

MODOC COUNTY



2011 Public Safety Realignment Initial Implementation Plan

Presented by:
Modoc County
Community Corrections Partnership

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BACKGROUND

On April 4, 2011, Assembly Bill 109 was signed into law and referred to as 2011 Public Safety Realignment. AB 109 was later modified by AB 117 with both bills together creating extensive changes to existing law which aimed at reducing the number of offenders incarcerated in state prison and "realigning" non-violent, non-serious, and non-sexual offenders to counties who are now responsible for their incarceration and/or supervision. This realignment and change in law is a partial response and solution to the state's budget crisis and a U.S. Supreme Court order requiring the state to reduce prison overcrowding. Public Safety Realignment was proposed as a method to lower state prison inmate population in the safest possible way by allowing for county level management and supervision of those particular offenders, as opposed to the alternative option of massive releases of state prison inmates to communities with no further supervision or accountability.

The intent of the realignment is to allow maximum local flexibility within the statutory framework. The legislation requires a local collaborative planning and implementation process which emphasizes community based corrections and punishment, use of evidenced based practices, and improved strategies for the supervision of offenders in the community. Further, the legislation states "the purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidenced based strategies that increase public safety while holding offenders accountable."

The provisions of the public safety realignment are operative on October 1, 2011 and are prospective. This means, as offenders are sentenced on or after October 1 or released to community supervision on or after October 1, they will be the responsibility of the county, if they meet the criteria for the realigned population. No one in prison on October 1 will transfer to county jails and no one currently on state parole supervision will transfer to the local jurisdiction.

SUMMARY OF LEGISLATION CHANGES

The provisions of 2011 Public Safety Realignment change the jurisdiction of specified offender populations from state to local control for sentencing and supervision:

Local Sentence:

- Revises the definition of a felony to specify that certain non-violent, non-serious, non-sexual offenses that previously went to state prison are now punishable for more than one year in county jail or other local alternative sentencing options and cannot be sentenced to state prison.
- Does not change length of sentences; entire sentence imposed will be served locally and can exceed three (3) years in some instances.

- Options at sentencing for specified felony offenses include:
 - Jail instead of prison for the entire sentence;
 - Felony probation;
 - Jail with early release to alternative custody; or
 - Split sentence (sentence of jail custody combined with mandatory probation which cannot exceed the maximum sentence allowed by law).
- Options in custody:
 - The Sheriff retains all existing tools to manage this population as they do with the current population. In addition, counties may use new alternative custody options and electronic monitoring and home detention (1203.018 PC), and/or contract back with the state to house some inmates.

Post Release Community Supervision (PRCS)

- Any offender convicted of a non-serious, non-violent felony, and not deemed a high risk sex offender, who is released from prison after October 1 will be supervised in the community by the probation department as designated by the Board of Supervisors.
- All others will remain subject to state parole supervision provided by the California Department of Corrections and Rehabilitation (CDCR).
- CDCR must notify the county that the offender is being released to PRCS thirty days prior to release and is required to provide relevant background and assessment information concerning the offender.
- Level of supervision and case plan is determined by the local supervision agency (probation department).
- General conditions of supervision are established by law but the supervision agency can add additional relevant conditions.
- An offender can be on post-release supervision for up to 3 years. However, offenders on PRCS may be discharged after 6 months of no violations and shall be discharged after a continuous year of no violations.
- Supervision agency can impose intermediate sanctions for violations of PRCS without Court involvement.
- Intermediate sanctions can include:
 - Short term "flash incarceration" in jail for up to 10 days;
 - Intensive community supervision;
 - Home detention with electronic or GPS monitoring;
 - Community service work;
 - Education and vocational programs;
 - Work release programs;
 - Day reporting programs;
 - Substance abuse treatment programs and drug testing;
 - Community-based residential programs; and other appropriate counseling and treatment programs.

- The Court is responsible for any final revocation hearings for violations. The maximum sentence for PRCS revocation is 6 months confinement in county jail. Offenders cannot be returned to prison for violation of PRCS.

Parole Revocations

- All parole revocations for state parolees (except those with a life term) will be served in county jail but capped at 180 days and receive day for day credit.
- County cannot "contract back" with CDCR to house parole violators in state prison.
- After parolee completes jail sentence for a parole violation, they return to state parole jurisdiction for supervision in the community.
- Parole revocation hearings for state parolees will continue to be done by the Board of Parole Hearings (BPH) until July 2013 when this responsibility transfers to local courts.

Community Corrections Partnership (CCP)

AB 109/117 expands the current role of the Community Corrections Partnership (CCP), which was established in 2009 as an advisory committee for the implementation of the California Community Corrections Performance Incentives Act of 2009 (SB 678). The CCP is now also to be a policy planning body and to develop and recommend to the Board of Supervisors an implementation plan for 2011 Public Safety Realignment. AB 109/117 also added an executive committee within the CCP with the authority to approve the plan to be presented to the Board of Supervisors.

Membership of the CCP required by SB 678 includes:

- The Chief Probation Officer (chair)
- The presiding judge of the superior court, or his or her designee
- A county supervisor or chief administrative officer for the county
- The district attorney
- The public defender
- The sheriff
- A chief of police
- The head of the county department of social services
- The head of the county department of mental health
- The head of the county department of employment
- The head of the county alcohol and substance abuse programs
- The head of the county office of education
- A representative from a community-based organization with experience successfully providing rehabilitative services to persons who have been convicted of a criminal offense
- An individual who represents the interests of victims

As established in Penal Code §1230.1, membership of the executive committee of the CCP shall be:

- Chief Probation Officer (Chair) [Elias Fernandez]
- Chief of Police [Ken Barnes]
- The Sheriff [Mike Poindexter]
- The District Attorney [Christopher Brooke]
- The Public Defender [William Briggs]
- The Presiding Judge of the Superior Court [Francis Barclay]
- The head of the county department of social services, department of mental health, or the county alcohol and substance abuse programs, as designated by the county board of supervisors. [Karen Stockton]

On September 13, 2011, the Board of Supervisors of Modoc County designated the Director of Health Services as the seventh member of the Community Corrections Partnership Executive Committee.

Pursuant to Penal Code §1230.1(c), "The plan shall be deemed accepted by the county board of supervisors unless the board rejects the plan by a vote of four-fifths of the board, in which case the plan goes back to the Community Corrections Partnership for further consideration."

Additionally, the legislation established Penal Code §1230.1(d), which states, "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."

The first meeting of the CCP was held on August 24, 2011. Attendees included: Probation Chief Elias Fernandez, Assistant Chief Monica Seevers, Judges Francis Barclay and David Mason, Supervisor Patricia Cantrell, CAO Chester Robertson, District Attorney Christopher Brooke, Public Defender William Briggs, local attorney John Lawson, Undersheriff Mary Acosta, Sgt Dan Nessling, Alturas Police Chief Ken Barnes, Social Services Fiscal Officer Laura Shinn, Health Services Director Karen Stockton, Alcohol and Drug Administrator Tara Shepherd, Assistant Superintendent of Schools Jim Schiffman, T.E.A.C.H., Inc. Director Carol Callaghan, and Victim-Witness Advocate Robin Farnam.

FUNDING

AB 118, the budget trailer bill that creates the funding framework for 2011 Public Safety Realignment, requires the county to create the County Local Revenue Fund 2011 (Government Code §30025(f) (1)). Within the County Local Revenue Fund 2011, each county must also establish a:

- Local Community Corrections Account
- Trial Court Security Account
- District Attorney and Public Defender Account
- Juvenile Justice Account
- Health and Human Services Account
- Supplemental Law Enforcement Account

The formula establishing statewide funding allotments for AB109 implementation in Fiscal Year (FY) 2011-12 assumes \$25,000 per offender for six months of local incarceration, with each of these offenders allocated \$2,275 for rehabilitative services while incarcerated or in alternative incarceration programs. This same level of funding will be made available for parole violators serving a 60-day revocation, albeit on a pro-rated basis. Offenders on postrelease community supervision are funded at \$3,500 per person for community supervision and \$2,275 per person for rehabilitative services (for a maximum of 18 months). The above formula establishing a statewide allotment was developed by the State Department of Finance and agreed to by County Administrative Officers (CAO) and California State Association of Counties (CSAC).

The level of local funding available through AB109 is based on a weighted formula containing three elements:

- 60% based on estimated average daily population (ADP) of offenders meeting AB109 eligibility criteria
- 30% based on U.S. Census Data pertaining to the total population of adults (18-64) in the County as a percentage of the statewide population; and
- 10% based on the SB 678 distribution formula

The allocations for each county for Fiscal Year 2011/2012 were determined by the California Department of Finance and were divided into four distinct aspects of 2011 Public Safety Realignment:

- AB 109 Adult Population Shifts – Approximately \$354.3 million was allocated statewide for the programmatic aspects of AB 109 (adjusted to reflect nine months of operation in FY 11/12 given the October 1, 2011 implementation date). The funds are intended to cover all aspects of the adult population shifts: the transfer of low-level offender population, counties' new supervision responsibilities for state prison inmates released to PRCS, and sanctions – to include incarceration – for those on PRCS who are revoked. The amount

allocated to Modoc County in this category is **\$76,883** for the nine months between October 1, 2011 and June 30, 2012. The allocation for FY 12/13 and after is assumed to be slightly more than \$100,000.

- District Attorney and Public Defender Revocation Costs – Approximately \$12.7 million was allocated statewide for District Attorney and Public Defender costs associated with AB 109, specifically for costs associated with revocation hearings. Because the revocation process for state parolees will remain with the Board of Parole Hearings through June 30, 2013, revocation costs for District Attorney and Public Defender will be limited to PRCS revocations. The funds allocated in this category for Modoc County is **\$2,756** for nine months and are to be split equally between the District Attorney and Public Defender. The annual allocation will be about \$3500.
- One-time allocation for AB 109 start-up costs – A one-time General Fund appropriation from the State in the amount of \$25 million was established to help cover counties' costs with hiring, retention, training, data improvements, contracting costs, and capacity planning pursuant to each county's AB 109 Implementation Plan. The amount allocated for Modoc County in this category is **\$5,425**.
- One time grant for CCP Planning – \$7.85 million was allocated statewide to be awarded to each county based on population for the purposes of assisting each county's CCP in developing its AB 109 Implementation plan. Grants will be administered through the Corrections Standards Authority (CSA) and will be awarded in full within 30 days of enactment of the FY 2011/12 state budget. The grant amount allocated to Modoc County is **\$100,000**.
- Modoc Superior Court also received **\$2526** for revocation hearings and for court security.

PROJECTED IMPACTS FOR MODOC COUNTY

The California Department of Finance has projected the AB 109 population impacts for each county in the state upon full implementation (Year 4 of Realignment). These AB 109 population figures are expressed as an Average Daily Population (ADP), which reflect one inmate in one bed for one year. ADP does not represent the number of discrete individuals moving in and out of the system, but instead captures annual bed/slot numbers, given that a single bed/slot can be occupied by more than one person over the period of a year.

The ADP is calculated based upon one inmate in one bed for an entire year. ADP does not account for "surge" population. ADP is based on the equilibrium that is reached

once a population stabilizes and new bookings balance out against releases. Historically, CDCR experiences intake surges in the months of August, October, March and June. Intake peaks in these months and drops to its lowest numbers in November and February.

The state ADP projections are also based on the department of finance assumption that offenders sentenced to less than 3 years will only serve 6 months in custody. If the felonies in question are eligible for a sentence of 16 months (minimum), 2 years (mid-term), or 3 years (upper term) and an offender received maximum credit reductions for good conduct / work credits, the sentences would reduce to 8 months, 1 year, or 18 months respectively. Department of Finance is relying heavily on alternative sentencing for felony offenders to reach the low estimate of 6 months in custody on a felony offense. Additionally, for those offenders sentenced to more than 3 years, department of finance estimates an average length of stay at 24 months. Again, this could prove a dangerous assumption relying on alternatives to physical custody. The primary purposes of realignment are to reduce overcrowding (in prisons) cut costs (for state prisons) and reduce recidivism. Therefore, if these estimates are incorrect, local jurisdictions will find themselves dealing with more offenders in jail and under supervision than estimated.

Below is the Department of Corrections and Rehabilitation estimate of the increased number of offenders annually who will be incarcerated or under supervision in Modoc County as a result of Public Safety Realignment.

CDCR Estimate of Average Daily Population at Full Rollout (Year 4) of AB 109 for Modoc County					
	Total Inmates N/N/N, no prior S/V ADP1,2,5	Short-term Inmates N/N/N no prior S/V w sentence length <3 Years 1,2,3,5, 6	Long-term Inmates N/N/N no Prior S/V w sentence length >3 Years 1,2,4,5,6	Post Release Community Supervision Population Totals1	RTC ADP, 30- day ALOS1, 7
Modoc	2	1	1	3	1

In summary, for Modoc County, the projected ADP for Total Inmates is 2 annually (1 is projected to have a sentence length of less than 3 years and 1 is projected to have a sentence length greater than 3 years).

The projected number of offenders for the Post-Release Community Supervision population in Modoc County is 3 in the next 18 months. We have already received a unanticipated packet from CDCR for someone being released in November who was sentenced from another county but lives in Modoc County. There is no way to know how many more of these prisoners there may be.

The last number refers to state parolees who may experience a parole revocation and serve up to 180 day in the county jail. The CDCR estimate for Modoc County is 1 offender annually.

CURRENT RESOURCES

SHERIFF'S OFFICE

The Modoc County Sheriff's Office (MCSO) operates one jail for the entire county located in Alturas, CA. The jail has capacity for 43 beds but rarely has MCSO used more than 25 of those beds. The daily population in the jail averages between 10 and 22 prisoners. Lack of staff to ensure safety is the main limitation to fully utilizing the available space in the jail.

People convicted of non-serious, non-violent, and non-sex offense felonies on or after October 1, 2011 will serve their sentences in the county jail. Typically these sentences will be 16 months to three years. Enhanced and consecutive sentences may create even longer sentences. However, AB109 changes how credits for good time and work time are calculated and inmates will receive one (1) day good time credit, and one (1) work time for every two (2) days served in jail. This means that inmates will be required to serve 50% of their sentence in custody, minus any credits for time served prior to their sentence as determined by the Court, instead of two-thirds of their sentence, which is the current law. This change will help mitigate, to some degree, the impact of longer sentences being served in the county jails. Further, all post-release community supervision revocations and almost all parole revocations will be served locally. AB109 encourages the use of flash incarceration up to 10 days in county jail for post-release community supervisees who violate their community supervision terms.

The estimate of 2 additional inmates annually is based on the number of offenders sent to state prison in the past. MCSO believes this number does not reflect our current situation and that we can expect closer to 5 additional inmates annually as a result of being convicted of a non-violent, non-serious, non-sexual felony. Additional increases in inmates could also come from the following:

1. The additional number of people in county jail who are pretrial;
2. Violators of post-release community supervision;
3. Violators of state parole up to 180 days (an exception is that paroled lifers with revocation terms greater than 30 days will serve time in state prison); and
4. Post-release community supervisees sanctioned with flash incarceration of up to 10 days for each violation.

MCSO estimates that another 3 to 5 offenders annually (estimate 2.5 ADP) will be incarcerated as a result of violations of supervision and flash incarcerations.

The Sheriff retains the all existing tools to manage this population as with the current population. The legislation also allows counties to use new alternative custody options

and electronic monitoring and home detention (1203.018 PC). Because of too few correctional officers to ensure safety, the Sheriff believes these options are more appropriate for those offenders who have been released to community supervision. The Sheriff is also allowed to contract back with the state or private entity to house those inmates who cannot be safely maintained in the local jail and a contract reserve fund is recommended.

The state of California is making "alternative to custody" assumptions for population management on felony offenders now committed to county jails. Historically, these alternatives have not been available as population controls for felony prison inmates. The legislature made these alternatives available, while at the same time transferring these offenders to local custody. These never before available options are now the responsibility of local officials. The Sheriff is in the position of having to consider potential release options on felony offenders that have not been tried in the past. The state effectively crafted a pilot project to release felons back into our communities but placed local officials in a position to bear the burden if this experiment fails.

The Sheriff wants to try to implement the provisions of AB109 as intended by the legislature, but his primary responsibility will be to maintain the security of our communities and the safety of his staff and jail inmates.

For safety reasons primarily due to severely inadequate staffing levels, there are currently no programs offered in the jail. MCSO is in favor of and would like very much to work with community providers to develop relevant in-house services for inmates as well as alternatives to incarceration. The Community Corrections Partnership believes that this would require an additional specific correctional officer to coordinate inmate programming as well as providing supervision for those inmates participating in custodial alternatives. The Sheriff believes it is essential and would also like to see a re-entry program developed to help prepare offenders for release and would be willing to cooperate with any jail-based services that would be part of that program.

MCSO is anticipating that the biggest impact of the increased jail population may come with increased need for physical and mental health services. Currently jail inmates are not eligible to Medi-Cal, Medicare, or CMSP while incarcerated and medical care is paid out of the Sheriff's budget. MCSO has a close working relationship with Modoc Medical Center (MMC). MMC sends a nurse practitioner to the jail for regular "sick call". The hospital bills MCSO at the Medi-Cal rate. If an inmate has serious medical issues and can be determined not to be a safety risk to the community, the jail is able to do a release which allows the offender to apply for Medi-Cal or CMSP. If the inmate is a safety risk, MCSO has to pay for the required medical care. Currently Modoc County Behavioral Health responds to mental health needs and crisis in the jail.

Another issue is the lack of segregated housing space and staffing for that space. Pursuant to Penal Code Section 4002: *"Persons committed on criminal process and detained for trial, persons convicted and under sentence, and persons committed upon civil process, shall not be kept or put in the same room, nor shall male and female prisoners, except husband and wife, sleep, dress or undress, bathe, or perform eliminatory functions in the same room. However, persons committed on criminal process and detained for trial may be kept or put in the same room with persons convicted and under sentence for the purpose of participating in supervised activities and for the purpose of housing, provided, that the housing occurs as a result of a classification procedure that is based upon objective criteria, including consideration of criminal sophistication, seriousness of crime charged, presence or absence of assaultive behavior, age, and other criteria that will provide for the safety of the prisoners and staff"*. Adding inmates that are either charged with violating terms of release (Parole or PRCS) or new felony convictions will put an immediate strain on the segregated housing beds in the jail. Any time a facility increases population it increases the likelihood of assaults on other inmates and staff.

Additional inmates in the jail will also impact energy consumption and food service costs. It can be difficult to quantify all of the costs associated with the expansion of these programs, but even a small increase in average daily population will generate additional costs.

This new population may potentially have some impact on inmate transportation. Any/all new inmates entering our local jail system will require transportation to or from courts and medical appointments. There will also be increases in the transportation demand specific to parole and PRCS violators. Historically, if a parole violator was taken into custody in any local jurisdiction, they were booked in the local facility, transferred to prison where the prison transportation system moved them throughout the state. Moving forward, these violators will stay in county jails for their entire period of incarceration. Since CDCR will no longer be involved in the housing and transportation of these inmates, this burden will shift entirely to local jails. Historically, counties were able to bill the state for daily incarceration costs for state parole violators. Now that the state has no responsibility or jurisdiction over local violators, there is potential for one county to directly bill another county for daily housing costs of parole violators. This issue is still unsettled amongst California Sheriffs, but based on housing and budgetary constraints in each county; billing between counties for bed space and/or transportation could take place in the future. Considering these additional costs, Modoc County has to be prepared to move as soon as allowable under state law to reclaim our parole violators in other counties. We also have to be prepared to release or transport back parole violators from other jurisdictions as soon as possible to avert any additional housing, medical, or prescription drug costs.

PROBATION DEPARTMENT

Staffing:

Modoc County Probation Department (MCPD) is currently staffed by the Chief Probation Officer, Assistant Chief Probation Officer, a Deputy Probation Officer and a Fiscal Officer. As result of receiving a federal drug court grant, the department will be bringing in a part-time extra help person to increase random drug testing and supervise a community work service program. The department is considering the addition of either another deputy probation officer or a probation technician at the beginning of 2012 if it appears there will be in increase in caseload as a result of the impact of AB 109/117.

As of September 2011, the department supervises 136 adult probationers and 25 juveniles. According to CDCR, 3 offenders in the next 18 months will be released from prison beginning October 1, 2011 under PRCS to be supervised by MCPD. MCPD estimates that approximately 5 felony offenders annually, under AB 109/117, will be sentenced locally and require local supervision.

MCPD is motivated to take creative and innovative steps during a time of budgetary crisis in order to accommodate the specialized needs of the AB109 population. However, MCPD and Modoc County face many challenges which present difficulty in program and treatment services availability.

Evidence-based Practices:

MCPD has a long history of collaboration with law enforcement, the Court, Modoc County Health Services, Social Services, and T.E.A.C.H., Inc. The department participates, with the Superior Court and other partner agencies in Modoc County, in several collaborative justice or problem-solving courts addressing adult and parental substance abuse, domestic violence, and juvenile delinquency. It is the goal of MCPD to extend this evidence-based practice to include offenders released under PCRS as well as offenders sentenced locally.

Risk and Needs Assessments:

The application of evidence-based practice in community supervision requires obtaining timely, relevant measures of the risk for re-offense by an offender as well as the need for services and supervision at the individual and aggregate levels. Offender assessments are most reliable and valid when staff are formally trained to administer tools. Screening and assessment tools that focus on dynamic and static risk factors, profile criminogenic needs, and have been validated on similar populations are preferred. MCPD is planning to join the Northern California Consortium of Probation

Departments who are implementing a "generation 4" risk and needs assessment called STRONG (Static Risk Assessment Offender Needs Guide). This structured decision-making tool is on line and meets the above criteria as an evidence-based practice. The consortium provides initial and ongoing training to staff, data storage and sharing, as well as help desk services for the system.

Offender assessment is as much an ongoing function as it is a formal event. Case information that is gathered informally through routine interactions and observations with offenders is just as important as formal assessment guided by instruments. Formal and informal offender assessments should reinforce one another. They should combine to enhance formal reassessments, case decisions, and working relations between practitioners and offenders throughout the jurisdiction of supervision.

MCPD will prioritize supervision and treatment resources for higher risk offenders who generally present multiple criminogenic areas needing to be addressed at significant levels. By placing a higher focus on the higher risk offender the department will better utilize resources to promote public safety. Higher risk offenders have a greater need for pro-social skills and thinking and are more apt to demonstrate significant improvements through related interventions such as well developed case plans, and placing offenders into sufficiently intense cognitive-behavioral interventions that target their specific criminogenic needs. Higher risk offenders are more likely to be frequent offenders than those who are of lower risk and treatment resources that are focused on lower-risk offenders tend to produce little if any net positive effect on recidivism rates.

In 2010, MCPD, in collaboration with the Domestic Violence Community Response Team, decided to use the SB 678 funds made available through CalEMA, for the development and implementation of a Batterer Intervention Program (BIP). State law requires that each county has such a program and that offenders convicted of certain domestic violence crimes and placed on probation must attend a 52-week program as well as complete 60 hours of community work service. MCPD was able to contract with a facilitator certified to offer a BIP that is recognized as evidence-based and effective. That program currently has eight individuals participating. Their progress is reviewed regularly by the facilitator and the PO with a report being made to the court every three months.

Research has shown that an interviewing technique called *Motivational Interviewing (MI)* is very effective in engaging offenders and substance abusers in treatment and in making positive changes. Staff at MCPD have had some MI training and the department plans to use some of the one-time training dollars to increase the MI skills of the probation officers and their partners who are providing services and treatment. It is also the intent of the MCPD to explore the use of other evidence-based programs such as *Thinking for a Change (T4C)* and *Moral Reconation Therapy*. These "cognitive-

behavioral based” programs are recognized nationally as effective with high risk offenders and they are available for little or no cost.

In addition to the intensive supervision and collaborative case planning mentioned above, MCDP will actively explore a variety of alternatives to incarceration for use in managing the Post Release Community Supervision population and responding to violations. This will be accomplished by utilizing appropriate alternative custody options to address criminogenic risk factors, hold the offender accountable, and enhance community safety. It is envisioned that eventually violations of post-release supervision could be handled in a re-entry court setting to create greater consistency and ensure application of evidence-based sanctioning principles.

Home Detention and Electronic Monitoring Program:

The Chief Probation Officer is authorized to offer an electronic monitoring and/or home detention program to individuals who are granted probation or are under post-release community supervision as a sanction for violating supervision conditions, as specified in Sections 3453 and 3454 of the California Penal Code.

Home detention with Electronic Monitoring and/or GPS is an alternative to incarceration that can be used by the Probation Department to provide offenders with structure, control and accountability, as well as to provide an extra layer of supervision to the community. These allow for the offender to remain in their home in lieu of being incarcerated in jail for technical violations, reserving beds in the County Jail for more serious and violent offenders.

The Electronic Monitoring Program allows the offender to remain at home while wearing a device on their ankle. The offender’s schedule may be set up to allow him/her to attend work and/or school on a daily basis; however, any appointments or instances where the offender must leave the residence must be approved in advance by the probation officer. Depending on living circumstances and the offender’s individual circumstances, the range may be set to allow the offender to go into the yard or may limit them to the actual residence.

GPS allows a probation officer to determine the location of an offender who is wearing the receiver 24-hours-a-day. It is monitored by a call center that will follow predetermined instructions from the Probation Department and will alert the offender that they are out-of-compliance. The probation officer receives alerts and determines the appropriate course of action. The system has the ability to create inclusion (approved) or exclusion (stay away) zones as ordered by the judge or directed by the probation officer. GPS also allows for school and work schedules as well as curfew restrictions.

Both systems are viable solutions to alleviate the use of the jail and are appropriate sanctions for offenders who commit technical violations of probation as well as for those offenders who are sentenced on new low-level offenses.

MCPD is currently evaluating the use of the SCRAM system which combines the electronic monitoring/GMS system with continuous alcohol monitoring. Again there is a consortium of northern county Probation Departments that MCPD could join to help reduce the cost of that program.

Community Work Service:

Community work service (CWS) is another alternative to incarceration for technical and minor violations of supervision. It can also be a way for low-income offenders to work off court fines. MCPD is collaborating with MCSO and the Sheriff's Posse to develop a countywide program using Neighborhood Watch volunteers as supervisors. The Neighborhood Watch supervisor will work closely with other public and private agencies to find appropriate placements for offenders. As a result of a new federal drug court grant, MCPD will adding an part-time, extra-help person who will be able to provide supervision and also be responsible for resolving issues that may surface with the offender assigned to community service. Offenders are assigned a specific amount of hours to complete within a specified timeframe. The benefits of community service for the offender is that they can give back to the community, fulfill a court order, learn new skills, or utilize the skills they already have to help others.

Alcohol and Drug testing:

Currently all probationers are required to report to MCPD on some regular schedule. For some that may mean simply mailing in a monthly report form. For some it may mean coming in daily to the office to report and be tested for drugs and/or alcohol. Some 85% of prisoners in the State of California report a substance abuse problem so we can assume that the majority of those returning on PCRS and those felons serving their sentences locally will require testing for alcohol and drugs regularly and randomly. MCPD has a contract with Nor-Chem, a certified laboratory in Flagstaff, AZ. All staff are trained in collection procedures and maintaining the required chain of evidence.

DISTRICT ATTORNEY

The Modoc County District Attorney (MCDA) believes that Realignment will have a significant impact on their workload, as well as the sentencing options available to resolve cases. MCDA anticipates two major impacts:

In addition to normal responsibilities, MCDA anticipates that prosecutors evaluating felony cases for disposition and sentencing purposes will need to refocus their

assessments on the new sentencing options presented by realignment. It is often the case that prosecutors, in the case of such a dramatic shift in the law, will be required to spend considerable additional amounts of time with members of the defense bar in negotiating these cases, as the defense bar educates itself on the advantages presented to their respective clients afforded by realignment. This will likely increase the number of court appearances per case and the average time it takes to work out individual cases.

Second, and in addition to normal responsibilities, MCDA will now be responsible for reviewing, charging, and prosecuting violations of post-release community supervision. Historically, this has always been the function of the State through the department of paroles and the Board of Parole Hearings. Effective October 1, 2011 alleged violations of post release community supervision will fall to MCDA for review, filing and prosecution as appropriate.

Of course, whether it be the disposition of a new felony charge or charges, or the handling of alleged violations of post-release community supervision, MCDA and the local attorneys will need to be trained on the resources and options available for pretrial or hearing detention as well as post conviction sentence.

Given the anticipated changes presented by realignment, MCDA has already begun the process of analyzing how we approach sentencing with the goal of developing new policies and procedures. Working with the Public Defender, Probation and the Court, MCDA will participate in the development of sentencing guidelines and approaches that will work for Modoc County. Specific attention will be directed to which cases are required to be handled pursuant to realignment and which cases are exempt. In the context of new cases that are plainly affected by realignment, we will focus on how settlement options have changed and what is the best disposition of the case, keeping the simple objective of justice in mind. In the context of alleged violations of post release community supervision, we will focus on appropriate, progressive consequences for sustained violations while trying to balance deterrence with recidivism reduction.

PUBLIC DEFENDER

The Public Defender represents clients who will now qualify for county jail and alternative program placement sentences under AB 109. The Public Defender will identify clients who are eligible for programs under AB 109 and make recommendations to the courts related to sentencing options/alternatives.

This plan contains limited resources to provide representation to individuals facing "post-release community supervision" violation hearings. The volume of hearings, as well as the court's protocol for handling the hearings, will determine the resources

required. Additional personnel may be required to provide representation at these hearings.

The Public Defender will also be responsible for working with the District Attorney and the Court in designing alternative sentencing strategies and identifying clients who are eligible for programs under AB 109. The Public Defender will also train defense attorneys in the community on alternative sentencing strategies.

MODOC SUPERIOR COURT

The Superior Court is in support of the goals of the Community Corrections Partnership. In order to achieve those goals, the Court welcomes the continued collaboration of the CCP membership.

Since 2000, the Court has worked closely with Probation, Modoc County Behavioral Health, and other partners in maintaining drug treatment court programs for adult and juvenile offenders as well as for families whose children have been removed or are at risk of removal because of parental substance abuse. Drug Courts are examples of collaborative justice courts, sometimes called problem-solving courts. Nationally, collaborative courts have been subject to much research which has shown they can be very effective in reducing recidivism among the participants.

Recently the Court has worked closely with the Domestic Violence Response Team to establish a court review process to hold accountable those offenders convicted of domestic violence crimes and to ensure their compliance with court orders.

The Court will review its own internal sentencing, and work to adopt best practice at the time of sentencing consistent with the intent of the Public Safety Realignment legislation. The Court is looking forward to the implementation of the STRONG Risk and Needs Assessment by the Probation Department and hopes to use that information in considering available alternative sentencing. The Court would also like to see the use of that or a similar tool to assist in making decisions about custody, bail, and OR release at arraignment.

The Court will be collaborating closely with Probation to assist them in enforcing community supervision, including the issuance of warrants, imposition of "flash incarceration", and the development of court review procedures to enhance motivation and compliance with the supervision requirements.

BEHAVIORAL HEALTH SERVICES

Modoc County Behavioral Health Services (MCBH) provides mental health and substance abuse services for indigent and Medi-Cal populations with diagnosed mental illnesses and/or substance abuse issues. MCBH serves approximately 250 individuals annually with counseling, medication management, case management, peer supports, acute care services, and substance abuse services. Core services include outpatient mental health treatment and case management and acute care services including crisis response and crisis stabilization. Crisis response and stabilization are available to jail inmates as well. Additionally BHS staff are members of the drug court treatment teams that specifically address the behavioral health needs of justice involved individuals with co-occurring mental illness and substance abuse disorders.

The Full Service Partnership Program focuses on providing enhanced services to those at high risk of institutionalization or incarceration. Consumers are provided with intensive community based services using a multi-disciplinary approach including: case management, individual and family therapy, psychiatric services, rehabilitation services, group therapy, specific behavioral interventions, 24/7 support, and employment and housing linkages.

Given the current State budget morass, Behavioral Health Services seeks to maintain existing mental health and substance abuse assessment, treatment, and peer-support services for offenders under Public Safety Realignment. BHS staff will participate in the development and implementation of collaborative, multi-disciplinary team approaches to providing services to this population. An important issue not to be overlooked is that of the mentally ill inmate who may require hospitalization and/or long-term psychiatric care without Medi-Care or Medi-caid eligibility. As applicable, BHS will leverage mental health allocations to maximize the resources available.

BHS has long envisioned a Crisis Community Response Team (CCRT) for Modoc County. CCRT is a mobile multi-disciplinary crisis team that can provide community adult mental health outreach, early intervention and joint field response with law enforcement for crisis evaluations. Perhaps the CCP will be the vehicle through which this much needed service can be developed and implemented. As a possible first step, BHS is proposing that the CCP consider the creation of a Correctional Liaison between BHS and MCSO and Probation. This is envisioned as a Licensed Clinical position, able to perform evaluations and assessments and provide treatment to inmates and offenders on community supervision. This person will also be able to work with the psychiatric nurse practitioner and psychiatrist on medication monitoring and psychiatric commitments.

SHORT-TERM IMPLEMENTATION PLAN

Given the current fiscal restraints at both the State and County levels, it behooves Modoc County to move cautiously and deliberately. We are very fortunate that we will not be inundated immediately with large numbers in either the jail or on community supervision. This gives us an opportunity to work together to develop infrastructure and capacity that can have a long-term impact on public safety, county funding, and offender recidivism. Initially and into the future, it will be important to design programs and services to maximize non-county funding. This means directing programs such as alternative sentencing and supervision through the Probation Department. Offenders on community supervision or probation are not considered inmates, even with electronic monitoring, and are therefore eligible to federal and state funded services.

For the rest of FY 11-12 and perhaps into FY 12-13, MCPD will be focusing on implementing the STRONG Risk and Needs Assessment. Scarce resources can then be allocated to ensure that those at highest risk receive services. This evidence-based tool and the training that comes with it will also enable probation officers to develop individual supervision plans based on the criminogenic needs of the offender. The information will also be available to the attorneys and the court to assist in developing individual sentencing, custody, and supervision strategies.

During this time, MCPD will also be exploring how best to ensure that all POs and their partner service providers are fluent in Motivational Interviewing (MI) and Motivational Enhancement (ME) techniques. MCPD will also investigate the use of cognitive behavioral approaches to working with this population and will collaborate with BHS to develop programs that address criminal thinking, trauma issues, and co-occurring substance abuse and mental health disorders.

MCSO will be hiring a correctional officer to work with community providers to develop relevant in-house services for inmates as well as alternatives to incarceration.

LONG-TERM PLANNING

The short time frame allowed for planning to address a complex issue such as Public Safety Realignment, has not made it possible for much in-depth long range planning. Additionally, the amount of funding after the first year is an estimate at best. While it is expected to increase in future years, at this time, for planning purposes, it should be considered unknown, therefore it is impossible to establish specific plans beyond year one. Therefore the current plan focuses on immediate issues needing to be addressed: jail population management, infrastructure needed to provide supervision of additional adult felons in the community, and what treatment and rehabilitation services are currently available for offenders. It is also necessary to evaluate the actual workload

during the first year as well as evaluate the first year plan to make any adjustments necessary.

With the formation of the Community Corrections Partnership, Modoc County has the opportunity to take a close look at our local criminal justice system and see how well it is working or not working. We have the opportunity to evaluate the research and how to choose those evidence-based practices that will best fit with our budget constraints and local culture.

Pretrial Services

One area that is of particular interest to many CCP members is that of pre-trial services. Around the country, jail inmates who are incarcerated awaiting trial have increased at a greater rate than those serving time. Nationally, two thirds of the offenders currently in jail are awaiting trial. MCSO estimates that that about one half of the inmates in the Modoc County jail are pre-trial at any given time. This creates problems in terms of segregation, programming and staffing. Many cannot afford bail and release on *own-recognizance* depends on how much information the judge has regarding the accused. Comprehensive pre-trial programs include screening of every person arrested and booked into the jail, interview and investigation using a research-based risk assessment prior to the first appearance before the judge, provision of that information to the judge to help guide appropriate release decision, supervision of release conditions and regular reports to the court, and reminders of court dates. The company that developed the STRONG Risk and Needs Assessment is looking to add a pre-trial screen piece to their program. It seems there are a number of ways to implement a pre-trial services program depending on available resources. The CCP needs an opportunity to have discussions and develop a plan unique to Modoc County needs.

Re-entry Court

Another strategy of interest to CCP members is the concept of a Re-entry Court. A re-entry court can be thought of as an expanded drug court. Drug courts have always been a re-entry mechanism for returning the drug offender from arrest and adjudication, through community-based monitoring and treatment, to the offender's reintegration back into the community. The drug court model has been tested, evaluated, and analyzed over the past twenty years, more than any other rehabilitation program. The scientific community has concluded that the drug court provides the most effective means to rehabilitate, hold accountable, and re-integrate the highest risk, non-violent, drug and alcohol offenders back into the community. Modoc County has a long history with drug courts and much of what would be needed to include the AB 109/117 population in our programs is already in place. Again we have to opportunity to move at our own pace and develop an effective program.

Fire Camps

Many of the inmates who will be realigned to county custody are of the classification that currently serves in fire camps that are run jointly by CDCR and Cal Fire. In Modoc County we have Devil's Garden Camp. This camp provides an invaluable public safety resource to our communities, and is important to our local economy. The Modoc County CAO and other CCP members are concerned about retaining this valuable resource and plan to continue monitoring the statewide discussions related to fire camps.

PROPOSED OUTCOMES

This policy initiative (and the intervention strategies articulated in the local Public Safety Realignment plan) is intended to improve success rates of offenders under supervision resulting in less victimization and increased community safety. Accomplishing this in the most cost efficient manner and employing proven correctional and justice system practices, is emerging as the primary strategic goal of the initiative.

GOALS

In preparation of an Implementation Plan for the 2011 Public Safety Realignment, the Community Corrections Partnership has established the following goals:

- Maintain public safety and offender accountability
- Responsibly manage impact on jail population capacity and safety
- Successful alternative sentencing options
- Inspire public confidence
- Offender rehabilitation
-

OUTCOMES MEASURES

To achieve these outcomes, Modoc County partners will develop and track several outcome measures. Examples of potential outcome measures include:

- Modoc County partners feedback on effectiveness of mechanisms in place to collaboratively address realignment issues as they arise
- Recidivism rates for non-violent, non-serious, non-sex offenders
- Recidivism rates for parolees now under probation's jurisdiction
- Number and type of offenders sentenced to county jail and state prison
- Number and type of offenders sentenced to probation or alternative programs

Potential measures will be discussed and developed in future meetings among the CCP members.

MODOC COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

MEMBERSHIP ROSTER

AB 678	EX	NAME	AGENCY
The Chief Probation Officer (chair)	X	Elias Fernandez	MCPD
The presiding judge of the superior court, or his or her designee	X	Francis Barclay David Mason	Superior Court
The District Attorney	X	Christopher Brooke	MCDA
The Public Defender	X	William Briggs	Ciummo & Assoc.
The Sheriff	X	Mike Poindexter	MCSO
The Chief of Police	X	Ken Barnes	APD
The head of the county department of mental health	X	Karen Stockton	MCHS
The head of the county department of social services		Nadine Della Bitta	MCDSS
A county supervisor and/or chief administrative officer for the county		Chester Robertson Patricia Cantrell	CAO Board of Supervisors
The head of the county department of employment		Diane Fogle	CalWORKS
The head of the county department of substance abuse		Tara Shepherd	MCHS
The head of the county office of education		Jim Schiffman	MCOE
A representative from a community-based organization with experience successfully providing rehabilitative services to persons who have been convicted of a criminal offense		Carol Callaghan	T.E.A.C.H., Inc.
An individual who represents the interests of victims		Robin Farnum	MCDA-VW
OTHERS DESIRED BY CCP		NAME	AGENCY
		John Lawson Jordan Funk Tom Gifford	Local Attorneys
		Monica Seevers	Probation
		Mike Crutcher Mary Acosta Dan Nessling AJ McQuarrie	MCSO

Appendix 1

BUDGET FY11-12

The Modoc County Community Corrections Partnership planning process has just begun. There is much that is unknown about continued funding for Public Safety Realignment, as well as the actual numbers of increased offenders for which the county will be responsible. The CCP decided to focus this first year on infrastructure and resource development with the needs of law enforcement and Probation being the priority. The following have been identified by members as important initial expenditures to ensure the development of the required infrastructure, tools, and skills to adequately address the changes brought about by Public Safety Realignment and AB109/117.

Budget Item	Department	Amount	Source
Entry into the Northern California Probation Consortium for the STRONG Risk and Needs Assessment including installation, training, data storage, and technical assistance	Probation	\$20,000 (initial buy-in, 1 time only cost FY11-12)	One-time CCP Planning Allocation
3 annual licenses for the Northern California Probation Consortium for the STRONG Risk and Needs Assessment	Probation	\$750 (annual cost FY11-12 and continuing)	Annual Programming Allocation
2 SCRAM electronic and continuous alcohol monitoring devices	Probation	\$2540 (2 nd half FY11-12) \$5080 FY 12-13	Annual Programming Allocation
One FTE Correctional Officer to coordinate inmate programming as well as providing supervision for those inmates participating in custodial alternatives	MCSO	\$30,500 (2 nd half FY11-12) \$61,000 FY12-13	Annual Programming Allocation
Alcohol and Drug Testing in outlying areas and on weekends	MCSO	\$2500 (2 nd half FY11-12) \$5000 FY 12-13	Annual Programming Allocation
Officer involvement in community supervision	MCSO	\$2500 (2 nd half FY11-12) \$5000 FY 12-13	Annual Programming Allocation
Officer involvement in community supervision	APD	\$2500 (2 nd half FY11-12)	Annual Programming

		\$5000 FY 12-13	Allocation
Care and Support for Post Release Community Supervision Offenders	Probation	\$2500 (2 nd half FY11-12) \$5000 FY 12-13	Annual Programming Allocation
Adult Offender Population Services and Support Reserve Account <i>STRIKE → FROM PLAN INCLUDE IN MOTION</i>	Varies	\$80,000	One-time CCP Planning Allocation
		\$5425	One-time Implementation Allocation
		\$2756	DA/PD Revocation Allocation (estimate \$3500 annually)
		\$33,093	Annual Programming Allocation (estimate \$100,000 annually)
	Total Reserve	\$121,274	Estimated annual revenue: \$135,000

DISBURSEMENT PROCESS

The CCP partnership shall have a chairman consisting of the Chief Probation Officer and a vice chairman elected by a majority of the CCP committee voting members. The CCP committee shall meet at minimum quarterly beginning January, 2012. The chairman, vice chairman, or a majority of the CCP partnership may call for the convening of a special meeting at any time.

A preliminary budget will be adopted prior to July 1 of each fiscal year for incorporation into the Modoc County budgeting process. A secretary shall be appointed by the committee and keep record of minutes for authorizations of disbursements of the account. The Probation Department's Fiscal Officer shall be responsible for preparing Orders to Draw and/or Journal Requests to process funding allocations that are approved by the CCP committee. The Chair and Vice-Chair will co-sign any minutes that are attached to the Journal Request.

The budget shall consist of Annual Programming Allocations as approved by the CCP committee, and a budget for reserves for one time allocation expenditures for use within the fiscal year as adult population management needs arise. Special needs based

allocations from the reserve account for Adult Offender Population Management that are in addition to annual programming allocation shall be by a majority vote of the CCP committee at a properly noticed meeting containing in accordance with the Brown Act.

It is anticipated that the tools that need to be funded for Adult Offender Population management will vary based on actual offenders. This reserve amount designated for expenditure within the annual budget may be utilized to fund the one time allocations for utilizing the tools, methods, and programs prescribed within the existing CCP partnership implementation plan or incorporated into the plan by majority of the CCP committee's voting members.

It shall require a majority of CCP committee members (four) in order to allocate one time need based allocations. All orders to draw or journals from the Public Safety Realignment account must be accompanied by minutes showing the vote record prior to disbursement from the account to the approved entity by the Modoc County Auditor's office.

MODOC COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

Minutes of Meeting

January 5, 2012

1:35 p.m. Meeting called to order by Elias Fernandez, Chair

In Attendance: Mike Poindexter (MCSO), Chester Robertson (CAO), Luvina Albright (MCDA), William Briggs (Public Defender), Chris Brooke (MCDA), Elias Fernandez (MCPD), Dan Nessling (MCSO), Elizabeth Varney (Drug Court), David Mason (Superior Court), Nadine Della Bitta (MCDSS), Carol Callaghan (TEACH), Diane Fogle (CalWORKS), Jim Schiffman (MCOE), Karen Stockton (MCHS), Tara Shepherd (MCHS), AJ McQuarry (MCSO)

The agenda was posted on December 28, 2011.

1. ACTION ITEMS

The minutes of the meeting on December 15, 2011 were approved with corrections.

It was moved (Mike Poindexter), seconded (David Mason), and agreed unanimously to add the issue of the Inmate Fire Crew Survey sent out by RCRC and CSAC after the posting of the agenda.

1.1 Final Approval of the Community Corrections Partnership Plan and Appendix 1

It was clarified by the group that MCSO is being given funds for weekend and after-hours drug and alcohol testing in the amount of \$2500 for the rest of FY11-12 and \$5000 for a full fiscal year. In addition, MCSO will also be receiving funds for the involvement of their deputies in supervision of PCRS persons and others sentenced to local community supervision. This will also be \$2500 for the rest of FY 11-12 and \$5000 annually.

Also the Chair (Elias Fernandez) informed the group that Probation will need some funds for the care and support of PCRS persons who are sent to the county without any provisions by CDCR. It was agreed to include \$2500 for the rest of FY 11-12 and up to \$5000 annually.

We then discussed the importance of documentation and data collection for the funds being allocated to the various departments from the Public Safety Realignment accounts. The Chair (Elias Fernandez) asked that this include MCSO and APD man-hours involved in testing and supervision and the Sheriff agreed.

It was recommended that wording within the Appendix 1 be changed so that the "Adult Offender Population Management Reserve Account" now is to be the "Adult Offender Population Services and Support Account"

It was moved (Mike Poindexter) and seconded (David Mason) that the Executive Committee approves Appendix 1 of the Community Corrections Partnership Plan with the change of wording recommended. The motion passed with 11 ayes, no nays, and 4 absences (Karen Stockton, Judge Barclay, Chris Brooks, and Bill Briggs).

1.2 Motion to approve expenditure of funds once the CCP Plan is accepted by the Board of Supervisors.

The discussion centered around the four options for administering the funds and managing Journals and Orders-to-Pay presented by Chester Robertson, CAO, to the Committee. The committee agreed to invite Darcy Locken to our next meeting.

It was moved (Carol Callaghan) and seconded (Mike Poindexter) to adopt the third option which involves partial advances in the beginning of the fiscal year with final reconciliation to actual costs being done at the close of the fiscal year. The motion passed with 11 ayes, no nays, and 4 absences (Karen Stockton, Judge Barclay, Chris Brooks, and Bill Briggs).

1.3 Election of Vice-chair

It was moved (Carol Callaghan) and seconded (Tara Shepherd) that Judge Barclay will be the Vice-Chair of the CCP and that Judge Mason will be his alternate in his absence. The motion passed with 11 ayes, no nays, and 4 absences (Karen Stockton, Judge Barclay, Chris Brooks, and Bill Briggs).

2. DISCUSSION ITEMS

2.1 Inmate Fire Crew Survey from RCRC and CSAC

Chester Robertson reported that he received a request to respond to a survey from RCRC and CSAC regarding the possible use by the Sheriff of the local Fire Camp as an alternative to jail. CDC is proposing a daily charge of \$42 a day, down from the original proposal of \$76. Sheriff Poindexter report that the Sheriffs' Association is working on this issue and for the most part there has been a negative response to the CDC proposal overall. Since overcrowding in the jail is not an issue for Modoc County, he does not see how or why we would send people to the Fire Camp. He is more concerned now about the level of criminals that may now be sent from CDCR to the Fire Camps since all the non-violent, non-serious, non-sexual offenders will be handled locally.

3. ADJOURNMENT

The meeting was adjourned at 3:00 p.m.

Submitted by Elias Fernandez, Chair (Minutes written by Elizabeth Varney, Consultant)



Community Corrections Partnership Chair

1-10-12
Date



Community Corrections Partnership Vice-chair

1-9-12
Date

MODOC COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

Minutes of Meeting

December 15, 2011

1:35 p.m. Meeting called to order by Elias Fernandez, Chair

In Attendance: Mike Poindexter (MCSO), Mike Crutcher (MCSO), Chester Robertson (CAO), Luvina Albright (MCDA), William Briggs (Public Defender), Chris Brooke (MCDA), Elias Fernandez (MCPD), Dan Nessling (MCSO), Ken Barnes (APD), Elizabeth Varney (Drug Court), Francis Barclay (Superior Court), Nadine Della Bitta (MCDSS)

The agenda was posted on December 12, 2011.

1. ACTION ITEMS

The minutes of the meeting on October 6 were approved with a correction.

1.1 Approval of Appendix 1 of the Community Corrections Partnership Plan (Start-up budget)

Leo explained the budget items as presented in Appendix 1 of the CCP Plan. This included \$20,000 from the one-time planning funds to be used to buy into the Northern Chief Probation Officers Coalition for the STRONG Risk and Needs Assessment, as well as \$750 annually from the Annual Planning Allocation for software licenses to use the program. Probation is also asking for funding (\$2540 for the rest of FY 2010-2011 and \$5000 annually) for an alcohol-monitoring ankle bracelet system called the SCRAM. The MCSO is asking for 1 FTE correctional officer (\$30,500 for the rest of FY 2010-2011 and \$61,000 annually) to coordinate in-house programming and supervise offenders participating in custodial alternatives. They are also asking for funding for alcohol and drug testing in out-lying areas and on weekends, as well as increased officer involvement with community supervision (\$5000 for the rest of FY2010-2011 and \$10,000 annually). Ken Barnes from APD asked that we include \$5000 in the proposed budget for Alturas Police officer involvement in community supervision and the Start-up budget was amended to reflect that.

There was discussion of the Disbursement Process added to the Start-up budget in Appendix 1 by Chester Robertson, Modoc County CAO. This was done to create a process for accessing the funds within the Auditor's legal requirements. It was agreed to add that the Chair and Vice-chair will sign the minutes of the meeting in which the executive committee agreed on the expenditure and those minutes will be attached to the Journal request. Nancy Richardson, Fiscal Officer for Probation, will be responsible for creating the Journal requests and monitoring the Adult Offender Population Management Reserve Account.

Much of the rest of the discussion centered on whether or not the Start-up Budget should be an integral part of the CCP Plan or presented as an Appendix to the Plan at the Board of Supervisors' meeting. As part of that discussion it was agreed that the Plan would be amended to reflect the priority needs of law

enforcement in dealing with the increased number of inmates and persons on community supervision as a result of Public Safety Realignment.

Eventually, William Briggs (PD) moved that the Community Corrections Partnership Executive Committee recommend the Start-up budget as an Appendix to the CCP Plan with the amendments agreed upon by the group when presenting the Plan to the Board of Supervisors. Ken Barnes (APD) seconded the motion. The motion passed on 5 yeases, 1 no, and 1 absence (Karen Stockton, MCHS).


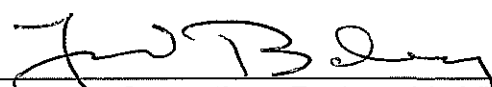
1.2 Next steps to be taken in the process including next meeting, when to make presentation to the Board of Supervisors, and any additions to membership required by the Committee.

The next Board of Supervisors' meeting is January 10, 2012. The group decided to meet again on Thursday, January 5, 2012 at 1:30 to approve the final CCP Plan and Start-up Budget Appendix as amended by this meeting, to consider a motion that the funds can be expended by Probation, MCSO, and APD as soon as the Plan has been accepted by the Board of Supervisors, and to elect a Vice-chair.

2. ADJOURNMENT

The meeting was adjourned at 3:30 p.m.

Submitted by Elias Fernandez, Chair (Minutes written by Elizabeth Varney, Consultant)

 _____ Community Corrections Partnership Chair	<u>1-10-12</u> Date
 _____ Community Corrections Partnership Vice-chair	<u>1-9-12</u> Date