

2011 Public Safety Realignment Initial Implementation Plan

AB 109

Presentation for
Board of Supervisors
September 26, 2011

Introduction

- AB 109 Signed by Governor April 4, 2011
- Extensive Bill
 - Approximately 500 laws revised and/or created
- Operative October 1, 2011
- Funded by Realignment
- Levels of annual funding projected to increase during a 3 year “phase-in” process

“Highlights”

- Local jail custody only for most non-violent, non-serious, non sex offenses (“non-non-non”)
- Creates Postrelease Community Supervision (PRCS)
- Changes State Parole Revocation Process
- Expands on Community Corrections Partnership (CCP)

Realigned Responsibility and Liability for County:

- Sheriff: Jail space for felons formerly eligible for prison, now no longer eligible
- Sheriff: Jail space for State Parolees found to violate conditions of parole and PRCS terms and conditions violations
- Probation: Supervision, case management, and enforcement of Post Release Community Supervision Clients (PRCS)

Who is Sentenced to Local Custody?

- Revises definition of a felony to include certain crimes punishable by “imprisonment in a county jail” for more than one year.
 - Non-violent offenders
 - Non-serious offenders
 - Non-sex offenders

Evidence Based Practices

- Emphasis on “Community Based Punishment” (17.5 PC)
 - “Evidenced based correctional sanctions and programming other than jail incarceration alone or traditional routine probation supervision”

Evidenced Based Correctional Sanctions

- Short Term Flash Incarceration (up to 10 days)
- Intensive Community Supervision
- Expanded Electronic Monitoring Home Detention (including for those held in lieu of bail)
- Work, Training or Education Furlough Programs
- Work Release Programs
- Day Reporting Programs
- Treatment

Contracting Back to CDCR?

- AB109 allows county to contract back with State to send local offenders to state prison
 - Does not include parole revocations
 - For most offenders, realigned funding will not support this option which will be most expensive option
 - Legislative intent is for local use of evidenced based practices and alternatives to reduce prison population and reduce corrections and criminal justice spending

Who is Sentenced to State Prison?

- Current or prior violent felony per 667.5 PC
- Current or prior serious felony per 1192.7 PC
- Required to register as sex offender
- Aggravated White Collar Crime
Enhancement per 186.11 PC
- Includes approx. 60 other specified crimes
for which a defendant can still be committed
to State Prison

Postrelease Community Supervision (PRCS)

- County Level Supervision by Probation Department upon release from prison
 - Current non violent offenders
 - Current non-serious offenders
 - Some sex offenders (excluding high risk)
 - Will include offenders with serious or violent offense in past
- State estimates approximately one-third of former parolees will now be PRCS under Probation Department supervision

Community Corrections Partnership (CCP)

- Originally established by SB 678 in 2009 which created 1230 PC:
 - Established membership
 - Requires Chief Probation Officer to be Chairperson

1230.1 PC (Added by AB 109)

- Added responsibilities to CCP
- Requires CCP to recommend local plan to BOS for implementation of 2011 Public Safety Realignment
- Established Executive Committee within CCP to develop and approve plan with a majority vote in public open meeting

CCP Executive Committee:

- Chief Probation Officer (Chair)
- Presiding Judge of Superior Court for County of El Dorado
- Sheriff
- Placerville Chief of Police
- District Attorney
- Public Defender
- Director of Human Services (appointed by BOS)

The “Local Plan”

- “Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidenced-based correctional sanctions and programs, including, but not limited to, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs.”

2011 Public Safety Realignment Initial Implementation Plan

- Initial Plan and FY 2011/2012 Budget (Attachment)
- Received almost unanimous support from the CCP Executive Committee Members

Initial Plan Includes:

- Providing adequate jail space and medical funding for increased demand related to AB 109
- Probation supervision, case management, assessment and enforcement of PRCS offenders released locally
- Resources to improve local Justice system information technology and client information sharing
- Treatment team including jail, probation, and treatment staff
- Funding for in and out-patient treatment, transportation and transitional housing
- Local Law Enforcement enhancement funding

Future Planning

- With Board approval, the Community Corrections Partnership will move forward immediately with initial implementation plan for October 1, 2011 start date
- Efforts will be made over the next nine months to expand the local plan for future years
- CCP / Executive Committee will approve and bring to the Board of Supervisors the expanded local plan for FY 2012/2013

Recommendation

- Respectfully recommend the Board of Supervisors vote to approve:

**2011 Public Safety Realignment Initial
Implementation Plan for FY 2011/2012**

Questions?

