



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.edcgov.us/bos/

Legislation Text

File #: 11-0841, Version: 1

Community Corrections Partnership (CCP) presenting to the Board the Public Safety Realignment Plan for Fiscal Year 2011/2012. (Est. Time: 2 Hrs.)

FUNDING: California State Budget (Realignment).

BUDGET SUMMARY:	FY 2011/12	
Total Estimated Cost		\$1,210,643
Funding		
Budgeted	\$	
New Funding AB 109	\$1,210,643	
Savings	\$	
Total Funding Available	\$1,210,643	
Change To Net County Cost		\$0.00

Fiscal Impact/Change to Net County Cost:

No fiscal impact or change to net county cost as funding and expenditures for this plan will be addressed in the addenda process for FY 2011/12.

Background:

Assembly Bill (AB) 109, titled "2011 Realignment Legislation Addressing Public Safety" was signed by the Governor on April 4, 2011. This bill was effective on June 30, 2011 having been funded through the state budget process.

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 (Probation Department) and Courts rather than state parole.

AB 109 also requires the local Community Corrections Partnership (CCP), chaired by the Chief Probation Officer (CPO) 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."

The local CCP, chaired by the CPO, includes thirteen (13) agencies and is comprised of the following membership:

- (A) The Presiding Judge of the Superior Court, or his or her designee.
- (B) A County Supervisor or the Chief Administrative Officer for the county or a designee of the Board of Supervisors.

- (C) The District Attorney.
- (D) The Public Defender.
- (E) The Sheriff.
- (F) A Chief of Police.
- (G) The head of the County Department of Social Services.
- (H) The head of the County Department of Mental Health.
- (I) The head of the County Department of Employment.
- (J) The head of the County Alcohol and Substance Abuse Programs.
- (K) The head of the County Office of Education.
- (L) A representative from the community based organization with experience in successfully providing rehabilitative services to persons who have been convicted of a criminal offense.
- (M) An individual who represents the interest of victims.

Section 1230.1 of the California Penal Code (PC) requires that prior to the CCP local plan being submitted it must be voted on and approved by the CCP Executive Committee. The CCP, which includes the Executive Committee, met in open noticed public session on August 31, 2011 to review and approve the 2011 Public Safety Realignment Initial Implementation Plan. This initial El Dorado County plan (pending review by the Board of Supervisors) will address the first nine months of local justice realignment implementation covering October 1, 2011 through June 30, 2012. For this designated service period, El Dorado County is allocated \$1,210,643.00 in funding to address the new requirements under AB 109.

During the August 31, 2011 meeting, the CCP / Executive Committee reviewed all noted requests related to the justice realignment plan, allowed for and heard public comment, and concluded collaboratively upon the attached plan. The attached 2011 Public Safety Realignment Initial Implementation Plan was approved by a majority vote of the CCP Executive Committee August 31, 2011, as required by law and is now presented to the Board of Supervisors for final approval. Pursuant to Penal Code Section 1230.1 (c), the plan shall be deemed accepted by the Board of Supervisors unless rejected by a vote of four-fifths of the Board, in which case the plan returns to the CCP for further consideration.

In providing the plan to the Board of Supervisors for final approval, the members of the CCP Executive Committee directed the Chief Probation Officer, as Chair, to inform the Board of Supervisors and the public that the CCP / Executive Committee Membership has significant concern regarding the realignment of justice system responsibilities from the State to the County, pursuant to AB 109. Specifically, the CCP / Executive Committee, is concerned that the duties realigned to the County, to be administered by the Board of Supervisors through the Sheriff's Department, the Probation Department and other justice system providers, lacks appropriate funding. Although exact State budget allocations cannot be determined, the CCP / Executive Committee believes the former State allocations to address the realigned workload was far greater than the amount of funding allocated to the County to assume the realigned duties and responsibilities. There also remains concern that the funding for this realignment in future years may and can be reduced by the State or even eliminated. This having been reported, the CCP / Executive Committee has done its best to formulate a plan and included budget, to assist the Board of Supervisors and the agencies under your direction, to meet the requirements of AB 109 as can best be achieved with available realigned funding and applicable pre-existing resource levels.

The 2011 Public Safety Realignment Initial Implementation Plan includes a range of services from

secure custody and enforcement through treatment and education. The goal of the plan is to ensure offender accountability and public safety, by best use of jail services, alternatives to custody, community supervision and treatment. By achieving safety, accountability and offender success through evidence-based practices, the CCP / Executive Committee is planning for the best local outcome for the citizens of El Dorado County.

On behalf of the CCP / Executive Committee, the Chief Probation Officer, as the Chair of the CCP / Executive Committee, recommends the Board of Supervisors approve and adopt the 2011 Public Safety Realignment Initial Implementation Plan.

Upon implementation during the initial service period of October 1, 2011, (beginning of services) through June 30, 2012, the CCP / Executive Committee will continue to review service levels needed to most effectively address the realigned duties and responsibilities now assumed by the County, and will return to the Board of Supervisors with a "second year" long range plan to address FY 2012/2013 and into the following years.

Reason for Recommendation:

Pursuant to Penal Code Section 1230.1 (c) and the provisions of AB 109 (2011), the Chief Probation Officer, as Chair of the CCP / Executive Committee, brings to the Board of Supervisors the approved and recommended 2011 Public Safety Realignment Initial Implementation Plan for final approval by the Board of Supervisors (FY 2011/2012).

Action to be taken following Board approval:

Following approval and adoption by the Board the CCP will proceed with implementation of the Public Safety Realignment Plan for FY 2011/12.

Contact: Gregory S. Sly, Chief Probation Officer, 530-621-5625.

Concurrences: Community Correction Partnership Executive Committee