



## Legislation Details (With Text)

**File #:** 11-0650      **Version:** 1

**Type:** Agenda Item      **Status:** Adopted

**File created:** 6/3/2011      **In control:** Board of Supervisors

**On agenda:** 6/28/2011      **Final action:** 6/28/2011

**Title:** Probation Department recommending the Board adopt Resolution 112-2011 designating the County of El Dorado Probation Department as the County agency to provide Postrelease Community Supervision (PCS) pursuant to California's pending adult public safety realignment addressed in AB 109.

**FUNDING:** To be determined by the State of California budget.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 11-0650.A.pdf, 2. 11-0650 B.PDF, 3. Executed Resolution 112-2011

Date	Ver.	Action By	Action	Result
6/28/2011	1	Board of Supervisors	Adopted	Pass

Probation Department recommending the Board adopt Resolution **112-2011** designating the County of El Dorado Probation Department as the County agency to provide Postrelease Community Supervision (PCS) pursuant to California's pending adult public safety realignment addressed in AB 109.

**FUNDING:** To be determined by the State of California budget.

**Fiscal Impact/Change to Net County Cost:**  
No fiscal impact or change to net county cost.

**Background:**

AB 109, titled "2011 Realignment Legislation Addressing Public Safety" was signed by the Governor on April 4, 2011. The bill is effective on July 1, 2011 (or after) upon being funded through the state budget process. At this time the bill is not yet funded and the amount of funding is unknown.

In summary, the bill "realigns" numerous responsibilities concerning adult felony offenders to the counties, including: specifying local jail custody only for certain offenders previously eligible for a commitment to state prison; and, specifying certain offenders, upon release from prison, are subject to community supervision and accountability by a local agency and Courts rather than state parole.

This agenda item concerns the latter, which is established within AB 109 by the enactment of the "2011 Postrelease Community Supervision Act." This act declares that certain offenders released from state prison for offenses which are not classified as violent or serious, or the offender is not classified as a high risk sex offender, shall be "subject to postrelease community supervision provided by a county agency designated by each county's Board of Supervisors which is consistent with evidenced-based practices, including, but not limited to, supervision, policies, procedures,

programs and practice demonstrated by scientific research to reduce recidivism among individuals under postrelease supervision.”

AB 109 also requires the local Community Corrections Partnership (CCP), chaired by the Chief Probation Officer with membership of local stakeholders established by law, to “recommend a local plan to the county Board of Supervisors for the implementation of the 2011 public safety realignment.”

In El Dorado County, the CCP has met and work is underway to develop our local plan concerning public safety realignment. While the overall plan is still in development, the CCP does recommend the Probation Department be designated to provide postrelease community supervision in El Dorado County. It is necessary at this time for the Board of Supervisors to designate the county agency to provide postrelease community supervision services. This is necessary at this time because once the state funds the realignment program on or after July 1, 2011, the identified offenders being released from prison will be returning to El Dorado County and must immediately be supervised to avoid a negative impact on public safety. Additionally, upon their release from prison, it is necessary for a county agency to have been designated as the offenders will be directed to report to that public agency.

**Reason for Recommendation:**

Even though the provisions are as yet not funded, it is imperative steps are taken for El Dorado County to be prepared for these shifting responsibilities.

**Action to be taken following Board approval:**

It is recommended the El Dorado County Probation Department be designated by the Board of Supervisors as the county agency to provide Postrelease Community Supervision pursuant to the Act. The Probation Department is best qualified to provide these services as the department has in place policies, procedures, training and evidence-based practices to most effectively address this population.

Concurrence: County Counsel - Resolution

Contact: Gregory S. Sly, Chief Probation Officer, 530-621-5958.