



Agenda

PUBLIC PROTECTION COMMITTEE

Monday, November 5, 2012
11:00 A.M.

651 Pine Street, Room 101, Martinez CA 94553

Supervisor Candace Andersen, Chair
Supervisor Federal D. Glover, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day
and preference of the Committee

1. Introductions/Call to Order
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. CONSIDER accepting a report from the Chief Probation Officer regarding the arming of certain, sworn staff in the Probation Department. **(Philip F. Kader, Chief Probation Officer)**
4. CONSIDER accepting an update on the implementation of AB109 Criminal Justice Realignment in Contra Costa County. **(Philip F. Kader, Chief Probation Officer; Chair, Community Corrections Partnership)**
5. CONSIDER accepting a report on the requirement of Gas Shut-off Valves to be installed on certain residential, commercial, and industrial structures pursuant to County Ordinance Code § 718-8 *et seq.* and DIRECT staff on next steps. **(Jason Crapo, Conservation and Development Department)**
6. CONSIDER accepting status report from the Employment and Human Services Department and District Attorney's Office on welfare fraud investigation and prosecution. **(Mike Roetzer, Employment and Human Services Department)**
7. Adjourn

The Public Protection Committee will provide reasonable accommodations for persons with disabilities planning to attend Public Protection Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.

 *Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Internal Operations Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.*

 *Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

For Additional Information Contact:

Timothy Ewell, Committee Staff
Phone (925) 335-1036, Fax (925) 646-1353
timothy.ewell@cao.cccounty.us

Acronyms, Abbreviations, and other Terms (in alphabetical order):

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

| | | | |
|-----------|---|------------|---|
| AB | Assembly Bill | HCD | (State Dept of) Housing & Community Development |
| ABAG | Association of Bay Area Governments | HHS | Department of Health and Human Services |
| ACA | Assembly Constitutional Amendment | HIPAA | Health Insurance Portability and Accountability Act |
| ADA | Americans with Disabilities Act of 1990 | HIV | Human Immunodeficiency Syndrome |
| AFSCME | American Federation of State County and Municipal Employees | HOV | High Occupancy Vehicle |
| AICP | American Institute of Certified Planners | HR | Human Resources |
| AIDS | Acquired Immunodeficiency Syndrome | HUD | United States Department of Housing and Urban Development |
| ALUC | Airport Land Use Commission | Inc. | Incorporated |
| AOD | Alcohol and Other Drugs | IOC | Internal Operations Committee |
| BAAQMD | Bay Area Air Quality Management District | ISO | Industrial Safety Ordinance |
| BART | Bay Area Rapid Transit District | JPA | Joint (exercise of) Powers Authority or Agreement |
| BCDC | Bay Conservation & Development Commission | Lamorinda | Lafayette-Moraga-Orinda Area |
| BGO | Better Government Ordinance | LAFCo | Local Agency Formation Commission |
| BOS | Board of Supervisors | LLC | Limited Liability Company |
| CALTRANS | California Department of Transportation | LLP | Limited Liability Partnership |
| CalWIN | California Works Information Network | Local 1 | Public Employees Union Local 1 |
| CalWORKS | California Work Opportunity and Responsibility to Kids | LVN | Licensed Vocational Nurse |
| CAER | Community Awareness Emergency Response | MAC | Municipal Advisory Council |
| CAO | County Administrative Officer or Office | MBE | Minority Business Enterprise |
| CCHP | Contra Costa Health Plan | M.D. | Medical Doctor |
| CCTA | Contra Costa Transportation Authority | M.F.T. | Marriage and Family Therapist |
| CDBG | Community Development Block Grant | MIS | Management Information System |
| CEQA | California Environmental Quality Act | MOE | Maintenance of Effort |
| CIO | Chief Information Officer | MOU | Memorandum of Understanding |
| COLA | Cost of living adjustment | MTC | Metropolitan Transportation Commission |
| ConFire | Contra Costa Consolidated Fire District | NACo | National Association of Counties |
| CPA | Certified Public Accountant | OB-GYN | Obstetrics and Gynecology |
| CPI | Consumer Price Index | O.D. | Doctor of Optometry |
| CSA | County Service Area | OES-EOC | Office of Emergency Services-Emergency Operations Center |
| CSAC | California State Association of Counties | OSHA | Occupational Safety and Health Administration |
| CTC | California Transportation Commission | Psy.D. | Doctor of Psychology |
| dba | doing business as | RDA | Redevelopment Agency |
| EBMUD | East Bay Municipal Utility District | RFI | Request For Information |
| EIR | Environmental Impact Report | RFP | Request For Proposal |
| EIS | Environmental Impact Statement | RFQ | Request For Qualifications |
| EMCC | Emergency Medical Care Committee | RN | Registered Nurse |
| EMS | Emergency Medical Services | SB | Senate Bill |
| EPSDT | State Early Periodic Screening, Diagnosis and treatment Program (Mental Health) | SBE | Small Business Enterprise |
| et al. | et ali (and others) | SWAT | Southwest Area Transportation Committee |
| FAA | Federal Aviation Administration | TRANSPAC | Transportation Partnership & Cooperation (Central) |
| FEMA | Federal Emergency Management Agency | TRANSPLAN | Transportation Planning Committee (East County) |
| F&HS | Family and Human Services Committee | TRE or TTE | Trustee |
| First 5 | First Five Children and Families Commission (Proposition 10) | TWIC | Transportation, Water and Infrastructure Committee |
| FTE | Full Time Equivalent | VA | Department of Veterans Affairs |
| FY | Fiscal Year | vs. | versus (against) |
| GHAD | Geologic Hazard Abatement District | WAN | Wide Area Network |
| GIS | Geographic Information System | WBE | Women Business Enterprise |
| | | WCCTAC | West Contra Costa Transportation Advisory Committee |

**2012 PUBLIC PROTECTION COMMITTEE
UPDATE ON THE ARMING OF SWORN STAFF IN THE PROBATION DEPARTMENT**

The Chief Probation Officer will be present to provide an oral update to the Public Protection Committee on this issue. There is no staff report or additional materials related to this item.

2012 PUBLIC PROTECTION COMMITTEE UPDATE ON STATE PUBLIC SAFETY REALIGNMENT

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

- Transferred the location of incarceration for lower-level offenders (specified nonviolent, 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;
- Transferred 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);
- Transferred the custody responsibility for parole and PRCS revocations to local jail, administered by county sheriffs

AB 109 also created an Executive Committee of the local Community Corrections Partnership (CCP) (originally established in 2009 by Senate Bill 678) and tasked it 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), the Sheriff-Coroner, a Chief of Police (represented by the Richmond Police Chief), the District Attorney, the Public Defender, the Presiding Judge of the Superior Court or designee (represented currently by the County Executive Officer Kiri Torre), and the County Health Director.

On October 4, 2011, the Board of Supervisors approved the CCP Realignment Implementation Plan and the CCP Executive Committee and its community advisory board have been meeting monthly to monitor the plan and state revenue distributions, and formulate recommendations, if necessary, for plan adjustments. The County's AB 109 funding allocation for the nine-month remainder of FY 2011/12 was approximately \$4.5 million. This allocation was based upon a State funding formula that counter-intuitively rewarded those counties that historically sent many people to State prison. Contra Costa and other local urban counties that were disadvantaged by this funding formula argued vociferously that the formula should be changed and prevailed. For each of the next two fiscal years, Contra Costa County will be allocated \$19 million – more than triple the original allocation annualized. The increased allocation will provide for the full funding of the October 2011 realignment plan plus some expansion and

enhancement of those services, and also the development of new community-based re-entry services to be coordinated by the County.

In September 2012, the CCP Executive Committee created an Ad Hoc Committee to create an operational plan to, *inter alia*, help efficiently direct services to the AB109 population using the increased funding allocation. On October 16, 2012, the Ad Hoc Committee concluded its work and approved a final Operational Plan to be considered by the CCP Executive Committee on November 9, 2012.

November 5, 2012

The County Probation Officer, as Chair of the Community Corrections Partnership Executive Committee, will make an oral report on County's experience with realignment and an update on the allocation of 2012/13 funding.

The PPC last received status reports in October 2012, August 2012, April 2012, and December 2011. Attached is the October 2011 Realignment Plan, as approved by the Board of Supervisors, and the final Operations Plan, as approved by the Ad Hoc Committee for reference.

To: Board of Supervisors
From: Community Corrections Partnership Exec Cte
Date: October 4, 2011



Contra
Costa
County

Subject: AB 109 CRIMINAL JUSTICE REALIGNMENT IMPLEMENTATION PLAN

RECOMMENDATION(S):

APPROVE the Contra Costa County 2011/12 Public Safety Realignment Implementation Plan, attached hereto, for criminal justice programs.

FISCAL IMPACT:

The recommended plan should result in no additional net County cost during fiscal year 2011/12, as recommended allocations are funded through State AB 109 public safety realignment funds. Future plans and realignment allocations will depend on future State allocations and are not reflected in this plan.

BACKGROUND:

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:

- APPROVE
- OTHER
- RECOMMENDATION OF CNTY ADMINISTRATOR
- RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/04/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYES _____ NOES _____
 ABSENT _____ ABSTAIN _____
 RECUSE _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 4, 2011
_____, County Administrator and Clerk of the Board of Supervisors

By: _____, Deputy

Contact: **PHILIP KADER**
925-313-4188

cc:

BACKGROUND: (CONT'D)

- 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) 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.

The attached 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 in the "Assumptions" section of the plan. 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. The CCP considers this nine-month implementation plan to be the first step in an evolving, long-term effort to develop a comprehensive supervision and re-entry program. The programs, as recommended, cannot be sustained on an annual basis within the state funding allocation. While we are participating in efforts to secure additional state funding, we also recognize that we must change our policies, practices, and programming in order to manage this population within the limited funding available.

The CCP Executive Committee recommends approval of the plan and the related budget and staffing plan, which is transmitted to the Board today in a separate item.

CONSEQUENCE OF NEGATIVE ACTION:

CHILDREN'S IMPACT STATEMENT:

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

Table of Contents

| | |
|---|----|
| Introduction..... | 3 |
| Executive Summary | 5 |
| Recommendations..... | 8 |
| Local Planning and Oversight..... | 11 |
| Budget..... | 11 |
| Proposed Implementation Strategies..... | 12 |
| Proposed Outcomes | 19 |

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 | \$1,025,596 | 22.4% |
| Health Services | \$ 895,109 | 19.6% |
| Office of the Public Defender | \$ 94,995 | 2.1% |
| 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 | 64.3% |
| Probation Department | \$ 70,175 | 21.7% | \$1,025,596 | 22.4% | \$1,482,783 | 18.2% |
| Health Services | \$0 | 0% | \$ 895,109 | 19.6% | \$1,169,626 | 14.4% |
| Office of the Public Defender | \$0 | 0% | \$ 94,995 | 2.1% | \$ 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% | \$8,127,914 | 100.0% |

(Detailed budgets for each Agency have been presented to the Board in a separate transmittal.)

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 Sheriff's 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 its electronic monitoring (EM) program currently provided through its 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

Overarching Approach

Use collaboration, innovation, and ongoing evaluation
to foster safety and long-term liberty in Contra Costa County

Primary Approaches for Identifying Priorities

1. Is it consistent with the intent of AB 109?
 2. Does it appropriately reduce the jail population?
 3. Does it support and advance a sustainable reentry system?
-

Agreements of Principle

1. Enhance public safety through reducing recidivism.
 2. Foster successful reintegration of individuals back into the community.
 3. Coordinate efforts to reduce duplication and increase efficiency.
 4. Identify additional resources to meet AB 109 objectives and maximize coordination.
 5. Explore options to maximize use of local jail facilities to serve the needs of the AB 109 population.
 6. Maximize public and private partnerships in all phases of implementation.
 7. Maximize interdepartmental and intergovernmental collaborations and partnerships at all phases of implementation.
-

Agreements of Practice

1. Identify and define the AB 109 populations
 - a. Post Release Community Supervision (Cal. Dept. of Corrections and Rehabilitation (CDCR) custody to County Probation Supervision)
 - b. PC 1170(h) Sentenced to County jail with Mandatory Supervision upon release (Split Sentence)
 - c. PC 1170(h) Sentenced with no Supervision upon release
 - d. CDCR Parole Violators held in County jail
2. Identify the AB 109 population served by the AB 109-funded services and programs

3. Monitor AB 109 services and programs to ensure appropriate populations are served
4. Share assessment tools and methods and, as appropriate, develop coordinated use of tools, data systems and protocols across programs and agencies
5. Ensure that the service delivery network has adequate capacity to supply services to meet the needs of the AB 109 populations
6. Use evidence based practices, such as cognitive behavioral therapy, to fortify long-term self-sufficiency
7. Define recidivism and establish baselines to measure local progress and outcomes

Related Resources

1. SAMHSA grant
2. Second Chance grant
3. Facilities bond
4. In-custody portion of 52-week batterers' treatment program
5. Board of Community Corrections standards (forthcoming)
6. Court modifications to LJIS to capture some AB 109 sentencing data
7. Sheriff Department AB 109 activity reports
8. Probation Department case management system (in development)
9. Potential court and probation resources for 2013/2014?

Phase 1: Arrest and Pretrial

Objective 1.1. Increase public safety

Strategy a. Monitor the pretrial jail population, in-custody and in custody alternative programs, to track jail use, population baselines and outcomes

- i. Establish consistent definitions for inmate status throughout the arrest and pretrial process
- ii. Monitor the effects of pretrial services on the inmate population to evaluate the impacts on later phases

Objective 1.2. Following arrest, better identify persons who can safely be released and those who should be held in physical custody pretrial so as to reduce the pretrial jail population to maximize capacity for the sentenced AB 109 population

Strategy a. Fund a comprehensive pretrial services program that uses an evidence-based pretrial assessment tool

Activity i. Provide training to justice partners, including the bench and law enforcement, regarding the pretrial services program goals and objectives

Activity ii. Provide for early representation of arrestees at the first Court appearance

Activity iii. Increase opportunities for charged persons to make the first Court appearance out of custody via a notice to appear vs. an arrest warrant

Phase 2: Adjudication and Sentencing

Objective 2.1. Provide timely, informed and appropriate adjudication of all cases

Strategy a. Expand the west county Early Disposition Calendar (EDC) for use county-wide

Strategy b. Provide for an individual needs assessment at the time of adjudication that includes a social history

Strategy c. Where appropriate, encourage Courts to incorporate the recommendations of the needs assessment into the sentence through mandated participation in pre and post-release programs and services

Strategy d. Ensure that alternatives to physical incarceration are available and considered

Objective 2.2. Restructure specialized Courts and calendars to increase efficiency and maximize benefits for the AB 109 population

Strategy a. Evaluate the existing specialized Courts to identify ways to maximize access for the AB 109 population(s), to include homeless Court and reentry Court

Objective 2.3. Utilize evidence-based practices in sentencing

Strategy a. Explore best practices for evidence-based sentencing and adjudication

Strategy b. Provide training to all justice partners, including the bench, regarding evidence-based sentencing

Phase 3: Incarceration

Objective 3.1. Maintain safe facilities (in and out of custody) for inmates, visitors, and staff

Strategy a. To the extent that an increase in jail population is attributed to Public Safety Realignment, identify additional needs to maintain safe facilities

Strategy b. Continue to maximize alternatives to physical incarceration including electronic home detention

Objective 3.2. House AB 109 inmates in the rated facility appropriate for their classification

Strategy a. Move state prisoners out of county custody with expediency

Activity i. Develop agreements/systems to provide routine transportation to state prison

Activity ii. Lobby state representatives to change Contra Costa County's state prison reception center to a closer location

Strategy b. Explore additional and alternative sources of funding to develop facilities and programs, such as SB1022 funds

Activity i. Identify other funding opportunities for collective/joint consideration

Strategy c. Explore the need to expand services and programs to all three county jail facilities

Objective 3.3. Ensure that programs and services are responsive to individual needs

Strategy a. Align people, facilities and programs to ensure accessibility

Strategy b. Develop and enhance community-based and Office of Education services within the jail facilities to meet identified needs

Strategy c. Identify and support the use of community-based providers to deliver services to the incarcerated population

Strategy d. To the extent that an increase in jail population is attributed to Public Safety Realignment, address the increased burden on Detention Health Services

Strategy e. Foster continuity of services on transition from custody to community

Strategy f. Ensure the provision of behavioral and physical health care services to meet individual needs

Phase 4: Pre-Release

Objective 4.1. Establish and maintain an entry point to an integrated reentry system of care

Strategy a. Establish a formal pre-release assessment and planning process to ensure more successful reentry

Activity i. Prior to release from custody, assess individual barriers to successful reentry, such as educational, housing, employment, behavioral and physical health, and additional needs

Activity ii. Create a formal release and reentry plan that addresses the needs identified

Activity iii. Prior to release, assist the inmate in obtaining documents and/or identification needed to secure housing, employment, or public benefits

Activity iv. Where possible, connect inmates with needed services prior to release

Strategy b. Prior to release, establish a plan to connect the individual with transitional services that foster positive social networks and attitudes

Activity i. Help inmates identify and connect with positive social relationships

Activity ii. Expand access to cognitive behavioral treatment programs

Phase 5: Reentry and Reintegration

Objective 5.1. Maximize public safety, accountability, and service referrals

Strategy a. Ensure monitoring and compliance with terms and conditions of all mandated community supervision

Activity i. Employ evidence-based practices in community supervision

Activity ii. Enhance cognitive interventions and strengthen coordination with county and community partners

Strategy b. Engage local law enforcement in planning and enforcement

Activity i. Partner with local law enforcement for information sharing, compliance checks, and service referrals

Objective 5.2. Assist in providing access to a full continuum of reentry and reintegration services

Strategy a. Identify available resources throughout the county

Strategy b. Support planning and implementation of an integrated system of services that may include co-located, site-based resources and services.

Objective 5.3. Provide and enhance integrated programs and services for successful reentry of the AB 109 population

Strategy a. Assist the AB 109 populations to gain access to health care services

Activity i. Facilitate access to physical health services and medication

Activity ii. Facilitate access to behavioral health services and medication

Activity iii. Facilitate access to substance abuse treatment

Strategy b. Expand access to employment support and placement services

Activity i. Provide information and education to employers about existing subsidies and incentives to encourage job placement and employment

Activity ii. Encourage and/or support training and/or subsidized or transitional employment opportunities that address criminal records-based barriers

Activity iii. Expand access to job-specific training and certification programs

Activity iv. Expand access to clean slate services and other legal services to address legal barriers to successful reentry

Strategy c. Facilitate access to appropriate short and long-term housing

Activity i. Work with housing authority to foster access to public subsidies and remove potential barriers

Activity ii. Develop low cost and/or subsidized housing options

Activity iii. Facilitate access to sober living and other transitional housing

Activity iv. Address legal barriers to accessing post-release housing

Strategy d. Provide advocacy and services to foster financial self-sufficiency

Activity i. Improve financial literacy and planning capabilities

Activity ii. Facilitate enrollment in or reinstatement of public benefits including state and federal programs

Strategy e. Facilitate access to and expand educational opportunities

Activity i. Support GED and high school curriculum

Activity ii. Support access to higher education and financial aid

Objective 5.4. Increase mentoring, encourage family and community engagement in reentry and reintegration

Strategy a. Identify appropriate mentoring programs

Activity i. Identify promising and evidence-based practices for mentoring programs that serve formerly incarcerated individuals

Activity ii. Identify and obtain financial support to develop, evaluate and sustain mentoring programs

Strategy b. Foster family readiness, health, safety, and receptivity during reentry and reintegration

Strategy c. Support peer-driven case management to facilitate transition and reintegration

Phase 6: Coordination and Administration of AB 109 Programs

Objective 6.1. Use and encourage professional training to advance system-wide knowledge

Strategy a. Develop comprehensive, coordinated training for service providers and county agencies regarding AB 109 objectives and goals

Activity i. Identify best practices in other jurisdictions regarding AB 109 populations

Activity ii. Support and provide trainings for reentry services provided as appropriate, to foster core competencies

Strategy b. Regularly convene county-wide stakeholders for information sharing and professional development

Strategy c. Encourage development and use of continuing professional education related to AB 109 service delivery

Objective 6.2. Maximize interagency coordination

Strategy a. Explore appropriate relationship of the CCP to the reentry council

Strategy b. Foster community collaboration and input, including through the Community Advisory Board

Strategy c. Establish additional standing committees to address:

- i. Programs and Services
- ii. Data and Evaluation

Strategy d. Improve coordination among different departments, agencies, and service providers

Activity i. Provide resources, such as a reentry coordinator, to support inter-organizational coordination

Objective 6.3. Institute use of data collection and analysis across system of care

Strategy a. Develop standardized metrics and assess impacts on departments and service providers

Strategy b. Capture data and information necessary to measure outcomes that can be readily available to all partners in the county and community

Strategy c. Maximize easy access to key data and information when data/case management systems are developed including, but not limited to, the ability to track:

- i. Recidivism over time
- ii. Demographics of AB 109 and other sub-populations
- iii. Program participation, completion, and outcomes

Strategy d. Facilitate access to and sharing of inter-agency data, as appropriate

Strategy e. Provide for analysis of collected data to measure effectiveness of strategies and interventions

Activity i. Maximize timely and regular analysis to identify areas of strength and/or concern such that early intervention and correction is possible

Activity ii. Provide resources, such as a countywide data analyst, to support data collection and analysis.

Objective 6.4. Develop and use evaluation practices to assess progress and needs

Strategy a. Develop robust, independent evaluation of AB 109 implementation

Activity i. Engage evaluation partners from local universities or other appropriate partners

**2012 PUBLIC PROTECTION COMMITTEE
REPORT ON EMERGENCY GAS SHUT-OFF VALVES FOR VARIOUS
STRUCTURES IN UNINCORPORATED CONTRA COSTA COUNTY**

On September 25, during a presentation on Emergency Preparedness within Contra Costa County, the Board of Supervisors referred to the Public Protection Committee a report on the county Gas Shut-Off valve ordinance (Ordinance Code § 718-8 *et seq.*). Originally, the former Building Inspection Department was responsible for regulation related to the Ordinance, now the Department of Conservation and Development provides oversight through its Building Inspection Division.

November 5, 2012

The Department of Conservation and Development has prepared the attached report and will present to the Committee



CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION & DEVELOPMENT
BUILDING INSPECTION DIVISION
30 Muir Road, Martinez, CA 94553
Telephone: 674-7774 Fax: 674-7250

TO: Public Protection Committee
Supervisor Candace Andersen, Chair
Supervisor Federal D. Glover, Vice Chair

FROM: Jason Crapo *JC*
Deputy Director, Building Inspection Division

DATE: October 25, 2012

SUBJ : Gas Shut-off Devices

The County Board of Supervisors first adopted an ordinance requiring the installation of gas shut-off devices in 2000. In its current form, the County Ordinance Code requires the installation of a gas shut-off device at the main gas meter for all residential, commercial and industrial structures in any of the following circumstances:

1. All new construction;
2. When a building permit is issued for construction work on an existing structure that involves gas plumbing and the value of the construction is greater than \$5,000, or if the construction does not involve gas plumbing and the value of the construction is greater than \$15,000;
3. At the time the property is sold

The Department of Conservation and Development (DCD) is responsible for enforcing the County Building and Zoning Codes, including the gas shut-off device requirements. DCD is able to efficiently and effectively enforce the gas shut-off device requirement for new construction and for construction work on existing structures because the gas shut-off device is installed in connection with a building permit for a construction project. DCD staff is able to ensure that installation of the device is reflected on the plans submitted for the project, and Building Inspectors are able to verify installation in the field as part of the inspection of the construction work.

DCD has found the time of sale requirement to more challenging to enforce, and the rate of compliance to be much less than what is desired. Staff estimates the rate of compliance with the time of sale requirement to be approximately 40%. This estimate is derived by comparing home sales data to building permit data for a specified time period to determine which properties obtained a building permit for installation of a gas shut-off device near the time of sale. The estimated rate of compliance may be understated because it does not account for homes that already have a device installed and therefore do not require installation at time of sale.

The time of sale requirement is challenging to enforce because DCD has no involvement in real estate sales and no regular contact with property owners at time of sale. To address these circumstances and improve the rate of compliance, DCD has reached out to local real estate professionals, such as realtors and title companies, to facilitate compliance with the time of sale requirement. These real estate professionals play a crucial role in real estate transactions, acting as agents for buyers and sellers, and ensuring compliance with appropriate laws and regulations. This outreach has occurred through written informational materials (such as the informational handout attached to this report) and discussions with local realtor groups.

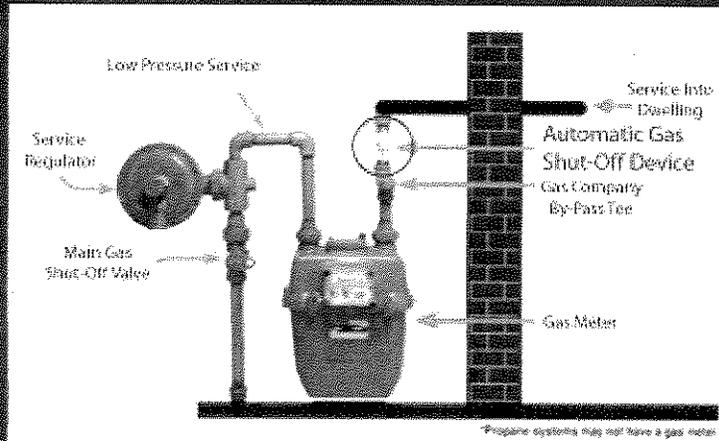
DCD has found that real estate professionals in the County are supportive of the public safety benefits associated with gas shut-off devices. They also acknowledge that it is appropriate for all parties to a real estate transaction follow the requirements of the County Ordinance Code.

However, real estate professionals tend to oppose government regulation or restrictions placed on the sale of property. Such regulations are perceived as impediments to transactions, which are the source of livelihood for most real estate professionals. The California Association of Realtors generally opposes any new government regulation imposed at time of sale.

California counties have no direct regulatory authority over realtors or title companies. Regulation of real estate professionals is a matter of State jurisdiction. Property owners are responsible for ensuring their property complies with the County's gas shut-off device requirements. Any enforcement action related to violations of these requirements would be addressed to the property owner.

Staff recommends continued efforts be made by DCD to engage and encourage real estate professionals to follow the requirements of County Ordinance Code and promote public safety by advising their clients to install gas shut-off devices at time of sale.

Gas Shut-Off Devices: They Protect Public Safety, Save Lives, and Are Required at Time of Sale



Contra Costa County requires installation of an automatic gas shut-off device at the main gas meter for all properties at time of sale. Gas shut-off devices protect public safety and save lives by cutting off the flow of gas to a building when there is an earthquake or a rupture in a gas line.

This public safety measure was approved by the County Board of Supervisors in 2006. This requirement applies to the unincorporated area of the County. Several Cities within the County also have requirements for installation of gas shut-off devices.*

Within the unincorporated area of the County, installation of a gas shut-off device must be completed before close of escrow. A building permit is required.

* Check with cities for requirements within city jurisdictions



For more information, please contact:
Contra Costa County
Department of Conservation and Development
Building Inspection: (925) 674 7204

What will it cost?

- The typical cost to install a gas shut-off device, including the permit, is approximately \$400 - \$500. This cost may be lower if included as part of a remodel or other improvements done in preparation for sale.
- The requirement to install a gas shut-off device is part of the County Ordinance Code. Failure to comply with this requirement may result in a fine charged to the property owner. The typical fine for such a violation is \$4,300 or greater.

**2012 PUBLIC PROTECTION COMMITTEE
STATUS REPORT FROM THE
EMPLOYMENT AND HUMAN SERVICES DIRECTOR
REGARDING WELFARE FRAUD INVESTIGATION AND PROSECUTION**

This referral began in September 2006, when the Employment and Human Services (EHS) Department updated the Internal Operations Committee (IOC) on its efforts to improve internal security and loss prevention activities. The IOC had requested the department to report back in nine months on any tools and procedures that have been developed and implemented to detect changes in income eligibility for welfare benefits.

The EHS Director made follow-up reports to IOC in May and October 2007, describing what policies, procedures, and practices are employed by the Department to ensure that public benefits are provided only to those who continue to meet income eligibility requirements, explaining the complaint and follow-through process, and providing statistical data for 2005/06, 2006/07, and for the first quarter of 2007/08.

Upon creation of the PPC in January 2008, this matter was reassigned from the IOC to the PPC. PPC received a status report on this referral in October 2008 and, again, in June 2010. The Committee requested staff to report back on how the County's program compares to a statewide fraud rate, if such a rate exists. The Committee also requested a follow-up report on the IHSS fraud program and the transition of welfare fraud collections from the Office of Revenue Collection, which was recently disbanded, to the Employment and Human Services Department.

On October 18, 2010, the PPC received a status report from the District Attorney and the Employment and Human Services Director on the Welfare Fraud Investigations and Prosecutions Program, addressing the specific questions of the PPC from the June 21 meeting. As the PPC wishes to monitor performance of the welfare fraud program, it is recommended that this matter be retained on referral with a follow-up report in one year.

The last status report provided to the PPC was on November 7, 2011.

November 5, 2012

Attached is a report jointly prepared by the Employment and Human Services Department and the District Attorney's Office describing the three prongs of the Public Assistance Fraud program: EHS Early Welfare Fraud Investigations, EHS Quality Assurance Program, and DA Public Assistance Fraud Investigation/Prosecution Program; and changes in staffing for these programs.

Staff from both departments will be on hand to present the report and answer any questions of the Committee.

Contra Costa County California
Employment & Human Services

Terry Speiker, Interim Director

40 Douglas Dr., Martinez, CA 94553 * Phone: (925) 313-1579 * Fax: (925) 313-1575 * www.ehds.org

MEMORANDUM

DATE: November 5, 2012

TO: Public Protection Committee of the Board of Supervisors

FROM: Terry Speiker, Interim Director, Employment and Human Services, *MS for T. Speiker*
Mark Peterson, District Attorney *mf*

SUBJECT: Report on Welfare and In Home Supportive Services Fraud Investigations and Prosecutions

The Public Protection Committee (PPC) of the Board of Supervisors has requested a yearly status report from the Employment and Human Services Department (EHSD) and the District Attorney (DA) that demonstrates their combined efforts to reduce public assistance fraud through early investigation, quality assurance, and prosecution. This report is in response to that request. This report provides a summary on fraud detection, referral and investigative processes, prosecutions and statistical summaries for fiscal year 2011/2012. Also included is a summary of collection and recovery activities of EHSD.

The California Department of Social Services (CDSS) requires County Welfare Departments to maintain agreements with the local District Attorney for investigation and prosecution of fraud that may be detected in CalWORKs, CalFRESH, In-Home Supportive Services, General Assistance and other public assistance programs. In the Contra Costa County DA's Office, the unit responsible for these activities is the Public Assistance Fraud Unit, which is a Special Operations section within the DA's office. For fiscal year 2011/2012, the agreement provided funding for one full-time Deputy District Attorney, one half-time Senior Investigator and one half-time clerk.

EHSD WELFARE FRAUD INVESTIGATION PROCEDURES

Citizens can report suspected public assistance fraud by calling any one of the following numbers or by emailing the Deputy District Attorney:

- California Department of Social Services Fraud Hotline: 1-800-344-8477
- Contra Costa County District Attorney's Office: (925) 957-8604
- Contra Costa County Deputy District Attorney: <mailto:EDang@contracostada.org>
- EHSD fraud reporting line: (925) 521-5080

The above phone numbers are published on websites, in various publications and posted in EHSD offices. All complaints are forwarded to the EHSD Fraud Prevention Division Manager for review and appropriate action. The EHSD Fraud Prevention Division Manager forwards complaints to the Eligibility Workers (EW) and the Eligibility Worker Supervisors (EWS) of record for their review and potential Early Fraud Investigation referrals.

All requests for investigations are initiated by the EW via the EHSD Early Fraud Intranet referral system. Referrals are reviewed by the EHSD Fraud Prevention Division Manager and assigned to EHSD Early Fraud Investigators for investigation. Completed investigations are reviewed by the EHSD Fraud Prevention Division Manager and returned to the EW for necessary action. When fraud is found, the EW of record takes appropriate case action, including:

- Denying the case
- Discontinuing the case
- Reducing benefits
- Referring the case for overpayment computation and collection

Completed investigations by the EHSD Early Fraud Division that identify potential long term fraud are referred to the District Attorney's Office for further investigation.

IN-HOME SUPPORTIVE SERVICES FRAUD AND QUALITY ASSURANCE PLAN

Since the implementation of the In Home Supportive Services (IHSS) Quality Assurance and Quality Improvement (QA/QI) Program, an annual plan is submitted to CDSS that addresses how EHSD will utilize the information that is obtained through state mandated QA activities. Some of the state mandated activities include conducting home visits, desk reviews, targeted reviews, general verification of receipt of services, third-party liability, and other data element comparisons. EHSD utilizes the information obtained from these state mandated activities to improve the quality of the IHSS program and to enhance the IHSS assessment process.

Through reviews and referrals, possible fraud is identified for review and investigation. The current process combines the efforts of the EHSD QA staff, Public Authority and the DA staff. IHSS QA staff has worked closely with the DA since the beginning of the Quality Assurance Program. Reports of potential fraud can also be reported to several sources as follows:

State Hotline Number: 1 (888) 717-8302

State Fraud by e-mail: FraudHotline@dss.ca.gov

EHSD Quality Assurance and Fraud: (925) 363-3671

The State Budget Act of 2009 had provided additional funding for the purpose of fraud prevention, detection, referral, investigations, and other program integrity efforts related to the IHSS program. Unfortunately, after two fiscal years, the state stopped including this additional funding in its budget. As a result, the additional half-time Senior Investigator

assigned to the DA unit in May 2011 had to be reassigned in May 2012. Despite the loss of the additional funding, Contra Costa County continues to maintain a strong program to prevent fraud in the IHSS program.

D.A.'S PUBLIC ASSISTANCE AND IHSS FRAUD INVESTIGATION/PROSECUTION UNIT

For fiscal year 2011/2012, the Deputy District Attorney and the Senior Investigator have continued in their assignments. The Deputy District Attorney is highly experienced and provides continuity in overseeing investigations and prosecutions. He brings experience in the DA's Special Operations Unit where major and consumer fraud crimes were prosecuted both criminally and civilly.

The Senior Investigator has over thirty-nine years experience as a law enforcement officer and as an investigator in criminal cases. For the past five years he had been with the District Attorney's Office as a Senior Investigator for the Public Assistance Fraud Unit. His previous experience included ten years with the Alameda County District Attorney's Public Assistance Fraud Unit. With his experience and knowledge of welfare regulations, he is able to bring his experience and expertise to bear on any case he is assigned. As the Senior Investigator, he regularly coordinates his investigations with the assigned Deputy District Attorney and communicates regularly with EHSD investigative and non-investigative staff. He also initially screens all fraud referrals from EHSD.

The majority of referrals to the DA Public Assistance Fraud Investigative Unit are from EHSD. The cases selected for investigation are prioritized based on a number of factors that may include the amount of the suspected loss or fraud, the number of suspects involved, the scheme involved, whether the suspect has been previously suspected of fraud, or has other criminal activities on record. The threshold for potential welfare fraud cases referred to the DA continues to be \$3,000. If criminal charges for Public Assistance Fraud are filed, the charges are filed under the following provisions:

- 10980 Welfare & Institutions Code - Unlawfully Obtaining Public Aid
- 487 Penal Code – Grand Theft (for IHSS cases)
- 118 Penal Code – Perjury
- 72 Penal Code – Fraudulent Claims

Depending upon the nature of the case, suspects who are charged may either be sent a Notice to Appear in court or have a warrant issued for their arrest. Defendants that have been convicted have received sentences including the following:

- Time in prison or jail, ranging from a few days to several years (not all defendants receive custodial time as this is generally dependant on the amount of the loss and prior criminal record.)
- Probation (for jail sentences) up to five years, or parole (for State prison sentences)
- Community Service hours ranging from 20 to 360 hours
- Restitution and fines
- Work programs

In regards to the court ordered restitution, it is important to note that there have been cases where a defendant was convicted in the current fiscal year but the court ordered restitution was not obtained until the beginning of the next fiscal year. In fiscal year 2011/2012, an IHSS case resulted in a conviction however; the court order of \$44,727 in restitution was not obtained until September 2012.

COLLECTION EFFORTS

CalWORKs and CalFRESH debts are computed by the Eligibility Worker via the CalWIN system or by the Welfare Fraud Investigation Unit. Clients currently receiving aid are subject to grant reduction to repay debts. Former clients are subject to collection action. IHSS debts are computed by Payroll Clerks and are subject to either payroll deduction or collection action.

Voluntary payment -- Clients are sent a series of letters for demand of payment. Payment plans can be established. Clients make payments by check, money order, or credit card.

Welfare Intercept System (WIS) – This program is administered by the California Department of Social Services Fraud Bureau for CalWORKs and CalFRESH debts. CalWORKs debts are eligible for Franchise Tax Board (FTB) intercepts. CalFRESH debts are eligible for both FTB and U.S. Treasury/IRS offset. Repayments are collected by the state or federal IRS from tax refunds or other payments and used to offset the debts.

Court-ordered Debt (COD) Program – EHSD has a small number of COD accounts originally established by the Office of Revenue Collection (ORC) staff members. Currently, these accounts are administered by the Probation Department, which is the lead agency for the county. COD collects fines, fees, and restitution orders imposed by a court.

STATISTICAL REPORTS

The Statistical Report for fiscal year 2011/2012 is attached and covers the following:

- Early Fraud Investigations
- Overpayments Investigations Unit
- District Attorney Public Assistance Fraud Investigations and Prosecutions

The statistics used in these reports were extracted from the California Department of Public Assistance (DPA) Form 266, Fraud Investigation Activity Reports. These reports are submitted to the State Fraud Bureau on a monthly basis.

EHSD has a small, but dedicated staff that took over the effort to collect and recover welfare benefits overpayments, work previously done by the Office of Revenue Collection. This report includes results of EHSD's recovery and collection efforts.

CONCLUSION

EHSD and the DA's office continue to promote and foster a positive working relationship that is solidified annually in a written agreement. The robust, long-term relationship between EHSD and the DA is strengthened and enhanced by their open communication, mutual trust, and cooperation with each other. They have a strong, shared commitment to address the issue of fraud in public assistance programs so that the services and resources of these programs are safeguarded and properly utilized to assist those with a true need and meet eligibility requirements.

Contributors to this report include:

Laura Cox, Fraud Prevention Division Manager, EHSD
Jackie Foust, Overpayments Unit, EHSD
Jennifer Posedel, Administrative Services Assistant III, EHSD
William Weidinger, IHSS Division Manager, EHSD
Lorraine Gaul, IHSS Quality Assurance, EHSD
Phyllis Redmond, Senior Deputy District Attorney
Steve Moawad, Deputy District Attorney in Charge of Special Operation
Edward Dang, Supervising Deputy District Attorney, Public Assistance Fraud Unit
James Bergstrom, Senior Investigator, District Attorney's Office

STATISTICAL OUTCOMES

JULY 1, 2011 – JUNE 30, 2012

EARLY FRAUD INVESTIGATIONS (EFI)

| REFERRALS | CASH | FOOD STAMPS |
|---|------|-------------|
| Investigation Referrals Received | 536 | 676 |
| Investigations Completed | 424 | 532 |
| Fraud Found | 259 | 337 |
| Fraud Not Found | 165 | 195 |
| INVESTIGATION RESULTS | | |
| Denials | 86 | 133 |
| Discontinuances | 105 | 113 |
| Benefits Reduced | 30 | 38 |
| Fraud found no adverse financial impact | 38 | 53 |

OVERPAYMENTS INVESTIGATIONS UNIT

| | CASH | FOOD STAMPS |
|---|--------------|--------------|
| Overpayment Computation Referrals Received | 184 | 713 |
| Number of Overpayments Established | 126 | 435 |
| Dollar Amount of Overpayments | \$356,374.00 | \$779,067.00 |
| CalWORKS/Food Stamps Combo Cases Referred for Prosecution | | 10 |
| Non Assisted Food Stamps Cases Referred for Prosecution | | 3 |

DISTRICT ATTORNEY WELFARE FRAUD INVESTIGATIONS

| INVESTIGATIONS | CASH | FOOD STAMPS | IN-HOME SUPPORTIVE SERVICES |
|-----------------------------|--------------------------|-------------|------------------------------------|
| Referrals Received | 4 | 9 | 312 |
| Referrals Completed | 11 | 18 | 28 |
| PROSECUTIONS | | | |
| Cases Filed for Prosecution | 8 | 7 | 6 |
| Convictions | 3 | 4 | 1 |
| | Public Assistance | | IN-HOME SUPPORTIVE SERVICES |
| Court Ordered Restitution | \$41,630.53 | | \$24,245.19 |