

San Bernardino County
2020-2021 Public Safety Realignment Plan
Assembly Bill 109

Produced by

San Bernardino County Community Corrections Partnership Executive Committee

December 11, 2020

Michelle Brown

Chief Probation Officer

Chairperson



TABLE OF CONTENTS

<u>Section</u>	<u>Title</u>	<u>Page</u>
1	INTRODUCTION	3
2	FISCAL INFORMATION	4
3	PROBATION	5
4	BEHAVIORAL HEALTH	9
5	SHERIFF	12
6	DISTRICT ATTORNEY	16
7	PUBLIC DEFENDER	17
8	SUMMARY	18

Section 1

INTRODUCTION

On April 4, 2011, Governor Edmund G. Brown signed Assembly Bill 109 (AB109), The Public Safety Realignment Act, which created a significant change to the California correctional system. Specifically, AB109 transferred responsibility for incarcerating, supervising, and treating lower level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to the counties. Implementation took effect on October 1, 2011.

The tenets of the Realignment Act require that the state and counties use a data-driven approach to balance public safety and reduce recidivism. To accomplish this, a concerted effort has been made to invest in community corrections, evidence-based re-entry programs and services as well as using alternative custody options.

This update, in conjunction with the CCP Survey, affirms that San Bernardino County continues to embrace the tenets of the Realignment Act and strives for innovative ways to reduce recidivism, foster public safety and provide a path for our clients to become viable members of society.

San Bernardino County Community Corrections Partnership Executive Committee AKA: CCP:

The CCP collaborates to provide recommendations to the County Board of Supervisors in determining funding and programming for the various components of the Annual Realignment Plan. The CCP is comprised of the following:

- Chief Probation Officer (Chairperson)
- Chief of Police
- Sheriff
- District Attorney
- Public Defender
- Presiding Judge of the Superior Court
- A representative from either the County Department of Social Services, Mental Health, or Alcohol and substance Abuse Programs, as appointed by the County Board of Supervisors. In addition, the Assistant Executive Officer of Human Services is on the Executive Committee.

Section 2

FISCAL INFORMATION – Fiscal Year (FY) 2019/20

San Bernardino County was allocated approximately \$106 million. The CCP distributed the funds amongst the member agencies with the understanding that all agencies are to provide a quarterly report on the financial activity and use of the realignment funds. The funds were disbursed as follows:

Agency	Amount
Probation	\$39,787,109
Sheriff Department	\$52,216,933
District Attorney	\$3,983,390
Public Defender	\$3,054,620
Public Health	\$253,282
Department of Behavioral Health	\$5,147,673
Alcohol and Drug Services (DBH)	\$1,100,433
Workforce Development Department	\$278,631
Law and Justice Group	\$185,754

Section 3

PROBATION

Research supports that the combination of systematic interventions and evidenced based practices culminates in an overall reduction of recidivism. There have been many challenges to include the increased number of clients under our jurisdiction with a more diverse criminogenic need. Nevertheless, the Department remains true to the mission of protecting the community by assisting clients to become viable members of society. This is achieved through collaborative efforts with stakeholders as well as progressive supervision strategies, rehabilitative efforts and engagement.

REALIGNMENT SERVICES RENDERED:

- **Day Reporting Centers (DRC):** These centers are located in three regions of the County. Specifically, there are two located in the Central Valley regions where the majority of the county's population resides, with a third located in the High Desert Region. The DRCs represent a multi-agency collaboration designed to reduce recidivism by identifying and addressing the factors that lead to re-offending. In essence, these centers are a "one stop concept" that offers a variety of comprehensive treatment services to assist our clients in their transition back into the community.

Each DRC provides opportunities for clients to receive services to address substance abuse, improve and sustain physical and mental health issues, finding and maintaining employment, and resources for family services. Probation Officers are located at the DRCs and play a significant role in not only coordinating services, but developing a rapport and being part of a greater support group. Other agencies co-located at the DRCs include the following:

- Behavioral Health
- Transitional Assistance Department
- Workforce Development Department
- Public Health

Community Based Organizations (CBOs) and contract agencies are also utilized to augment the DRC resources. The DRCs include the following program components with additional services added as the need and availability permits:

- Orientation upon release from prison or county jail
- Classification via an evidenced based risk and assessment tool
- Development of a comprehensive treatment plan
- Daily check-in with DRC staff
- Individualized and group counseling
- Substance abuse and alcohol testing
- Anger management
- Domestic violence curriculum

- Cognitive and Life Skills Development
 - Parenting and family reintegration
 - Health screening
 - Educational services and GED preparation
 - Budgeting and money management
 - Vocational training
 - Work program
 - Discharge planning
 - Aftercare
- **Supervision:** With the increase in the population and the diversity of their needs, the Department developed several specialty supervision units. These units include:
 - **Mental Health Supervision Unit:** Is comprised of officers who have received additional training in dealing and relating to those that are mentally ill. They work collaboratively with representatives from the Department of Behavioral Health to ensure that clients are successful on their term of supervision.
 - **Multiple Enforcement Team (MET):** Initially began as the Gang Unit, then transitioned to the Probation Apprehension Team and eventually to MET. MET was designed as another tool to assist with compliance and to enhance public safety. Their primary purpose is to locate absconders, nevertheless, their secondary roles include enhancing supervision for high risk DRC clients.

ACCOMPLISHMENTS – FY 2019/2020:

- **Vocational Opportunities:** Prior to the contracts being awarded, there was collaboration with Workforce Development and the San Bernardino Community College District to have a class instructed by the Building Industries Association (BIA). In January, 2020, after a successful collaboration a contract was awarded and, since that time, a total of 9 clients graduated from the program. The program provided them with the basic knowledge required to enter into the home building industry.

As part of the department’s vocational contracts, the Department has started a class to acquire welding certifications. In November 2020, 6 clients completed their first class in the portable welding lab. However, additional classes were postponed due to the surge in the 2020 COVID-19 Event.

Given the hands on nature of both curriculums, a virtual delivery system is not likely. However, a viable solution has been found in reducing the number of participants in any given course.

- **Linking Homeless Clients to Housing Opportunities:** From November 2019 through November 2020, Probation housed approximately 438 unique clients during FY 19/20.

This is a significant increase from the previous year. This was a challenge given the constraints many contract housing providers faced that were related to the 2020 COVID-19 Event.

- **Education:** Despite the challenges of the 2020 COVID-19 Event, the Department, with the collaboration of the Five Keys Charter School, was able to transition the curriculum to a virtual format. Thus, minimizing the disruption of educational services. The curriculum includes career skills, hospitality, sewing, computers services and multimedia training. The table below represents the number of clients referred beginning in June 2019 through January 2020.

Table 1: Number of Enrollments and Completions in 5 Keys Program [June 2019 - January 2020]

	Referred	Enrolled	Enrollment Rate (per 10 referred)	Completed	Completion Rate (per 10 enrollees)
SB/Central DRC	135 (33.6%)	57 (24.5%)	4.2	14 (50.0%)	2.5
Fontana/WV DRC	137 (34.1%)	48 (20.6%)	3.5	14 (50.0%)	2.9
VV/HD DRC	130 (32.3%)	128 (54.9%)	9.8	0 (0.0%)	0.0
Total	402 (100.0%)	233 (100.0%)	5.8	28 (100.0%)	1.2

- **Parenting Programs:** Within the domain of education and family reunification, the Department maintained the Parenting Program despite the challenges associated with the event. As with many services, we sought alternatives to in person contact and were able to transition to a virtual delivery platform that began in November 2020. Table 2 below reflects data collected from June 2019 through January 2020.

Table 2: Number of Enrollments and Completions in Parenting Programs [June 2019 - January 2020]

	Referred	Enrolled	Enrollment Rate (per 10 referred)	Completed	Completion Rate (per 10 enrollees)
SB/Central DRC	13 (22.0%)	20 (31.7%)	-	9 (52.9%)	4.5
Fontana/WV DRC	5 (8.5%)	2 (3.2%)	4.0	5 (29.4%)	-
VV/HD DRC	41 (69.5%)	41 (65.1%)	10.0	3 (17.6%)	0.7
Total	59 (100.0%)	63 (100.0%)	-	17 (100.0%)	2.7

- **Access to Health Services:** Probation partnered with the Department of Public Health to have a Health Specialist assigned to the DRCs. This specialist provided educational services to include:
 - Nutrition/Diabetes Management

- Tobacco, Alcohol and Substance Abuse Education
- Basic Hygiene

In addition to the Health Specialist, each DRC has a Correctional Nurse that is able to provide additional services to include:

- Doctor referrals
- Dental referrals
- Blood pressure checks
- Diabetic checks
- Treatment of minor injuries

GOALS-FY 2020/2021:

- Expand Vocational Programing: In October 2020, Probation entered into an MOU with the San Bernardino County Fire Protection District to develop a re-entry pilot program that would provide a pathway to employment as a firefighter. Shortly thereafter, 70 potential clients were identified due to their prior CDCR and County Fire Camp experience. Of that population, 20 interviewed for a paid position in this program. Roughly 18 of those interviewed are currently awaiting the outcomes of their background and/or health evaluations.

The CDCR Fire Camp model has experienced success but the full benefits of the program have not been realized for the clients. This re-entry program at the county level is the first of its kind and will bridge the gap for re-entry as well as will enhance public safety.

Secondly, Probation entered into an MOU with the San Bernardino County Human Services Department. Through this collaboration, clients will have access to, approximately, 4 employment agencies. These agencies will not only find temporary employment opportunities, but, more importantly, permanent job placement chances.

Section 4

Behavioral Health

The **Choosing Healthy Options to Instill Change and Empowerment (CHOICE)** program provides mental health services to probationers with severe mental illness (SMI) within San Bernardino County. The CHOICE program is co-located in the San Bernardino County Probation Day Reporting Centers in Fontana, San Bernardino, and Victorville, as well as the Probation office in Barstow. CHOICE also offers intensive mental health treatment for those probationers deemed as needing a higher level of care in the ACJ Clinic in Colton. CHOICE Program design enables a “one stop shop” where probation and behavioral health service needs are met at one location. The CHOICE program provides behavioral health services to our probation populations to support and encourage seamless transitions into their communities, promoting overall health and success for each individual probationer we serve.

CHOICE is funded through the Community Corrections Partnership (CCP) Behavioral Health allocation of AB 109 funding, serving the probationers located throughout the West Valley Region of San Bernardino County. Mental health services include, but are not limited to, screening and assessment, development of individualized recovery plans, individual and group therapy, crisis intervention and case management services. The CCP funds also support supplemental substance use disorder screening, referrals and linkage and educational groups in the Joshua Tree Probation Office through the TEST program.

Changes over the next fiscal year include restructuring CHOICE program services in the Barstow location. At this time CHOICE offers a wide range of mental health treatment and substance use disorder screening services. The isolated and rural location and limited population has not produced as much of a probation clientele as was anticipated when the program was established in 2018. DBH is currently evaluating the need for the same level of services in the Barstow location, as there are other DBH Mental Health and SUD treatment programs within a one-mile radius of the Barstow Probation Office that offer a myriad of MH and SUD services to the Barstow Community. Staffing has also been challenging due to the rural location. CHOICE is proposing changes to services to include MH and SUD screening and referral services in order to assess and link Barstow Probationers to necessary behavioral health services and reincorporate the previous CCP funds back into the overall CHOICE program.

Mental Health Program

FY 19/20	Referrals Received	Assessments Completed	Active Caseload	Transportations
Jul-19	187	200	221	437
Aug-19	242	200	230	210
Sep-19	250	138	251	234
Oct-19	245	170	303	400
Nov-19	207	85	212	416
Dec-19	177	72	262	338
Jan-20	251	115	269	465
Feb-20	224	101	286	546
Mar-20	131	124	250	263
Apr-20	105	30	284	10
May-20	79	23	257	8
Jun-20	141	43	275	17
AVERAGE	<i>186.58</i>	<i>108.41</i>	<i>258.33</i>	<i>278.67</i>

FY 20/21				
Jul-20	182	94	240	33
Aug-20	134	100	224	30
Sep-20	192	172	235	41
Oct-20	137	122	232	65
AVERAGE	<i>158.75</i>	<i>122.00</i>	<i>232.75</i>	<i>42.25</i>

Substance Use Disorder Program

FY 19/20	Referrals Received	Active Caseload	Referrals to Other Program
Jul-19	93	41	58
Aug-19	247	36	55
Sep-19	210	49	33
Oct-19	207	78	48
Nov-19	152	53	15
Dec-19	108	37	20
Jan-20	162	32	58
Feb-20	152	38	37
Mar-20	75	37	46
Apr-20	32	30	0
May-20	32	19	1
Jun-20	47	21	2
AVERAGE	<i>126.42</i>	<i>39.25</i>	<i>31.08</i>

FY 20/21	Referrals Received	Active Caseload	Referrals to Other Programs
Jul-20	29	9	9
Aug-20	20	17	11
Sep-20	40	20	20
Oct-20	29	20	16
AVERAGE	<i>29.5</i>	<i>16.5</i>	<i>14</i>

Section 5

SHERIFF

Since the passage of AB109 in 2011, the San Bernardino County Sheriff's Department has continued to see county jails operating at near capacity with a greater portion of the population increasingly made up of inmates with higher levels of criminal sophistication and longer sentences. The Department has responded by increasing the number and type of programs offered to the incarcerated population, changing work release and electronic confinement criteria to allow a larger swath of incarcerated individuals consideration for alternatives to confinement, and continuing a program of detention review and early release, as needed.

In addition to the increased criminal sophistication of realigned inmates, the Department has also seen the number of inmates diagnosed with serious mental health issues continually rising. West Valley Detention Center (WVDC) has seen beds designated to house seriously mentally ill inmates rise from approximately 80 beds in 2013 to over 500 beds in 2020. As of December of 2020, 532 jail beds (approximately 13% of WVDC's total rated capacity; an increase of over 600% from 2013) were set aside to house seriously mentally ill inmates.

As the population of seriously mentally ill inmates has grown, mental health services have also continually grown to allow the population to receive appropriate treatment and clinical services. In 2016, the Department began contracting with Liberty Medical to provide a full-time staff of mental health professionals to the jail system. This contract allowed for more robust mental health screenings at the time of booking and more effective delivery of services throughout the custody process at all four of the County's Type II jails.

To ensure the Department complies with incarcerated population caps and maintains an adequate number of open beds for booking and holding arrestees, the Population Management Unit (PMU) continually assesses bureau-wide populations, sets retention criteria for new bookings, and conducts early releases as needed. The Department's unique Detention Review Officer (DRO) team assesses those booked on felony charges to determine if they can be released pending their court appearance. The DRO recommendation is based on the probability of the arrestee's risk to public safety and their potential to be a flight risk.

Population management challenges are exacerbated by the growing population of realigned sentenced inmates with sentences of over three years. Currently, there are over 40 inmates in the County's custody with sentences ranging between three and twenty years – a population county jail and corresponding services were not originally designed to accommodate.

For qualifying inmates, the Department offers alternatives to custody through enrollment in the Work Release Program (WRP) or the Electronic Confinement Program (ECP). Prior to AB109, sentenced inmates with less than 365 days, who met specified risk criteria, were offered the opportunity to be released through WRP or ECP. After realignment, those criteria were changed to allow inmates with 18 months or less remaining on their sentence to be considered for release.

Today, approximately 50% of inmates released from custody into ECP are realigned AB109 inmates. Since AB109 was implemented, 1,866 realigned AB109 inmates have been released from custody to participate in ECP.

Inmate Programs, overseen by the Inmate Services Unit (ISU), have grown dramatically in the years following realignment, with many changes implemented in 2014 and 2015 because of the increased custody times and service needs of the realigned population. Examples of programs or services that were added or expanded during the 2014 / 2015 window include:

- ISU contracted with Five Keys Charter School to provide credentialed teachers and administrators at all four Type II jails. Five Keys provides several educational tracks, including high school diploma programs, adult basic education programs, and English as a second language. These services are provided at no cost to the Department through Average Daily Attendance (ADA) funding.
- San Bernardino County Schools and the Teamsters both brought vocational education programs into the Department's Type II jails.
- Interactive journaling, once only offered to inmates with court-ordered participation requirements, was expanded to volunteer inmates at all four Type II jails
- Substance abuse, living skills, Anger Management, parenting, and other courses, along with inmate job and resource fairs were expanded to three of the county's four Type II jails.
- In partnership with Cal State University, San Bernardino, the Teaching and Loving Kids (TALK) program was expanded to three of the county's four Type II jails along with the Trauma Recovery & Family Relations and Anger Management/Cognitive Skills psychoeducation classes.

ISU has continued to expand services since that time, with several new services started in FY19/20. Examples include:

- A long-awaited pilot of education-focused tablet computers for the incarcerated population was started and is likely to be expanded in FY20/21.
- ISU purchased and was trained in the use of the Ohio Risk Assessment System (ORAS), an evidence-based assessment tool used to help staff develop case plans to meet the specific needs of inmates.
- ISU added a Staff Analyst II to review program success rates, compile data, examine the cost/benefit relationship of programs and services and look for effective ways to reduce recidivism.

GOALS – FY20/21

- **MEDICAL CARE** – The Department will continue to bring in additional staffing and services to ensure appropriate and timely medical care is offered to all inmates.

Increased medical staffing will, consistent with the July 2019 “Health Services Division Staffing Plan”, continue to address deficiencies in critical areas including intake screening, transfer screening, sick call, and more, while reducing the costs associated with the current use of registry staffing.

- **POPULATION MANAGEMENT**- PMU will continually assess the County’s total jail population and institute early release and alternative custody plans to keep the population under all caps. Detention Review Officers will continue to work with the courts to identify and release those who meet public safety and flight risk guidelines and PMU will work with Work Release Program staff to expand the use of early release and electronic monitoring programs for low-risk offenders. PMU will collaborate with ISU to identify ISU programs that could be used as one piece of a “corrections to community” path to move inmates into a stepped housing model and/or early release option.
- **SERVICES** – Inmate Services Unit (ISU) will become the core component of the larger proposed Reentry Division and offer programs to both the incarcerated and recently released populations, all with the hopes of reducing recidivism. The Reentry Division would serve as the hub of reentry services, bringing together and collaborating with multiple public and private stakeholders to better assist justice-involved individuals and their families. In addition to traditional in-custody services offered by ISU, the Reentry Division would also offer community-facing services to recently released individuals and their families as one part of a comprehensive throughcare treatment model.

A major piece of this proposed expansion includes shifting the Parental Intervention Project (PIP) into the Family Attachment Interventions Through Healing Solutions (FAITHS) Throughcare Program. PIP is a successful parenting-centered research-based therapy program offered to inmates at three of the four Type II jails through a unique Department/University partnership in which master’s degree level interns needing clinical hours provide services to justice-involved individuals at minimal cost to the county. FAITHS aims to expand this program, bringing three Universities¹ into partnership with the Department and allowing for the delivery of a wider range of services to justice-involved individuals and their families/caretakers. The FAITHS program would be the first of its kind in the state—and perhaps the nation—to offer an intensive, trauma-informed treatment program to justice-involved individuals from the time of their arrest, through the custody process, and for a period of time following their release. To respond to the growing realigned population, FAITHS staff will proactively engage inmates sentenced to three or more years and encourage their participation in “needs specific” counseling and rehabilitative services throughout their time in custody. This proactive effort aims to both reduce in-custody behavioral issues and prepare these individuals for their eventual release.

ISU will continue to expand in-custody services and aims to add program and safety staffing that will allow for more programs and services to be offered to the incarcerated

¹ Cal State University, San Bernardino, California Baptist University and Loma Linda University

population while still ensuring staff and inmates remain safe. New staffing sought in FY20/21 includes an Inmate Program Coordinator to oversee program implementation and development, two sworn safety members, and additional substance abuse counselors and social workers through a contract with the Department of Behavioral Health. Implementation of FAITHS will bring additional interns to the ISU team to deliver services to the incarcerated population. ISU staff is also working to increase collaboration with the Workforce Development Department (WDD) to provide focused employment skills, training and job placement opportunities to justice-involved individuals. Some specific programs under development that are expected to be implemented in FY20/21 include a barbering school program, a solar technician/electrician program and expanded vocational training.

Section 6

DISTRICT ATTORNEY'S OFFICE

The implementation of AB 109 has had an impact on the handling of cases within the District Attorney's Office in San Bernardino County. Our database system has been modified to identify and track cases that are eligible to be sentenced under AB 109. The impact has involved changes in many areas including: what sentence is received on cases, where the custody time is served, how violations are handled, and what the sentence is after a post-conviction violation. At times, it involves additional appearances in court and additional calendaring of cases. Those cases are handled in all three of our geographical regions.

In the time period between January 1, 2020 to December 7, 2020, 698 defendants were sentenced to County Jail Prison who would have previously been sentenced to State Prison prior to AB 109. From January 1, 2020 to December 7, 2020, probation was revoked on an additional 217 defendants who were then sentenced to County Jail Prison rather than State Prison. That totals 915 defendants, for this time period, who would have previously gone to State Prison prior to AB 109.

The District Attorney's Office must have staff to handle those cases and make those appearances in court. This includes those appearances on cases involving post-conviction violations. Our Victim Advocate staff handle victim notification under Marsy's Law for these cases from the time of filing through conviction and sentencing. They also handle the notification for post-conviction violations that require additional court appearances and further sentencing orders.

Section 7

PUBLIC DEFENDER

The Public Defender allocates its Realignment funding to improve our client's ability to transition from county jail detention back to the community. By strategically allocating human and technical resources, the Public Defender seeks to avoid the release of clients into the community without access to appropriate resources and support services. The process begins in court when our team of attorneys identify vulnerable and underserved clients. Attorneys then refer each case to the social service practitioner team who coordinates with service providers, such as the Department of Behavioral Health (CTASC), Probation Department, and Veterans Affairs, in order to access housing resources, substance abuse programs, transportation services, health care, and other support services. The process requires significant information sharing, which, in part is coordinated by Public Defender office assistant staff. By prioritizing early needs assessments, Public Defender staff work diligently to connect our clients to services when their vulnerabilities impede success.

The Public Defender's commitment to holistic representation enables our clients to begin the process of change. Our interdisciplinary team works collaboratively in a client-centered approach, performing early needs assessments and allowing our clients to benefit from support services, diversion programs and other opportunities to exit the criminal justice system and regain stability in the community. Knowledgeable, responsive and experienced Public Defender staff improve client well-being and provide a roadmap to access social services that will decrease recidivism and improve the safety of our community. Realignment funds the process of change within the Public Defender's office.

Section 8

SUMMARY

The Community Corrections Partnership (CCP) of San Bernardino County will continue to monitor and adjust opportunities to provide the best service to all residents of San Bernardino County by addressing the holistic needs of individual adults in the criminal justice system by providing them the services and supervision most amenable to the successful completion of their terms.

San Bernardino County agencies and stakeholders collaborate to provide these services and have developed unique and evidence-based solutions. It is the goal of the CCP to assist all criminal justice related persons with the same respect, services, and opportunity to succeed in a pro-social manner.

As the State of California continues to adjust by having Counties monitor populations historically supervised by State agents, the CCP will address changes as needed with the funding provided. It is important to note that this is a population with diverse and complicated needs, which requires more resources than the historical Probation population, and as such, while we are meeting the needs and requirements to reduce recidivism, additional resources are required to address each individual's need beyond the holistic approach.