICE

Realignment will significantly impact the workload of the Contra Costa County District Attorney Office (DAO) and the sentencing options available to resolve cases. First, the DAO will be responsible for reviewing, charging, and prosecuting violations of post-release community supervision.

Second, DAO prosecutors will need to make more court appearances and engage with cases for longer periods. The number of appearances per case will likely increase before sentencing as getting agreement on appropriate sentences may be protracted.

Third, the DAO must develop expertise in alternative sentences and work closely with criminal justice partners to ensure effective sentencing without reliance on incarceration. As prison will not be available as a sentence option for many offenses, relying on jail sentences will overburden the jail system. DAO will need to develop creative and effective sentencing options based on the offender's risks and needs.

To address these challenges, DAO will add a Criminal Justice System Victim Advocate who will assist victims of crime as part of the Public Safety Realignment. In compliance with Marsy's Law, the Victim Advocate will: (1) assist the victim to obtain a criminal protective order; (2) contact the victim to gather input for setting bail and release conditions during the case; (3) be a liaison with the prosecutor for the duration of the case and disposition; (4) keep the victim informed of court dates, and sentencing hearings; (5) provide court support during court proceedings; (6) provide information concerning the disposition of the case including assisting the victim to register with the Contra Costa County Sheriff's Office's VINE program; (7) assist the victim with gathering information concerning restitution determination, obtaining a restitution order, assisting Probation with restitution information, and collection of restitution order and restitution fines; (8) assist the victim with understanding the process of incarceration in the county jail to serve prison sentences, release of inmates to community-based programs, and alternative post sentencing options; and (9) work with the victim, the prosecutor, and supervising probation officer to assure victim's safety concerns are heard and addressed.

OFFICE OF THE PUBLIC DEFENDER

The Office of the Public Defender also anticipates a significant impact on its practice due to the new AB 109 sentencing scheme. To assist in the provision of evidence-based rehabilitation in Contra Costa County, the Office will provide (1) pre-sentence needs assessments for AB 109 offenders and (2) Clean Slate services.

Many public defender clients will fall into the category of AB 109 offenders. These clients will now be eligible for sentences that can include a period of probation supervision following a period of incarceration. With the addition of a licensed social worker to the staff, the Office of the Public Defender will prepare needs-assessments for these clients that will facilitate appropriate case resolutions that address the specific reentry needs of the individual client. Identifying these needs at the pre-disposition stage will increase the chances that the individual

will succeed on probation and avoid re-offending. This information will be provided to Probation as appropriate to assist with post-release planning.

A related component of successful reentry for AB 109 offenders is Clean Slate assistance. Clean Slate is recognized as an important and effective step in removing barriers to employment for former offenders who have completed their probation terms and are seeking to reenter society. Under the new sentencing scheme, it is anticipated that more clients will be eligible for clean slate expungements pursuant to Penal Code section 1203.4. Beginning February 1, 2012 the Office will help AB 109 offenders prepare and file the appropriate paperwork in court to have their records cleared. This assistance is expected to facilitate former offenders' efforts to find employment and housing, reduce recidivism, and improve public safety.

SUPERIOR COURT

Under AB 117, a budget trailer bill accompanying the 2011 Budget Act, the Superior Court's role in criminal realignment previously outlined under AB 109 has been substantially narrowed to handle only the final revocation process for offenders who violate their terms or conditions or post-release community supervision or parole. The Court will assume responsibility for post-release community supervision revocation hearings beginning October 1, 2011. AB 117 also delays the Court's role in revocation proceedings for persons under state parole supervision and serious violent parole violations until July 1, 2013.

COMMUNITY CORRECTIONS PARTNERSHIP COLLABORATIVE OFFENDER ORIENTATION MEETINGS

Staff members from each of the CCP agencies will participate in required orientations for AB 109 offenders as they return to the community from state prisons or county jail. These presentations will allow CCP agencies and community-based organizations to share information on the array of housing, mental health, substance use prevention, employment development, transportation, and other services available within Contra Costa County to offenders. The orientations will also provide an opportunity for District Attorney, Probation, Public Defender, Sheriff's Office, and local police, to share the possible consequences for law violations.

PERIODIC COMMUNITY CORRECTIONS PARTNERSHIP MEETINGS

The Contra Costa County CCP will meet monthly throughout the first nine months of the AB 109 Implementation to make adjustments to this Implementation Plan and allocation of funding based upon unfolding circumstances and conditions. The Committee is particularly concerned about the accuracy of initial estimates regarding client populations, the accuracy of the initial costs estimates, management information system development, receptiveness to offered services, over-all outcomes, and quality of life for AB 109 offenders.

Proposed Outcomes

Contra Costa County justice stakeholders – the community, Sheriff's Office, Probation, the Superior Court, the Public Defender, District Attorney's Office, and Health Services – are committed to reducing recidivism and increasing public safety. This Realignment Plan seeks to further these goals by:

- Managing the additional responsibilities resulting from AB 109.
- Implementing a system that protects public safety and utilizes best practices in recidivism reduction.
- Developing a system that uses alternatives to pre-trial and post-conviction incarceration where appropriate.

To gauge effectiveness, the Community Corrections Partnership will gather outcome data likely to include:

- Feedback from CCP partners on the effectiveness of the Realignment Plan
  - Strengths of the local realignment
  - Challenges to the local realignment
  - Recommendations to enhance local realignment
- Recidivism outcomes for AB 109 clients
  - Number of arrests for technical violations
  - Number of arrests for new law violations
  - Number of convictions for technical violations
  - Number of convictions for new law violations
  - Number of flash incarcerations
  - Number of days detained in jail for flash incarcerations
  - Number of county jail sentences for new law violations
  - Number of days sentenced in county jail for new law violations
  - Number of probation revocations
  - Number of clients completing probation
  - Number of clients sentenced to state prison
- Quality of life outcomes for AB 109 clients
  - Number and percent of clients maintaining sobriety as evidenced by urinalysis test results
  - Number and percent of clients with appropriate housing
  - Number and percent of clients working (full-time)
  - Number and percent of clients working (part-time)
  - Number and percent of clients enrolled in MediCal
  - Number and percent of clients completing Clean Slate