

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Probation	(2) MEETING DATE 7/23/2013	(3) CONTACT/PHONE Chief Jim Salio, 781-1039	
(4) SUBJECT Update on the 2011 Public Safety Realignment Act (AB109) in San Luis Obispo County.			
(5) RECOMMENDED ACTION Receive the update on the 2011 Public Safety Realignment Act (AB109) in San Luis Obispo County.			
(6) FUNDING SOURCE(S) 2011 Public Safety Realignment	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) NA		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: NA <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP NA	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>10/11/11, 3/6/12, 10/30/12</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest, Administrative Analyst			
(18) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors
FROM: Probation / Chief Jim Salio, 781-1039
DATE: 7/23/2013
SUBJECT: Update presentation to the 2011 Public Safety Realignment Act (AB109) in San Luis Obispo County

RECOMMENDATION

Receive the update presentation on the 2011 Public Safety Realignment Act (AB109) in San Luis Obispo County

DISCUSSION

BACKGROUND

The 2011 Public Safety Realignment Act (AB 109) was signed into law on April 4, 2011. AB 109 transfers responsibility from the State to counties for offenders convicted of certain lower level felonies, defined as non-serious, non-violent, non-registered sex (N3) offenses.

This transfer of responsibility includes three groups. First, offenders convicted of new crimes in San Luis Obispo Superior Court which meet the N3 definition will now serve their sentence in county jail, rather than State prison. Second, offenders released from State prisons deemed eligible for Post Release Community Supervision (PRCS) will now be supervised by the County Probation Department, rather than the State's Division of Adult Parole. Third, parolees supervised by State Parole, will now serve time in County jail if they violate the terms of their parole and are returned to incarceration.

AB 109 required that a plan for providing for the housing, supervision and treatment of the offenders be developed and presented to the Board of Supervisors for their review and approval. The law requires the creation of an Executive Committee of the Community Corrections Partnership (CCP) tasked with creation of the Plan. (The CCP is a pre-existing body, created under Penal Code Section 1230.) The Executive Committee must include the following voting members, by agency:

- Chief Probation Officer (Jim Salio, Committee Chair)
- A Chief of Police (Robert Burton, Acting Chief of Police, Paso Robles)
- Sheriff (Ian Parkinson)
- District Attorney (Gerald Shea)
- Public Defender (Patricia Ashbaugh)
- Presiding Judge of the Superior Court or designee (Susan Matherly, Court Executive Officer)
- A representative from the County Department of Social Services, Mental Health, or Alcohol and Substance Abuse programs, as chosen by the Board of Supervisors (Jeff Hamm, Health Agency Administrator)

In developing the Plan, the Executive Committee sought to achieve three goals:

1. Maintain maximum public safety,
2. Improve the offender success rate while incarcerated or under supervision and reduce recidivism, and
3. Increase alternatives to incarceration and provide treatment support for low level offenders.

To achieve this, the plan focused on three main strategies:

1. Increase jail capacity to house the new population of offenders,
2. Increase the number of staff in order to supervise Post Release Community Supervision (PRCS) offenders, and
3. Increase treatment opportunities in San Luis Obispo County.

The original AB109 implementation plan was approved by the Board of Supervisors in October of 2011 and an updated plan was presented in October of 2012. This current update presentation will include PRCS population statistics on demographics, prior prison commitment offenses and new crimes, and Probation recidivism rate comparisons. Behavioral Health will report on treatment services including case management, Drug and Alcohol, Sober Living, and Mental Health Services, as well as some success stories. The Sheriff will report on what effects realignment has had on the county jail.

SUMMARY

The first full year of AB109 implementation gave the CCP partners an opportunity to test and assess initial program approaches, make mid-year course corrections, and develop a revised road map for Year 2 and beyond that reflects the realities of the County's increased responsibilities to house, supervise, and treat criminal offenders. Several key "lessons learned" have helped shape the strategies used to address realignment.

First, the Sheriff's Office has experienced a population surge at the County Jail that far exceeds original predictions both in terms of size and treatment needs. Second, an original plan to develop jail treatment and community-based day reporting through outside contracted service providers proved too costly and was predicted to be less effective than building on existing local resources and providers who were already working together through the AB109 Collaborative Re-Entry Program. Third, District Attorney and Public Defender responsibilities have increased significantly in conjunction with AB109 implementation, and first-year funding through a separate allocation did not fully cover the additional workload.

By the end of Year 2 the County's realignment plan is fully operational. Treatment hubs have been established in the North and South County as well as in San Luis Obispo. The Jail Program unit team is in place and consists of a Correctional Sergeant, Program Manager, Drug and Alcohol Therapist and a Probation Officer. Although updates and revisions to the plan will be on-going as we evaluate and adjust to changing needs, the core service elements are in place.

OTHER AGENCY INVOLVEMENT/IMPACT

The Executive Committee of the Community Corrections Partnership (CCP) approved the Plan. Organizations involved in the creation of the Plan at the working group level include staff from the Probation Department, Sheriff's Office, County Administrative Office, Office of the District Attorney, Public Defender, and Paso Robles Police; the County Departments of Social Services, Mental Health, and Drug and Alcohol Services; and the Community Action Partnership of San Luis Obispo (CAPSLO).

FINANCIAL CONSIDERATIONS

The 2011 Public Safety Realignment Act provides funding to counties for the new responsibilities being transferred from the State. Funding for Public Safety Realignment was allocated to counties based on factors such as county size and the expected number of offenders. For Year 1 of implementation (FY 2011-12), San Luis Obispo County was allocated \$2,200,000, plus a one-time amount of \$150,000 for planning and a one-time amount of \$155,275 for startup costs. The allocation for Year 1 was based on a nine month year running from October 1, 2011 to June 30, 2012, corresponding with the remainder of that fiscal year, FY 2011-12.

The allocation was \$5,179,333 for FY 2012-13. We had a carry-over from FY 2011-12 of \$386,320, making the total

available for allocation of \$5,565,653. There was also another \$150,000 allocated for planning and training in FY 2012-13.

The allocation for FY 2013-14 is \$6,138,241. We do not know what the exact carry-over from will be FY 2012-13 until after the books close on July 31, 2013.

Table 1: Fiscal Year 2012-13 and 2013-13 Budget (Estimated)

AB 109 REALIGNMENT FUNDING	FY 2012-13	FY 2013-14
CURRENT YEAR ALLOCATION	\$5,179,333.00	\$6,138,241.00
PRIOR YEAR UNSPENT FUNDS	\$386,320.00	\$648,219.00*
TOTAL FUNDING	\$5,565,653.00	\$6,786,460.00
OFFENDER HOUSING		
Jail Staffing	\$1,898,082.00	\$2,059,703.00
Jail costs for food & clothing for AB 109 offenders	\$300,000.00	\$330,000.00
LEMC - in custody health care	\$533,435.00	\$533,435.00
Mental Health - in custody services	\$232,646.00	\$283,333.00
Home Detention Program	\$54,750.00	\$40,000.00
Subtotal Offender Housing	\$3,018,913.00	\$3,201,471.00

OFFENDER SUPERVISION		
Post Release Supervision	\$495,901.00	\$588,602.00
Electronic Supervision Program	\$44,550.00	\$44,550.00
District Attorney PRCS & Parole Violation Prosecution Unit	\$36,539.00	\$73,077.00
Public Defender - Specialty Court Advocate	\$40,000.00	\$80,000.00
Superior Court	\$0.00	\$142,959.00
Subtotal Offender Supervision	\$616,990.00	\$929,188.00
OFFENDER TREATMENT		
Collaborative Re-Entry Program:		
Re-Entry Services - Jail	\$367,394.00	\$382,092.00
Re-Entry Services - Community	\$715,309.00	\$653,528.00
Housing	\$130,828.00	\$130,828.00
Cognitive Behavioral Treatment	\$68,000.00	\$68,000.00
Subtotal Offender Treatment	\$1,281,531.00	\$1,234,448.00
GRAND TOTAL	\$4,917,434.00	\$5,365,107.00
RESERVE CONTINGENCY FUNDS	\$648,219.00	\$1,421,353.00

*Note: Final number for FY 2012-13 contingency fund available for carryover to FY 2013-14 to be determined after FY 2012-13 books close.

RESULTS

The Community Corrections Partnership (CCP) continues to meet monthly to monitor the County's Realignment Plan, in order to make any adjustments as necessary, and to ensure the cooperation and integration among county departments

and other partners that will be critical to success. The CCP will also oversee and track the results achieved under Public Safety Realignment, in terms of public safety, reduced recidivism, and the provision of alternatives to incarceration and treatment to low level offenders.

The results that will be targeted for Public Safety Realignment, including reduced recidivism, will contribute to both public safety in the community and better results for offenders within the criminal justice system. Both outcomes will make an important contribution to the County's desired community-wide results of a Safe and Healthy Community.