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BOARD OF SUPERVISORS

OCT 04 2011

BY

Cynda Lee
CLERK OF THE BOARD

BOARD OF SUPERVISORS

COMMUNICATION RECEIVED & FILED
(Non-Action Item On Board Agenda)

AGENDA: October 4, 2011

FROM: Department of Probation

SUBJECT: AB 109 and AB 117: Public Safety Realignment Plan Update

COPIES TO:

- EACH SUPERVISOR**
- COUNTY EXECUTIVE**
- COUNTY COUNSEL**
- COUNTYWIDE SERVICES AGENCY**
- INTERNAL SERVICES AGENCY**
- MUNICIPAL SERVICES AGENCY**
- OTHER: DEPARTMENT OF FINANCE**

OCT 04 2011

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Clyde Lee
CLERK OF THE BOARD

For the Agenda of:
October 4, 2011

To: Board of Supervisors

From: Probation Department

Subject: AB 109 and AB 117: Public Safety Realignment Plan Update

Supervisorial
District(s): ALL

Contact: Don L. Meyer, Chief Probation Officer
Community Corrections Partnership Chair

Chaptered in 2011, AB 109 and AB 117 shift the responsibility for managing low level offenders from the State to Counties. This public safety realignment is effective October 1, 2011. It is achieved by sentencing changes which prevent non-violent, non-serious and non-sex offenses from being sentenced to prison and by allowing defendants to be housed in the local jail for more than 1 year with time being served in jail, on probation or with alternative custody options. Furthermore, offenders released from prison that have a current non-violent, non-serious conviction, or are a low to moderate risk sex offender will be sent to Counties for local supervision. No state prison inmates will be transferred to county jails.

The Community Corrections Partnership (CCP) is responsible for developing a realignment plan to describe how this new population of offenders will be addressed in Sacramento County. The CCP is in the process of developing an appropriate plan that will be sufficient to meet the needs of the County while maintaining public safety and addressing the intent of the legislation.

The CCP Executive Committee will vote on the plan and will submit it to the Board of Supervisors for approval. The CCP Executive Committee members include:

- Chief Probation Officer (Statutory Chair)
- Chief of Police
- Sheriff
- District Attorney
- Public Defender
- Presiding Judge or his/her designee
- Countywide Services Agency Administrator (Board Designee)

On July 26, 2011, the Board of Supervisors adopted a resolution which designated Probation as the agency responsible for providing Post Release Community Supervision for inmates released from prison.

Sacramento County will be receiving \$13.1 million for the last nine months of Fiscal Year 2011-12 to implement the public safety realignment plan. There is an additional \$471,018 designated 50%-50% to the District Attorney and Public Defender Offices for parole revocation

proceedings; \$200,000 is allocated in one-time funding for use by the CCP for planning purposes; and \$927,200 is allocated for one time start-up funding for program implementation and training.

At the time of this letter, the CCP has held 5 meetings and continues to convene regularly. The CCP is subject to the Brown Act, and members of the public are also attending regularly. The CCP consultant has been working with member departments to gather data to develop programs. To date, the CCP has reviewed the following four programs which are listed in the order they were submitted:

1. Sheriff's Home Detention (electronic monitoring/global position system(GPS); Projected Budget: \$2,554,816; Start Up Costs: \$329,248
2. Re-Opening of Roger Bauman Facility at the Rio Cosumnes Correctional Center (reception center and additional bed space); \$6,484,734; Start Up Costs:\$201,779
3. Post Release Community Supervision (Adult Day Reporting Center, Probation services and supervision for inmates released from prison and sentenced locally) Projected Budget: \$5,085,415; Start Up Costs: \$477,090
4. Pretrial Release/Supervised OR (assessment based release of pre-trial jail inmates) Projected Budget: \$2,212,002; Start Up Costs:\$106,000

The projected budgets for just these programs exceed the allocation of \$13.1 million with additional program proposals pending submission. The CCP will evaluate all possible alternatives for programs with different staffing and cost proposals in order to determine the best use of the \$13.1 million allocation within the legislative intent.

AB 109, Ch.15, Section 229(1),(3),(7) indicates, "The Legislature reaffirms its commitment to reducing recidivism among criminal offenders.....Criminal justice policies that rely on building and operating more prisons to address community safety concerns are not sustainable, and will not result in improved public safety....Fiscal concerns and programs should align to promote a justice reinvestment strategy that fits each County. Justice reinvestment is a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety. The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost-effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable.

The CCP expects to have a realignment plan submitted to the Board of Supervisor for approval by late October, 2011.

Sincerely,

Don L. Meyer
Community Corrections Partnership Chair
Chief Probation Officer

CC: Community Corrections Partnership members, County Counsel, Bruce Wagstaff, Agency Administrator Countywide Services, Brad Hudson, County Executive Officer, Tom Burkart, County Budget Officer, Navdeep Gil, Chief Operations Officer, Lynn Wynn, Principal Administrative Analyst, Fred Campbell, Criminal Justice Research Foundation