

AB 109

Public Safety Realignment 2011

# Background

The United States Supreme Court ordered California to reduce the number of inmates in the state's 33 prisons by May 24, 2013

AB 109 will significantly ease overcrowding at state corrections facilities and will save California's general fund an estimated \$458 million

# Background

Despite a dramatic increase in corrections spending over the past 20 years, over 40% of offenders are re-incarcerated within three years of their prison release

Building more prisons is not sustainable and will not improve public safety

# Realignment System Changes

- Sentencing
  - Non-violent, non-serious and non-sex offenses
  - Modification of felony definition
- Post Release Community Supervision

# Sentencing Changes for N<sup>3</sup>

## No prison for:

- Non-violent offenses
- Non-serious offenses
- Non-sex offenses

# Sentencing Options for N<sup>3</sup>

- New felony definition allows jail sentences for more than 1 year, instead of prison
- Jail and early release to alternative custody
- A split sentence of jail time and probation

# State Prison Eligible Crimes

- Prior or current serious or violent felony
- Registered sex offender
- Exceptions to the 3 “Nons”

# Post-Release Community Supervision

Beginning October 1, 2011

- ⦿ Current non-violent offender
- ⦿ Current non-serious offender
- ⦿ Low / moderate risk sex offender

**Will be supervised by county agencies**

***instead of State Parole***



# State Parole

- Current serious / violent offenders
- 3 strikes offenders
- High risk sex offenders
- Mentally disordered offenders

**Will continue to be supervised by State Parole**

# Violations

**Beginning October 1, 2011**

- ▶ All parole violations will be served locally
  - Only offenders sentenced to a term of life can be revoked back to state prison
- ▶ Revocations are capped at 180 days
- ▶ Local courts will replace the Board of Parole Hearings for local offenders
- ▶ Local courts will replace the Board of Parole Hearings for all offenders on July 1, 2013

# Community Corrections Partnership (CCP) Members

- Chief Probation Officer (chair)
- Sheriff
- Police Chief
- District Attorney
- Public Defender
- Judge (or his or her designee)
- One appointment by the Board of Supervisor of either DSS, MH, or ADP

# CCP Requirements

Penal Code Section 1230.1 requires CCP to:

- Recommend a local plan to the county board of supervisors
- The plan must be rejected by a four-fifths vote by the Board of Supervisors
  - If rejected, the plan goes back to the CCP for further consideration

# CCP Requirements

The plan may include evidence-based correctional sanctions and programs, including:

- 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.

**Enhanced Public  
Safety Through  
Evidence Based  
Practices  
(EBP)**

Evidence based interventions, services and strategies have been scientifically demonstrated to:

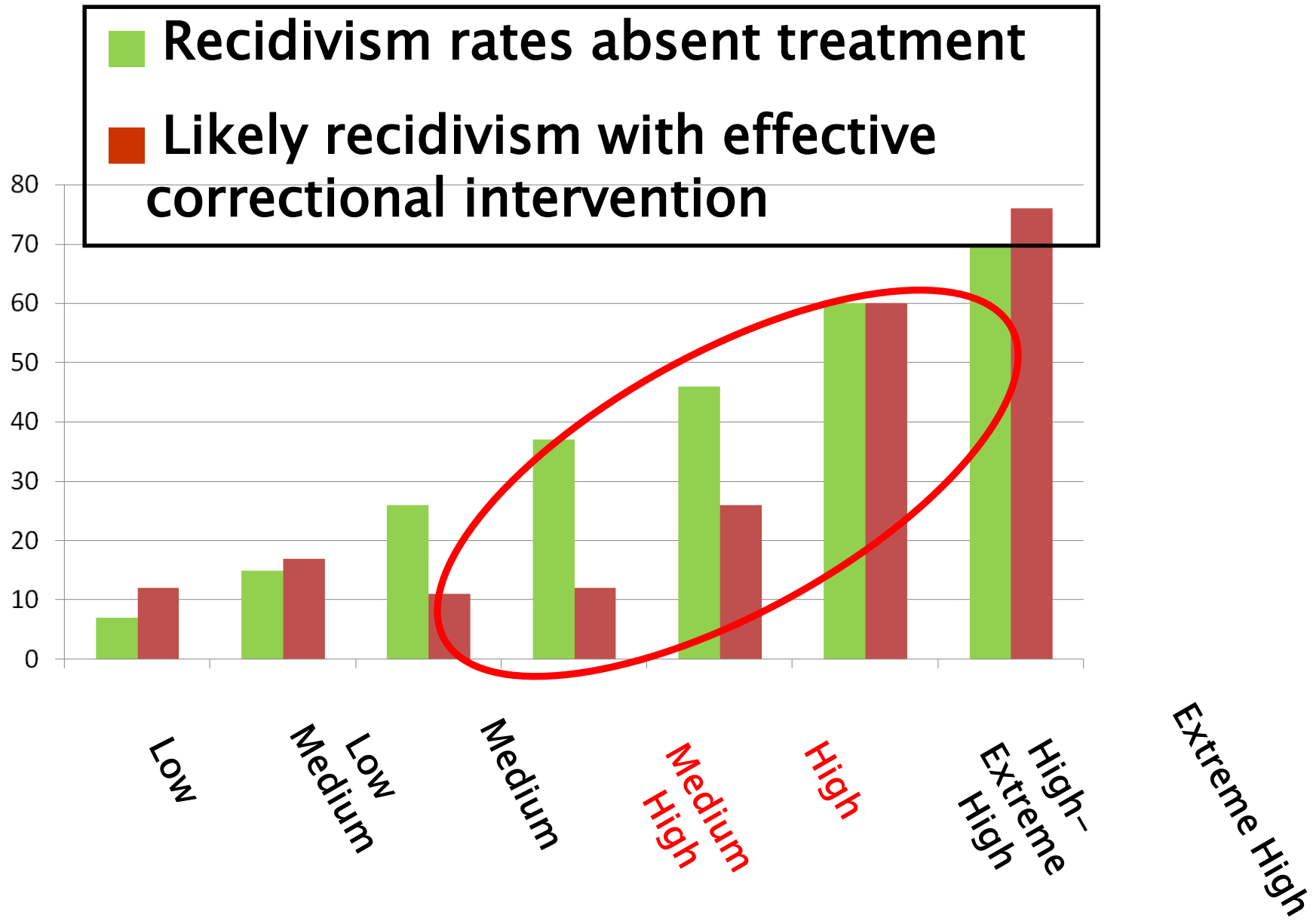
- Reduce recidivism
- Positively impact offenders
  - Save money

# 8 EBP Principles

- Assess actuarial risk / needs
- Enhance intrinsic motivation
- Target interventions
- Skill train with directed practice
- Increase positive reinforcement
- Engage ongoing support in natural communities
- Measure relevant processes
- Provide measurement feedback



# Potential Impact on Recidivism



# Cognitive Behavioral Treatment (CBT)

- CBT is a problem-focused approach to helping people identify and change the antisocial attitudes, beliefs, thoughts, and patterns of behavior that contribute to their criminal conduct.
- Commonly used Cognitive Behavioral Treatments
  - Aggression Replacement Training (ART)
  - Thinking for a Change (T4C)
  - Strategies for Change
  - Reasoning and Rehabilitation