

# County of Kern

## Public Safety Realignment Act FY 2012/13 Plan



## Community Corrections Partnership Executive Committee

- David M. Kuge, Chief Probation Officer (Chairperson)
- Honorable Michael G. Bush, Presiding Judge of the Superior Court
- Lisa S. Green, District Attorney
- Arthur Titus, Public Defender
- Dr. James Waterman, Director of Mental Health/Substance Abuse
- Greg Williamson, Chief-Bakersfield Police Department
- Donny Youngblood, Sheriff-Coroner

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# AB 109 Background

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AB 109, the Public Safety Realignment Act of 2011, was signed into law by Governor Jerry Brown on April 4, 2011. It became effective on October 1, 2011. This Act, along with numerous trailer bills, made major changes to the criminal justice system in California. With these changes comes a large shift of responsibilities passed from the State to the Counties.

There are three main reasons Realignment was passed by the State. The first was to help address a significant overcrowding of inmates at state prisons. There is currently a federal mandate on California to significantly reduce its prison population. Another reason realignment was passed was due to budgetary considerations. California has the largest and most expensive prison system in the nation. Lastly, Realignment hoped to correct the California prison system's woeful recidivism rate of approximately 70%.

Some of the most significant changes in the law that Realignment brought include the following:

- Certain felonies, often referred to as Non, Non, Nons (non-serious, non-violent, and non-sex offenses), are no longer punishable by a state prison term. Instead, these felony charges are only eligible for county jail sentences.
- Certain offenders released from state prison are no longer released on state parole but instead are released on "Post Release Community Supervision" (PRCS). These offenders are supervised by the Probation Department.
- Most offenders on state parole and all offenders on PRCS will now serve time in county jail for violations instead of state prison.
- The Court and not the State Parole Board will hear violations of PRCS offenders. Starting on July 1, 2013, the Court will also hear violations of offenders on State Parole.
- The law states that counties should focus on using alternative sanctions and evidence-based practices in order to more effectively reduce recidivism (PC 17.5).

AB 109 also created the Executive Committee of the previously established Community Corrections Partnership (CCP). This committee is responsible for creating and presenting a plan to the County Board of Supervisors regarding allocation of funds and implementation of policies and procedures related to Realignment. The plan is deemed accepted unless the Board of Supervisors rejects the plan with a four-fifths vote against. In such a circumstance the plan is returned to the CCP for further consideration.

# Original Implementation (FY 11/12)

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On October 25, 2011, the Board of Supervisors unanimously approved the Kern County Public Safety Realignment Act of 2011 Implementation Plan as recommended by the Executive Committee of the Community Corrections Partnership (CCP) as mandated by Penal Code Section 1230.1. This plan directed funding to numerous county agencies to account for the additional public safety burden placed on the County. The plan included a mix of intense supervision, evidence-based assessments and treatment, mental health services, substance abuse treatment, a day reporting center, increased jail capacity, jail incarceration alternatives, employment services and multiagency law enforcement operations.

The CCP understood from the beginning that the Realignment process would evolve and change as it moved forward. This was inevitable given the number of variables involved in such a massive change to the criminal justice system. The CCP acknowledged the need to be flexible in its approach to address aspects of Realignment as the practical and logistical realities presented themselves. The keys to making Realignment successful include the collection of data, communication between community partners, and a willingness to find solutions which best benefit our community.

In the first nine months of Realignment much was learned, both positive and negative. One of the most difficult aspects to overcome was that the original projections of realigned offenders provided by the State, on which FY 11/12 planning was based, was woefully underestimated. Even a revised projection in December of 2011 still came up short of the actual impact (See Figure 1 and 2 on pages 6 and 7).

Given the short implementation period provided by the State, all items presented in the Implementation Plan could not be fully realized in the first year. Creating programs, hiring staff and establishing new protocols takes time. However, overall all the entities which received funding are well on their way to realizing the plans' goals. The short implementation period also resulted in a significant portion of the original allocations that were not utilized. These unspent funds will be rolled over back into the AB 109 Kern County account to be re-distributed pursuant to the CCP's Executive Committee and the Board of Supervisors. Significant additional start-up items are still needed by several departments and this money can be utilized for this and other needed expenditures.

All parties involved in the implementation of Realignment have been fully engaged and working together to make this difficult transition as successful as possible. There has been tremendous cooperation and teamwork within the County, which can be seen in such projects as the Department of Mental Health and the Sheriff's Office teaming up to provide in-custody substance abuse treatment and the Probation Department and Employers'

Training Resource working together to put offenders back to work. A wide range of collaborations have been started this past fiscal year.

The CCP's decision to employ a full-time position dedicated to the tracking and analysis of Kern County Realignment data also proved to be extremely valuable. By linking and codifying financial and programming data, the CCP and Board of Supervisors will be able to make more informed decisions moving forward. It is still early in the process to make any definitive statements about specific programs or services; however, it is important to note the statistical and analytic foundation has been established.

In the wake of Realignment, the CCP and the Board of Supervisors recognize that "business as usual" is no longer acceptable, requiring innovative approaches and programs to address prison realignment, reduce recidivism and ensure public safety. In that manner, it is clear that:

- Prison, in many cases, is no longer an option
- There is not enough jail space capacity
- Large numbers of offenders are already in the community
- State prison incarceration has not worked as evidenced through high recidivism and continued criminal social behavior
- AB 109 funding is limited

The CCP has incorporated AB 109 legislative changes and ideas into Kern County's new "way of doing business" in the following ways:

- Implementing evidence-based programs that have more long-lasting positive results
- Developing alternatives to incarceration in conjunction with evidence-based programs which will result in reduced costs, reduced recidivism, and increased public safety
- Establishing Sheriff's Virtual Jail to allow and monitor conditional releases, which can save millions of dollars compared to incarceration
- Improving interdepartmental cooperation in addressing specific issues and goals to improve communication, form partnerships, and expand services
- Reorganizing of department workloads and units for maximization of efficiency related to implementation of AB 109 programs
- Increasing use of Day Reporting Center, which produces a pivotal change in anti-social behaviors of offenders
- Expanding Sheriff's in-custody educational and vocational programs to provide the necessary tools to reduce recidivism

Overall, the Realignment process in Kern County is on a solid foundation; however, there are still many challenges. Most pressing are dealing with the larger than anticipated number of offenders and ensuring the State provides adequate and continued funding. Despite these

challenges the CCP will continue to work toward making Realignment as successful as possible.

Figure 1

**AB 109 Post Release Community Supervision (PRCS) Caseload Summary Overview**  
**As of: 6/1/2012**  
**Original CDCR PRCS Average Daily Population (ADP) Projection: 1,040**

Month	Original CDCR Projections	Revised CDCR Projections (Dec'11)	Difference from Original CDCR Projections	Actual Packets Received	# of Packets Over Orig CDCR Projs	# of Packets Over Rev CDCR Projs	% +/- Original CDCR Projs	% +/- Rev CDCR Projs
October 2011	126	138	12	161	35	23	+28%	+17%
November 2011	134	271	137	313	179	42	+134%	+15%
December 2011	123	232	109	266	143	34	+116%	+15%
January 2012	100	172	72	227	127	55	+127%	+32%
February 2012	94	132	38	150	56	18	+60%	+14%
March 2012	75	99	24	142	67	43	+89%	+43%
April 2012	80	91	11	119	39	28	+49%	+31%
May 2012	72	90	18	139	67	49	+93%	+54%
June 2012*	76	79	3	97	21	18	+28%	+23%
July 2012*	66	73	7	78	12	5	+18%	+7%
August 2012*	67	69	2	53				
September 2012*	49	52	3	41				
Totals	1,062	1,498	436	1,786				
Oct 1 '11 - May 31 '12	804	1,225	421	1,517	713	292	89%	24%

\*Still receiving packets for these months.

Figure 2

**Sheriff's AB 109 Population Summary Overview**  
As of: 6/28/2012

**Original CDCR Parole Violators Annual Population Projection: 1848**

**Original CDCR NNN Population Projection: 1062**

**AB 109 Population Impacts to the Sheriff's Office**

Month	Original CDCR Parole Projections	Actual Parole Violators Received	Probation PRCS Violators (PC3455(A))	Probation Flash Violators (PC3454(C))	OVERAGE from Original CDCR Population Projections	Overage % from Original CDCR Projs	Original CDCR AB 109 NNN Population Projection	Actual AB 109 NNN Population Received	OVERAGE from Original CDCR Population Projections	Overage % from Original CDCR Projs	Actual TOTAL AB 109 Population Impact to KCSO
October 2011	154	299	0	3	148	96%	126	154	28	22%	456
November 2011	154	302	5	3	156	101%	134	111	-23	-17%	421
December 2011	154	323	18	4	191	124%	123	125	2	2%	470
January 2012	154	339	24	7	216	140%	100	129	29	29%	499
February 2012	154	280	39	8	173	112%	94	134	40	43%	461
March 2012	154	328	46	15	235	153%	75	146	71	95%	535
April 2012	154	345	59	17	267	173%	80	164	84	105%	585
May 2012	154	367	75	21	309	201%	72	154	82	114%	617
June 2012	154	291	96	12	245	159%	76	90	14	18%	489
July 2012	154						66				
August 2012	154						67				
September 2012	154						49				

Totals: 1,848 2,874 362 90 1062 1,207

**4,533**

# Moving Forward

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In FY 11/12, a strong foundation was established to address Realignment. However, moving forward, an updated and improved plan is needed. The plan needs to address the realities that Realignment has brought. It also needs to provide resources to fund both proven services as well as innovative approaches.

The first aspect of this new plan is the State allocation. Based on the recommendation of the California Association of Counties (CSAC), Kern County's minimum funding allocation for FY 12/13 is \$23,451,975. This is a welcome and needed increase from the FY 11/12 amount. However, although Kern County's dollar amount increased it is noted the County's overall percentage of the statewide AB 109 funds was actually reduced from 3.06% to 2.78%. The CCP strongly encourages community leaders, local elected officials and the Board of Supervisors to continue to fight for proper allocations at the state level to ensure the success of realignment programs here in Kern County. In addition, a permanent funding source for AB 109 at the state level is still a matter of question. The Governor's November 2012 ballot measure, the Schools and Local Public Safety Protection Act of 2012, would constitutionally protect the revenues shifted to counties to fund 2011 Realignment if passed.

As stated in the original implementation plan, the FY 11/12 amount of funding was insufficient to address all the needs presented by Realignment. While the increased amount is still not sufficient, it does allow for needed additional services and programs to be implemented. As the foundation for the new plan, the CCP feels all aspects of the original implementation plan should be continued. Additional time is needed to allow for the programs started in the previous fiscal year to develop and mature. As more data is collected decisions can be made related to the future viability of the different programs but at this time, the initial programs appear to be working.

With the original plan as the starting point, the question becomes what needs to be added to improve Realignment in Kern County. It is clear that the Probation Department and the Sheriff's Office need additional resources to deal with the much larger than anticipated number of offenders needing supervision and incarceration services. However, a modest reduction from these two departments will allow for funding of new Realignment items. The Probation Department will relinquish 2.13% and the Sheriff's Office will forego 1%. Each department will still see a significant increase in funding due to the overall increase in the AB 109 allocation. It is proposed the Department of Mental Health, Employer's Training Resource, and the Street Interdiction Team should continue to receive its same percentage of the original allocation.

The new plan proposes allocations to two additional entities. The District Attorney's Office will be allocated funds to address the increase of criminal filings. Also, the Community-Based



Organizations (CBO's) Program will be created. There was much discussion during the initial stages of the Realignment plan regarding funding CBO's in relation to servicing the AB 109 population.

The next section will discuss in more detail the individual aspects of the FY 12/13 plan. It is divided by the different departments and entities which are receiving AB 109 funding.

# FY 12/13 Plan

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## *Probation Department:*

Year one of Realignment brought incredible change to the Probation Department. Every facet of the Adult Division was impacted. For example, the Investigations units had to learn complex new sentencing rules and modify existing recommendations and reports. The implementation plan also had the Probation Department take the lead on gathering Realignment data and reporting. A Department Analyst was added to the Adult Division to facilitate this need. The largest impact was for the Supervision units. The number of additional felony offenders, specifically the Post Release Community Supervision (PRCS) offenders, was much larger than projected (86% more than original projections and 25% more than revised projections) by the California Department of Corrections and Rehabilitation (CDCR). While the original plan called for an even split of supervision staff between PRCS and non, non, non offenders, the majority of AB 109 supervision officers were shifted into the PRCS units to compensate for this reality. This is a reminder that Realignment remains a fluid situation and the Probation Department is committed to being flexible in order to meet the practical challenges that present themselves.

For the upcoming year, the Probation Department plans to build on the groundwork that was developed in FY 11/12. The Department has successfully navigated a difficult and challenging period. Processes, policies, and procedures have been developed, and revised and implemented to handle the new AB 109 responsibilities. Moving forward, the Department plans to refine, improve and expand services. Described below are the specific areas on which the Department will focus to accomplish this goal.

### STRONG Assessment Tool

One of goals of the implementation plan was the use of the STRONG (Static Risk and Offender Needs Guide) evidence-based assessment tool. This tool can predict with great accuracy the level of an offender's risk to recidivate. By focusing supervision on those at higher risk to re-offend, the Department's resources are utilized to a greater capacity, efficiency and effectiveness. Despite the high number of AB 109 offenders, the Department was able to assess each offender with an SRA (Static Risk Assessment). This provides needed direction with caseload processing and prioritization. Unfortunately, the second part of the assessment tool, the ONG (Offender Needs Guide), was not able to be utilized to the desired extent due to large caseload sizes. The ONG lists the offender's criminogenic needs and allows for an individualized case plan to be developed to address these needs. With additional officers and smaller caseload sizes there will be a push to incorporate the ONG as standard procedure for the higher risk offenders.

### Day Reporting Center

The Probation Department's Day Reporting Center's (DRC) capacity was doubled this past year. The DRC can now serve 100 high risk offenders at a time. The DRC is contracted with BI Incorporated, who has operated DRC's throughout the nation. BI has a long history of successfully reducing recidivism with their programs. They use the same STRONG assessment tool as the Probation Department and formalize specific case plans to address criminogenic needs and are able to provide a wide variety of evidence-based programs (EBP) onsite. Criminogenic needs related to employment, education, aggression, parenting, anti-social behavior and substance abuse can all be addressed in one location. Key components of the DRC include Cognitive Behavioral Therapy, job readiness, substance abuse testing, daily reporting, sanctions, rewards and supervision in conjunction with BI Inc. and the assigned Deputy Probation Officer. The DRC can change the lives of offenders and break the cycle of criminal behavior which is crucial to reducing recidivism, reducing crime, ensuring public safety and reducing societal and monetary costs.

### Southeast Center (SEC)

As a result of the expansion related to AB 109, the Probation Department is in the process of opening a new branch office at the Southeast Center (SEC), located at 1600 E. Belle Terrace in Bakersfield. This office, which will house the two PRCS units, is an ideal location as the building also houses ETR and Mental Health and is located in a high service area on a major bus route. Communication, referrals and services will move much smoother between the three departments given this close proximity.

### Supervision

As a result of Realignment the Probation Department's supervision responsibilities now include PRCS, Mandatory Supervision offenders and an increased number of felony probationers. The original plan called for 26 Deputy Probation Officers (DPO), 5 DPO III's and 2 Probation Supervisors to be utilized for supervision purposes. Given the actual number of offenders under the Department's charge, additional officers are needed to provide proper supervision and delivery of services. At the end of FY 11/12, the offender-to-officer ratio is approximately 100 to 1; however, the goal continues to be an officer ratio of approximately 50 to 1. This is in-line with meta-analysis studies and EBP guidelines that indicate this ratio is the most productive in creating positive results when applying evidence-based practices. This would allow for specific and individualized case plans to target an offender's top criminogenic needs. The Probation Department will continue to be flexible in its placement of these supervision officers to address the most pressing needs. Additional deputy probation officers will help alleviate the high caseload numbers and allow for more effective supervision and evidence-based case planning.

Furthermore, with the increased supervision resources additional issues related to realigned offenders can also be addressed. One such critical issue is the apprehension of AWOL offenders. One of the most effective ways to ensure offender compliance is to make early and productive contact with offenders. PRCS offenders are directed to report to the Probation Department within two days of their release from prison. While the majority is compliant there are still a significant percentage of PRCS offenders who do not meet this deadline. At a recent Joint Gang Taskforce meeting, the issue of early release compliance was brought up by local government officials, business owners and citizens. This issue is also a problem for non, non, non offenders and for offenders who initially comply but later abscond. With the additional supervision resources, the Probation Department would be able to further ensure public safety and offender accountability by providing a rapid response to AWOL offenders. The Department will also be able to provide additional assistance to local law enforcement, SIT and BPD's Career Criminal Apprehension Team (CCAT).

Graduated sanctions will continue to be employed to hold offenders accountable yet still allow for necessary treatment options to be utilized. A continuum including redirection, additional terms, treatment, electronic monitoring, flash incarceration and ultimately a formal violation resulting in extended custody time will be used to address violations of terms. A response commensurate with both the nature of the violation and the defendant's number of prior violations will be imposed. DPO's will also utilize Motivational Interviewing, another EBP, which has been shown to lead offenders to be more apt to initiate a change in their behavior.

Supervision officers will continue to work closely with local law enforcement agencies throughout the County. The Probation Department has been an integral part of AB 109 Street Interdiction Team (SIT) operations and will continue to do so. Other collaborations are equally as important. Current programs with both ETR and Mental Health will continue, be streamlined, improved and expanded upon.

Funding for the High Risk Offender Unit probation supervisor position will be also added. This unit currently has 7 DPO positions and 2 DPO III positions attributed to AB 109. Only one staff in the unit is not AB 109 funded (the CALMMET officer). The supervisor of this unit is currently Department funded, however, given the new design of the unit this position is proposed to now be AB 109 funded.

### Investigations

During the initial implementation period, two investigation officers were added to the Adult Investigation units to assist with the workload related to additional assessments which resulted from Realignment. Additional staff will be needed in Investigations based on the statistical data provided by the District Attorney's Office (see District Attorney Section). These staff will help ensure the Court continues to receive pre-sentence investigation reports in a timely manner and the current courtroom coverage can be maintained.

### Victim/Witness

One additional Deputy Probation Officer will be added to the Victim/Witness Unit. This officer will be utilized specifically for victim services related to AB 109 offenders. This officer's duties will include victim notifications, restraining orders, and victim compensation services among others. Given the large increase of AB 109 felony offenders, an additional officer dedicated to these services will be a great benefit to the victims of crimes in Kern County.

### Information Technology

AB 109 has created numerous IT challenges for the Probation Department. The Department is the hub of realignment data collection for the CCP and the County. Integration of information, data reports and complex recidivism formulas are all necessary and important components of the overall success of Realignment. Furthermore, the changes in the law have created the need for additional reports and case management system capacities. Due to the large AB 109 workload, the departmental IT staff has only been able to focus on AB 109 tasks while other department projects have been neglected. A Database Analyst and Programmer will be added and they will be solely dedicated to the IT issues associated with AB 109. It is felt this investment will pay similar dividends as the CCP's decision to hire a full time Department Analyst during the initial implementation.

### Support Staff

Four Office Service Technicians (OST) were added in the original implementation period. These positions were needed to support the increase work associated with reception areas, reports, filing and miscellaneous paperwork. With the increase of supervision staff, one additional OST position will be needed. This staff will be placed at the Baker Street Probation Branch which will see an increase of staff and offender traffic.

### Assistant Division Director

The Adult Division has seen tremendous growth as a result of AB 109. The staffing total will be approximately 140 after full implementation, of which over 60 will be a direct result of AB 109 positions. AB 109 has also created additional program requirements for the Adult Division. An Assistant Division Director will be added to help successfully manage the responsibilities for new personnel and programs. In comparison to other divisions within the department, the staff-to-ADD ratio would easily justify this position for the Adult Division.

## Kern County Probation Department Proposed AB 109 Allocation:

### Existing Probation Department Allocation (FY 11/12)\*

<u>Position/Item</u>	<u>#</u>	<u>Cost per Unit</u>	<u>Cost for 1 Year</u>
Probation Supervisor	2	\$148,543	\$297,086
Deputy Probation Officer III	5	\$136,137	\$680,685
Deputy Probation Officer	28	\$114,074	\$3,194,072
Office Services Technician	4	\$64,639	\$258,556
Department Analyst	1	\$89,647	\$89,647
Day Reporting Center		\$920,000	\$920,000
Operating Expenses		\$159,954	\$159,954
<b>Total</b>	<b>40</b>		<b>\$5,600,000</b>

\*Full Year Allocation

### Proposed Costs for Additional Staff

<u>Position/Item</u>	<u>#</u>	<u>Cost per Unit</u>	<u>Cost for 1 Year</u>
Assistant Division Director	1	\$156,389	\$156,389
Probation Supervisor	2	\$149,331	\$298,662
Deputy Probation Officer III	4	\$136,854	\$547,416
Deputy Probation Officer	16	\$114,664	\$1,834,624
Office Services Technician	1	\$65,848	\$65,848
Database Analyst	1	\$113,449	\$113,449
Programmer	1	\$94,103	\$94,103
Total Operating Expenses		\$121,509	\$121,509
<b>Total</b>	<b>26</b>		<b>\$ 3,232,000</b>

**Proposed FY 12/13 Probation Department Allocation**

<b>Position/Item</b>	<b>#</b>	<b>Cost per Unit</b>	<b>Cost for 1 Year</b>
Assistant Division Director	1	\$156,389	\$156,389
Probation Supervisor	4	\$149,331	\$597,324
Deputy Probation Officer III	9	\$136,854	\$1,231,686
Deputy Probation Officer	44	\$114,664	\$5,045,216
Office Services Technician	5	\$65,848	\$329,240
Departmental Analyst	1	\$100,660	\$100,660
Database Analyst	1	\$113,449	\$113,449
Programmer	1	\$94,103	\$94,103
Day Reporting Center		\$920,000	\$920,000
Operating Expenses		\$243,933	\$243,933
<b>Total</b>	<b>66</b>		<b>\$8,832,000</b>

***Sheriff's Office:***

Realignment caused substantial changes to many of the Sheriff's Office public safety programs. During the first eight months of Realignment, the Sheriff's Office received significantly more inmates than initially estimated by the California Department of Corrections and Rehabilitation (CDCR). These more criminally advanced inmates are serving longer sentences in facilities designed for less sophisticated inmates. Additionally, a much greater number of parole violators, PRCS violators and inmates subject to "flash incarceration" are serving time in the County Jail system.

To address the impact and effect of Realignment, the Sheriff's Office implemented a strategic plan to increase jail capacity, create and expand alternatives to conventional custody, expand educational and vocational opportunities, and hire additional personnel essential to meet these objectives.

Initial Realignment funding was utilized to re-open three barracks at the Lerdo Minimum Detentions Facility and allowed some expansion of the Lerdo Pretrial Facility. In total, the Sheriff delivered 238 new beds, and an additional 176 beds previously contracted to house federal and state inmates, for a total of 414 beds. Kern County detentions facilities now provide 2,862 jail beds.

Further, new procedures were developed to manage long-term custodial situations including alternatives to conventional custody practices. Alternatives to conventional incarceration and

release procedures included creating a "Virtual Jail" with conditional release programs. Releases under these programs include terms and conditions of participation allowing the Sheriff's Office to provide varying levels of inmate management beyond the walls of existing jail facilities. Additional key alternatives included significant expansion of in-custody educational and vocational opportunities to support more successful inmate re-entry, and in-custody treatment programs.

The Sheriff's Office hired additional personnel essential to accomplish Realignment objectives. Detentions personnel were assigned to perform numerous custody functions including: inmate supervision, custody support services, facility security, rehabilitation and education programs, classification, and food services. Deputies were hired to provide compliance and oversight of participants in the Virtual Jail programs. Each function has an associated nexus to operational safety or inmate educational opportunities, and each contributes to expanding operational costs. The Sheriff's Transportation Unit also received additional staff to manage realignment needs, including a cooperative agreement with Probation to transport inmates arrested on PRCS warrants.

### Sheriff's Detentions Facilities

The Kern County Sheriff's Office is responsible for the safe operation of four Type II jails in the county. The Central Receiving Facility functions as the primary hub for the intake of new inmates in Kern County. The other three facilities, commonly known as the Lerdo Detentions Complex, are located north of Bakersfield. As stated above, facilities now provide 2,862 jail beds which allow for the safe management of a larger inmate population-base as well as the ability to synchronize the movement of inmates between facilities. The Sheriff continues to explore areas with the potential for capacity expansion.

Realignment is changing the dynamics of County detentions systems. The Sheriff's Office recognized notable custody trends associated with the new influence of more sophisticated inmates prepared to serve long sentences. Drug activity is becoming a well-planned and organized practice. Potential avenues for drug trafficking include visitors and new arrestee "transporters" intentionally seeking arrest for the sole purpose of carrying drugs into jail. The black-market sale of tobacco products and cell phones has become a lucrative prospect within the inmate sub-economy.

Detentions personnel must find innovative ways to address the consequences of keeping long-term inmates in County facilities. A disturbing trend identified in these early months of Realignment has been the emergence of protracted power struggles between rival prison gangs. Conflicts between rival gang factions are escalating in frequency and severity, thereby increasing susceptibility of deputy injury and/or assault. Gang members currently account for 55 percent of the jail population. Further, the total number of inmates charged or convicted of felony crimes sits at 86 percent of the inmate population. Space limitations in the Sheriff's detentions system have stimulated a greater use of early release mechanisms. Those remaining are more criminally sophisticated and, as such, offer greater challenges for



security. Initial intelligence information suggests that these inmates are becoming increasingly organized and adept at circumventing existing security protocols.

The Sheriff's Office Classification unit assesses in-custody risk factors coupled with other assessments designed to support a successful exit strategy. Effective population management requires that risk and needs assessments begin from the moment an inmate enters the system. The classification matrix was upgraded to address the needs of parolees who must acclimate to a County detentions system rather than State prison. Existing inmate reception center protocols identify medical and mental health needs as arrestee's transition into a custodial setting. Examples of classification strategies include alternative housing, educational needs, evidence-based treatment programs, and vocational programs. The process is also used to begin linking inmates to Community Based Organization (CBO) services and programs.

Classification management includes balancing objective criteria components as well. Objective inmate classification strategies include, but are not limited to, criteria such as current criminal charges, criminal sophistication, and gang affiliation. These criteria continue to guide the classification process toward the provision of the safest environment possible. In addition to managing newly sentenced inmates, the Public Safety Realignment Act requires counties to supervise and house violent, serious and sex offenders who violate the conditions of their parole.

Balancing this volatile population requires significant experience and careful consideration by trained Classification and Gang Deputies. Proper classification and assessment help ensure the inmate is assigned to the most appropriate jail-based program for their particular needs. In order to accomplish this, Classification Deputies assess and interview each inmate several times for behavioral changes that occur during incarceration. Continual assessment practices include collaboration and consultation with specially trained Mental Health and Substance Abuse personnel and/or educational/vocational teaching staff.

Additional Detentions Deputies and Senior Detentions Deputies are needed to safely manage the greater number and more criminally complicated inmate population, as well as administer expanded programs designed to develop inmate re-entry strategies. As the complexity of inmates housed magnifies, the need for guard-to-inmate supervision ratio also increases. Additionally, when long-term inmates are released to treatment, education, or work programs, the need for expanded compliance oversight increases exponentially. Realignment objectives created a need to augment the supervision mechanism in the Sheriff's Inmate Services Section. Due to continued increases in responsibilities, liabilities, and complexities, it is necessary to fill a Classification Senior Detentions Deputy position to provide a crucial layer of additional supervision and review.

## Sheriff's Virtual Jail

The Kern County Sheriff's Office Detentions Facilities remain under a federally imposed inmate population cap which ultimately establishes a maximum number of inmates allowed system-wide. The significant influx of Realignment inmates has forced the Sheriff's Office to release greater numbers of offenders. In an effort to manage this new dynamic, the Sheriff's Office established alternatives to conventional incarceration. Classification Deputies are tasked with successfully identifying inmates qualified to be released to Virtual Jail programs including the Work Release Program (WRP), Sheriff's Parole Program, and the Sheriff's Electronic Monitoring Program (EMP).

Virtual Jail programs allow the Sheriff's Office to maintain varying degrees of oversight to released participants, each with applicable levels of compliance monitoring. Many of the Virtual Jail inmates participate in mental health services and/or substance abuse treatment programs; some have verifiable employment and/or continue to attend educational or vocational programs. As the Virtual Jail grows from an initial population of 450 to a projected population of 1500, it will require strict oversight to ensure for the highest levels of compliance. Initial program participation requirements coupled with fair and consistent oversight protocols should encourage employers and training programs to accept applicants with substantial criminal histories.

The number of inmates placed in the Sheriff's Virtual Jail is projected to be much larger than initially anticipated. The Sheriff's Office continues to authenticate an acceptable supervision ratio. At the end of FY 11/12, the Virtual Jail participant-to-deputy ratio is approximately 85 to 1; however, the goal continues to be an officer ratio of approximately 50 to 1. As stated by Probation, "50 to 1 is in-line with meta-analysis studies and EBP guidelines that indicate this ratio is the most productive in creating positive results when applying evidence-based practices." This ratio would allow for specific and individualized case plans targeted to meet the participant's needs, while balancing public safety, program and employer confidence supporting continued collaboration. The Sheriff's Office will continue to be flexible in its placement of compliance deputies to address the most pressing needs.

A Sheriff's Electronic Monitoring Program unit was established and governed under Penal Code 1203.016 and 1203.018. The Electronic Monitoring Program is utilized for the management of pretrial and sentenced populations. The Sheriff established rules and regulations to provide a functional platform for the management of the program. Specific eligibility criteria limit the number and type of inmates eligible for this program. Associated selection criteria include, in-custody behavior, criminal history, and participation/progress in available evidence-based programs.

The Sheriff's Office has a long-established and successful Work Release Program. This active program has proven effective in the selection of qualified offenders, and in the subsequent re-entry placement in the community for various work functions. The Work Release Program provides approximately \$528,000 of free labor to the County annually. The program also

allows participants to remain out-of-custody while learning work-place etiquettes. The Work Release Program has been expanded to accommodate additional realignment inmates that meet the qualifying criteria.

The Sheriff's Office also utilizes the Sheriff's Parole program. There have been a significant number of qualified applicants entering this program due to the increases associated with realignment. Many of these inmates have been released to evidence-based out-of-custody programs.

The Sheriff's Office will require additional Sheriff's Deputies to ensure that critical compliance checks, both routine and random, are conducted among the many programs located throughout the County. A Senior Deputy and a Sheriff's Lieutenant are critical additions for the management and additional supervisory oversight of the Virtual Jail programs.

### Sheriff's Office Support Staff

The Sheriff's Office needs a dedicated Programmer to modify jail management programs, track Virtual Jail participants, integrate various Sheriff's computer programs, track re-arrest of the NNN's, convictions, and assist in data collection (to include recidivism rates). An Administrative Coordinator is needed to provide programmatic support with AB109, such as budget analysis, CCP document preparation, and negotiations of contracts and agreements. A dedicated Sheriff's Support Specialist is necessary to maintain all reports, forms and paperwork for the Work Release Program, Sheriff's Parole, and Electronic Monitoring Program and to provide needed clerical support for the Virtual Jail program. An additional Maintenance Worker is needed to assist with increasing facility repairs and to provide preventative maintenance due to the increase of inmate population and length of sentences.

### Partnerships

The Sheriff's Office added an Inmate Education Coordinator for expansion of the Bakersfield Adult School (BAS) inmate education programs at Lerdo. All classes are evaluated on a regular basis by both the Bakersfield Adult School Site Administrator and the Inmate Education Coordinator. These evaluations are designed to identify and expand popular class offerings and to identify those classes not performing well. The evaluations also make every effort to maintain program fidelity as they relate to the reduction of recidivism.

Classroom space was significantly increased to accommodate greater numbers of inmates within the expanding curriculum/course selections. Educational course offerings have consequently increased at each facility. The Educational Program has added G.E.D., Life Skills, and Domestic Violence classes to their course offerings. The Sheriff's Office will continue to partner with Bakersfield Adult School to update the computer lab to meet state mandates for the provision of online G.E.D. testing.

Attendance in all classes has shown a steady increase. Auto body courses are popular and provide projects that benefit both the inmate and the County. The Auto Body class accepts and completes projects for Sheriff's Fleet Services, Kern County Fire, and other Allied Agencies. Vocational course expansions include a Food Service program to prepare inmates for the ServSafe certification test. Successful participants are qualified for a food handler card which is mandated by the State of California for any person working in the Food Service Industry.

Since the implementation of the Sheriff's Office AB 109 strategies, bed space was doubled in several areas including those areas designated for mental health treatment. The Sheriff's Office worked with representatives from Mental Health to significantly increase treatment times (from two weekly sessions to five). The new Realignment population includes higher percentages of the seriously mentally ill which has proven to be staff intensive. Discussions with Mental Health personnel support the premise that many of the individuals returning to the county detentions system have mental health issues. Unfortunately, the existing in-custody capacity to manage the seriously mentally ill inmates is limited.

The Sheriff's Office has partnered with Kern County Mental Health to establish an in-custody substance abuse program. The MATRIX program is an 8-week in-custody treatment program geared for inmates with substance abuse problems. The MATRIX program is an evidenced-base model that includes an aftercare component for the purpose of maximizing participant success while reducing recidivism. Inmates who successfully complete the MATRIX program are released through the Sheriff's Virtual Jail. An initial evaluation suggests that some 80% of participating inmates have continued aftercare treatment.

Initial discussions have been established with representatives of Employer's Training Resources and Child Support Services to bring services into the jail facilities. The intent is to identify skills and to prescreen inmates for eventual job placement. Services provided include assistance with résumés, interviewing techniques, clothing, gas cards, bus passes, modify child support orders, assist with suspended driver's licenses, and other ancillary necessities to promote a successful reintegration into the job market with an emphasis on finding felony friendly employers. The Sheriff's Office hopes to add these two agencies to the growing number of successful collaborations to support the ongoing efforts to reduce recidivism. These collaborations could connect inmates to proven resources following release, or while participating in an alternative custody program.

The Sheriff continues to explore the implementation of a Risk Assessment tool designed to assist correctional professionals in making classification decisions. The Assessment tool evaluates the range of risk and criminogenic needs through interviews with offenders and other sources of data collection.

## Kern County Sheriff's Department Proposed AB 109 Allocation:

### Existing Sheriff's Department Allocation (FY 11/12)\*

Position/Item	#	Cost per unit	Cost for 1 year
Detentions Lieutenant	1	\$192,251	\$192,251
Detentions Sergeant	1	\$139,742	\$139,742
Detentions Deputy	22	\$99,564	\$2,190,408
Deputy Sheriff	11	\$126,507	\$1,391,577
Sheriff's Sergeant	1	\$182,462	\$182,462
Sheriff's Support Technician	1	\$62,149	\$62,149
EMP Costs/Maintenance	400	\$4.50	\$682,112
Inmate Food/Clothing			\$463,000
Operating Expenses			\$796,299
<b>Total</b>	<b>37</b>		<b>\$6,100,000</b>

\*Full year allocation

### Proposed Costs for Additional Staff

Position/Item	#	Cost per unit	Cost for 1 year
Sheriff's Lieutenant	1	\$220,701	\$220,701
Senior Deputy Sheriff	1	\$153,804	\$153,804
Detentions Deputy	18	\$99,564	\$1,792,152
Deputy Sheriff	9	\$126,507	\$1,138,563
Sheriff's Support Specialist	1	\$68,757	\$68,757
Administrative Coordinator	1	\$102,920	\$102,920
Programmer II	1	\$96,815	\$96,815
Maintenance Worker III	1	\$72,532	\$72,532
Inmate Food and Clothing (additional beds)			\$39,100
Additional Operating Expenses			\$149,087
<b>Total Additional Staffing/ Expenses</b>	<b>33</b>		<b>\$3,834,431</b>
<b>Total Proposed Allocation FY 12/13</b>	<b>70</b>		<b>\$9,934,431</b>

## Department of Mental Health/Substance Abuse:

Kern County Mental Health will again pool its mental health and substance use AB 109 dollars to maximize services and deal with unanticipated risk. The mental health and substance use allocation will be utilized to provide additional staffing for both in-custody and outpatient programs and services.

As with the FY 11/12 funding, existing residential beds, pharmacy, community based mental health and substance abuse treatment contract funding will be increased incrementally to address the needs of this population.

### In-Custody and Community Mental Health Treatment Services

#### Correctional Mental Health

The Correctional Mental Health team provides a wide range of psychiatric services at all 5 sites of the Kern County Sheriff's Department. These sites are the Central Receiving Facility, Pre-trial Facility, Maximum/Medium Facility, Male Minimum, and Female Minimum. Services are provided seven days a week from 7:00 a.m. to 5:00 p.m. Initial contact with a client will include a psycho-social assessment to identify a client's presenting problem, their last known diagnosis if any, medication history, psychiatric history, potential for harm to self or others, current mental status, current in-custody issues, substance use issues, physical health issues, and cultural and spiritual issues.

Correctional Mental Health (CMH) staff will identify a client's need for a psychiatric assessment and medication evaluation. After an assessment evaluation has been completed, medications will be prescribed if needed. In order to provide optimal care to this population, the clients who receive mental health services through CMH are housed in designated psychiatric units at Lerdo Pre-Trial.

CMH provides advocacy to the client by interfacing with the courts, attorneys, probation, parole, veteran's services, and the detention staff at Lerdo. Discharge planning starts at the beginning with the initial contact. This ensures the client is linked with appropriate community resources upon release from custody, to minimize recidivism.

It was projected that AB 109 would increase both the number and acuity of inmates seeking mental health services. That has certainly proven to be true. From October 1, 2011 to April 30, 2012, CMH active caseload increased from 388 to 804 active cases. The department utilized a full-time nurse practitioner and psychiatrist one half-day per week.

Since implementation, individuals who previously re-offended or were violated on parole have begun returning to the County Jail. This increase has resulted in increased demand for LVN and Physician/Physician Extender staffing. The CMH team will utilize two additional Extra-help LVN staff to assist with medication management of this population. There will be

a minimum of one additional day of psychiatric services by the psychiatrist. With the increase of services there will be an increase in referrals, reports, and data management. The CMH team will need the addition of one extra help office services technician support position.

Staffing required for FY 12/13 are the following:

<u>Position</u>	<u>#</u>	<u>Cost for 1 Year</u>
Vocational Nurse-XH	3 FTE	\$102,960
Psychiatrists-Perm	16 Hours/Week	\$131,023
Nurse Practitioner-Perm	1 FTE	\$185,130
Office Services Tech-XH	1 FTE	\$31,772
<b>Total</b>		<b>\$450,885</b>

### Adult Transition Team

The Adult Transition Team (ATT) is an existing Mental Health Services Act (MHSA) full service partnership team. ATT has traditionally served adults being released from Lerdo. With the advent of AB 109, the team now serves the non, non, non population being released from Lerdo and the most seriously mentally ill inmates returning for Post Release Community Supervision. This population is traditionally underserved, inappropriately served or un-served because traditional mental health services were not effective in engaging them or meeting their needs. This population is often suffering from both mental health and substance use disorders and has a history of involvement with the criminal justice system. They are frequently homeless or at risk of becoming homeless.

Participation is technically voluntary, but many individuals served will have probation orders to participate in treatment. Families, including children, will be served on a collateral basis. Staff will work with each individual and his or her support network to encourage independence and good decision-making and to ensure long-term stability.

The Adult Transition Team goals are to reduce homelessness, incarcerations, and hospitalizations and to increase education and employment. The team provides linkage to services and supports including assistance with housing, transportation, medication monitoring, benefit acquisition, employment assistance, educational assistance, home visitation and crisis management. Evidence-based models, including Seeking Safety, Thinking for a Change, Solution Focused Brief Therapy, Psychiatric Medication, and elements of the Assertive Community Treatment models are utilized. ATT has been monitoring reductions in incarceration days and hospitalization days pre- and post-treatment and has consistently met their goals of a 90% reduction in jail days and a 70% reduction in hospitalization.

In order to determine program eligibility a clinician will be able to do assessments at the North Chester Clinic, Probation SEC Facility and at Lerdo. Coordinators are sited at each facility to make contact with and engage the individuals that meet criterion to develop a

discharge plan. They will coordinate with staff located at the Mental Health Department's North Chester clinic to assist with the transition process and begin to build a relationship, encouraging discussion of their Plan of Care and choices.

It was estimated that about 5% of the post release population would be those clients who are unable to function in the general population in prison due to serious mental illness. This population is being released at a slower rate than projected. Clients currently being released are those that received medication while in prison, while maintaining housing within the general population. Upon assessment, approximately 70% of these clients have a serious mental illness. In the past, the Mental Health Department would not have seen either of these client populations, as they would cycle through the parole clinic and state hospitals. Their prior recidivism rate exceeded 80%. From October 1, 2011 to May 31, 2012, ATT has increased its active caseload from 115 to 174. This will require ATT to increase staffing to meet the intensive needs of this population. ATT will need a minimum of one permanent Recovery Specialist III and three additional extra-help Recovery Specialists, and one day per week of psychiatrist time.

Staffing required for FY 12/13 are the following:

<u>Position</u>	<u>#</u>	<u>Cost for 1 Year</u>
Recovery Specialist-XH	3 FTE	\$135,907
Psychiatrists-Perm	8 Hours/Week	\$65,312
Recovery Specialist III-Perm	1 FTE	\$104,148
Total		\$305,367

It is also anticipated that an equal amount of Non-Non-Non, seriously mentally ill individuals will require similar treatment as described above. These services will be provided by geographic and specialty community-based providers. Community-based mental health service providers have been engaged to provide representative payee services and mental health treatment totaling \$365,000. These agreements will be amended gradually as needs present.

Furthermore, four pharmacy contracts will include funding for AB 109 participants totaling \$135,000 at present, and two facilities have been contracted for temporary housing at \$150,000.

Inpatient facility costs for the current year have been somewhat low, around \$200,000 but improvements in identifying this population will allow tracking of these admissions more accurately. Mental Health is conservatively budgeting \$343,000 for FY 12/13. These costs constitute a great financial risk and will be carefully monitored.



## In-Custody and Community-Based Substance Abuse Treatment Services

### In-Custody Treatment

The Mental Health Department will provide an evidence-based treatment program using the Matrix Model, to serve inmates in the Maximum/Medium pods at the Lerdo Jail facility. The Matrix Model, an evidence-based intensive program, educates clients about their addiction, provides them with opportunities to identify and strategize high-risk situations, and offers them a setting for learning new skills. Clients attend individual sessions and several types of group sessions that shift as the client moves through stages of recovery.

The Matrix Model treatment program is much more intensive than previous treatment approaches provided within the county. In the first four weeks of the program, clients are attending as much as seven hours of treatment per week. This tapers off during weeks 5 through 16 to between four and five hours of treatment per week. Beyond week 16, clients are able to attend "social support" once a week for up to a year.

While in Lerdo Jail, the clients will receive up to 5 hours of Matrix groups a day. The first session in the morning will focus on early recovery, while the afternoon session will focus on relapse prevention. Four extra-help substance abuse specialists will provide in-custody treatment to approximately 32 clients per pod, in 2 pods. This figures to be approximately 384 clients annually. The counselors will meet with the clients for individual sessions as well to assist them with discharge planning into the community. The counselors will have the ability to connect electronically with the community-based service providers to obtain appointments for these clients when they leave Lerdo Jail. Upon discharge from Lerdo Jail, the client will already have an appointment scheduled with the community-based provider no more than seven days after their discharge date.

### Community-Based Treatment

Once the client completes the first 60 days of Matrix Model treatment sessions, as part of community based treatment, drug testing is required, and attendance at 12-Step meetings is encouraged; research has shown that attending these meetings, in combination with the Matrix program, results in better outcomes. In addition to individual and group sessions, Matrix encourages family involvement through weekly group meetings that include clients, family members and/or significant others. Family groups are designed to educate loved ones so that they can better understand the process of recovery.

Counselors at Lerdo Jail will conduct a brief assessment to determine the appropriate Level of Care after discharge. The level of treatment a client is referred to will be determined by screening tools including the ASI, the ASAM PPC, and the SOCRATES. These tools are essential in client placement criteria and support the best outcomes for treatment. The system is organized into five Levels of Care. Every service delivery system is geographically based, and every geographic area in the county minimally has outpatient treatment. The

more intensive levels of care, residential and intensive outpatient, are only available in metropolitan Bakersfield. These AB 109 clients will be referred to either Level 3 Outpatient Treatment (4 months after 2 months in Jail) or Level 4 Intensive Treatment (6 months after 2 months in Jail).

Every substance abuse treatment program is electronically networked to the Mental Health Department. All programs are required to submit monthly progress reports to the supervising agency, ensuring constant monitoring of the client’s treatment.

It is anticipated that the community-based substance abuse treatment provider agreements will be augmented incrementally as necessary to address caseloads for an estimated \$1.506 million in FY 12/13.

The department will require an additional Substance Abuse Specialist II and Office Services Technician for the Gate team.

<u>Position</u>	<u>#</u>	<u>Cost for 1 Year</u>
Substance Abuse Specialist-XH	1 FTE	\$45,084
Office Services Tech-XH	1 FTE	\$31,746
<b>Total</b>		<b>\$76,830</b>

The Substance Abuse Specialist will meet with each AB 109 client as they complete their program at Lerdo to screen and assess the client’s immediate needs and identify barriers to going back to school, obtaining employment, and participating in treatment. The staff will assist the client in work search to find “felony friendly” employers, assist with completing applications, obtaining current identification if needed, as well as monitoring their progress in treatment. The staff will work in the field and meet with clients at their treatment provider, home, or other locations in the community to provide supportive case management services.

The Office Services Technician is needed to complete all clerical activities for this population’s services through the Gate Team. The OST will track referral dates, treatment entry dates, and completion dates. Additionally the OST will be responsible for completing all openings and demographic forms in the electronic health record for all AB 109 participants.

**Kern County Mental Health/Substance Abuse Department Proposed AB 109 Allocation:**

	<u>Cost for 1 Year</u>
<b>Total Proposed Allocation FY 12/13</b>	<b>\$3,332,526</b>

### *Employers' Training Resource:*

To address the problems with ex-offenders reintegrating back into their respective communities, Employers' Training Resource (ETR) has researched and reviewed a vast number of reports written on the topic over the past 30 years. One method suggested to reduce recidivism and create safer environments, both in prisons and in communities, is to provide a "prison to employment" continuum when offenders are released. It is a transition program that offers a comprehensive set of services and linkages to community resources meant to increase the social and economic self-sufficiency of individuals upon release from incarceration. As a workforce development agency, the "prison to employment" continuum supports our goals, and the framework design that ETR proposes using was created by Coffey Communications, LLC in their evaluation interim report (September 2007) regarding the Prisoner Re-Entry Initiative (AB 900).

The framework for the continuum will allow ETR to build upon the educational and vocational programs already offered through the prisons in our region and avoid the duplication of services. The State prison system provides opportunities for rehabilitation through participation in work, vocational and academic programs, substance abuse treatment and self-help programs. Participation in these types of programs provide the incarcerated with both occupational and recovery skills, which is a necessary foundation for re-employment services.

The unemployment rate for Kern County recorded for April 2012 is 14.3 percent. This is down 1.2 percent from April 2011 and much of it is due to the increase in the number of job opportunities in the Oil Industry that had been eliminated by the economic downturn. In the past, ETR has been able to find employment opportunities for ex-offenders in oil and construction occupations. However, the dynamics of the hiring process have changed as it has become an "Employers' Market" with all job seekers competing for the same positions, especially the high-wage positions offered in the Oil Industry. Staff will need to assist the ex-offender to address problems that are interfering with the goals of economic and social self-sufficiency and ETR anticipates these barriers to be:

- State licensing laws for specific occupations (i.e. long haul truck driving)
- Obtaining needed documentation for employment (i.e. driver's license)
- Easier access to criminal records by employers
- Restricted access to public assistance
- Restricted access to subsidized public housing
- Poor work history
- Lack of education
- Mental illness/substance abuse problems

Given the number of existing barriers to employment for this population, ETR will focus on work-readiness development and placement in paid work experience with local employers. Because of the limited availability of funds, ex-offenders who demonstrate both suitability

and the ability to benefit most from Paid Work Experience, will be targeted. ETR will create a Request for Proposal for the Paid Work Experience component contracting with the agency, who best demonstrates performance working with ex-offenders.

The case management for this population will be a client-centered, goal-oriented process for assessing the needs of an individual for particular services and assisting the client to obtain those services. In order to do this effectively and develop appropriate training placements, staff will need the information from the ex-offender's 1502 form. This will ensure that ETR is aware of the client's participation in the prison programs and the skill sets the ex-offender has to offer a potential employer. It will also ensure individuals are not placed in employment environments that conflict with their terms of supervision status or other restrictions that could lead to a violation, but instead develop job placements with the highest possibility of success leading to permanent, unsubsidized employment.

Supportive services will be offered on a merit system to this population. The intent of this is to offer assistance (bus passes, bicycles, license renewal, etc.) upon completion of goal(s) set by the Case Manager. This will allow staff to assess the participant's progress as well as ensuring that the participant accepts responsibility for the work involved in becoming gainfully employed. Another component that is proposed is a "Job Squad" support group. Those who are actively seeking work and experiencing employer rejection can share their experiences with other ex-offenders in the program to determine the best resolution to their problem. This will allow for the participants to be accountable as well as providing emotional support during their transition.

Lastly, another component that ETR may provide, if the resources become available, is a money management workshop. A local agency, Consumer Credit Counseling, has opened a discussion with regard to offering these classes (possibly for a fee) to individuals who demonstrate a need for personal financial management.

The total number of participants projected to be served is 160 making the cost per participant \$2,033. In order to serve this number, the carryover of unexpended FY 11/12 funds into FY 12/13 would be needed. That will be submitted under a separate request; otherwise, the number of participants will be adjusted to reflect the total proposed amount of \$250,000.

**Employers' Training Resource Proposed AB 109 Allocation:**

<u>Position/Item</u>	<u>Cost for 1 Year</u>
Salaries & Benefits	\$76,729
Supportive Services	\$10,000
Paid Work Experience Provider Contract(s)	\$155,599
Overhead Costs	\$7,672
<b>Total</b>	<b>\$250,000</b>

### *District Attorney's Office:*

The Kern County District Attorney's Office and Public Defender's Office will receive a total of \$441,217 from the State separate from the Realignment allocations discussed in this plan. However, it is noted these funds are specific to both the District Attorney's and the Public Defender's additional responsibilities related solely to an increase of revocation hearings for local offenders created by Realignment.

The District Attorney's Office has reported a dramatic increase in the request for felony filings for new law violations since the inception of AB 109. Specifically, comparing January-May 2011 to January-May 2012, the total request for felony filings has gone from 5,608 in 2011 to 7,881 in 2012. This represents an increase of over 42%. Currently the District Attorney's Office has three assigned deputies reviewing and filing complaints for the office. With a 42% increase of felony complaint request, it is necessary to have an additional Deputy District Attorney to assist in this workload.

As this increase is not related to the revocation funding the District Attorney's Office is already receiving it is felt funding from the Realignment fund is appropriate. The allocation amount is for a total of \$232,000.

### *Street Interdiction Team (SIT):*

The Street Interdiction Team (SIT) is a multi-departmental law enforcement task force consisting of numerous law enforcement agencies throughout the County of Kern. SIT periodically operates enforcement teams in different regional areas to address specific community needs. In FY 11/12 money was granted to the SIT to specifically combat potential increase in street-level crime throughout Kern County as a result of Realignment. Several operations, involving numerous different law enforcement agencies, were conducted in Kern County with operations scheduled into FY 12/13. This has provided for a successful showing of force and cooperation throughout the county.

It is felt this program should continue with the same percentage as allocated in FY 11/12 of .71%. With the increased overall dollar allocation, SIT can be expanded to provide additional resources for both additional and larger operations to be conducted. This continued funding will provide regional law enforcement agencies needed additional resources and address public safety concerns for the citizens of Kern County. These operations will be in addition to, and separate from, existing SIT actions. The allocation amount for FY 12/13 for SIT is \$166,509.

### *Community-Based Organizations (CBO's) Program:*

In the initial implementation plan there was discussion of funds being provided to CBO's for services; however, no money was allocated at that time. CBO's can play an important part of the overall success of realignment in Kern County. The main decision-making authority related to approval of specific CBO projects will be the Executive Committee of the CCP. A subcommittee of the CCP will be charged with identifying service gaps and reporting its findings to the CCP. This will provide the Executive Committee with a succinct, systematic and objective presentation for proposals.

The overall goals of the Community-Based Organizations Program through the CCP will include the following:

- Study and identify the service gaps for the AB 109 population by analyzing data and in communication with affected entities.
- Develop a request for proposal process (RFP) for the distribution of allocated funds incorporating evidence-based approaches whenever possible.
- Monitor and continue to evaluate programs (including fidelity with EBP).
- Report on programs and make future recommendations.

Envisioned CBO projects would include a multitude of reentry services, such as EBP counseling, early jail release programs (residential or out-patient) and work training skills. However, the CBO Program would be given the flexibility under this system to react to the needs of the community and respond under the direction of the Executive Committee.

The proposed FY 12/13 allocation amount for the program is \$670,940. In addition, one-time funds of \$312,364 from FY 11/12 carryover are dedicated to a CBO/Contingency Fund to be used for RFP's as deemed appropriate by the CCP.

### *Contingency Funds:*

The plan calls for the unallocated money, in the amount of \$33,569, to be placed in the contingency fund.

### *Other Items Considered, Not Funded*

#### Public Community Correctional Facilities

Realignment allows for counties to enter into contractual agreements with Public Community Correctional Facilities (to house county offenders). In an effort to understand the merits of supporting such a relationship, the Sheriff's Office visited each of the Public CCF sites (Delano, Taft, and Shafter) in Kern County. Potential issues to be resolved prior to active consideration include the following examples:

- Liability
- Standard of care
- Access to comparable programming
- Title 15 Compliance

The Sheriff remains open to the potential use of Public Community Correctional Facilities in Kern County.

#### Fire Camps

The California Department of Corrections and Rehabilitation (CDCR) have indicated a projected need for the use of county inmates in their fire camps. The state currently supports the fire camp program through the use of 4,500 state inmates, however that number continues to decline. The Sheriff maintains the option of supplying CDCR with a percentage of these long-term commitments. The option would require the creation of a contractual agreement between CDCR and the Sheriff. The Sheriff's Office could use this option to manage elements of the realignment population.

#### Sheriff's Day Reporting Center

The Sheriff's Office will continue to explore the option of operating a Day Reporting Center. A Day Reporting Center is designed to provide non-residential, support services to offenders with various risk factors supported by intensive community supervision. Services provided would address criminality, substance abuse, employability issues, and re-introduction considerations while transitioning into communities and family situations. In order to reduce offender recidivism and to maintain some measure of accountability, the following services could be offered: job preparedness, educational and vocational training, skill-based training, mental health services, and substance abuse treatment.

The Sheriff's Day Reporting Center would be a component of the Sheriff's Virtual Jail and could serve as an alternative to incarceration. Failure of any portion of the program could result in sanctions covering a wide spectrum.

#### Public Defender's Office

The CCP considered allocating \$232,000 to the Public Defenders' Office. The justification for this amount was to keep an equal allocation with the District Attorney's Office; however, the District Attorney's Office request for funding was related to the increase in processing felony filing complaints and not a courtroom attorney. As the Public Defender's Office has no correlating position, ultimately the CCP felt an equal allocation to the Public Defender's Office was not appropriate at this time.

# Allocation of Realignment Funds

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The first chart below shows FY 11/12 approved allocation amounts based on the full year allotment amount of \$14,072,650. The second chart shows the actual FY 11/12 allocations based on the 9-month allotment amount of \$10,834,289. The third chart shows the proposed allocation amounts for FY 12/13 with the total allotment amount of \$23,451,975. This chart also shows the increase/decrease in percentages and increased dollar amounts as compared to the FY 11/12 allocation amounts for both the full-year and the 9-month period.

## FY 11/12 Full Year Allocations

<u>Department/Entity</u>	<u>Percentage</u>	<u>Amount</u>
Sheriff's Office	43.35%	\$6,100,000
Probation Department	39.79%	\$5,600,000
Mental Health Department	14.21%	\$2,000,000
Employer's Training Resource	1.07%	\$150,000
Street Interdiction Team	0.71%	\$100,000
Contingency	0.87%	\$122,650
<b>Total Allocated</b>	<b>100%</b>	<b>\$14,072,650</b>

## FY 11/12 Actual Allocations (9 months)

<u>Department/Entity</u>	<u>Percentage</u>	<u>Amount</u>
Sheriff's Office	43.35%	\$4,696,665
Probation Department	39.79%	\$4,310,964
Mental Health Department	14.21%	\$1,539,553
Employer's Training Resource	1.07%	\$115,927
Street Interdiction Team	0.71%	\$76,924
Contingency	0.87%	\$94,256
<b>Total Allocated</b>	<b>100%</b>	<b>\$10,834,289</b>



**FY 12/13 Proposed Allocations**

<u>Department/Entity</u>	<u>%</u>	<u>Amount</u>	<u>% + or – from FY 11/12</u>	<u>\$ Increase from FY 11/12 9-Month Allocation</u>	<u>\$ Increase from FY 11/12 1 Year Full Allocation</u>
Sheriff's Office	42.36%	\$9,934,431	-1.0%	\$5,237,766	\$3,834,431
Probation Department	37.66%	\$8,832,000	-2.13%	\$4,521,036	\$3,232,000
Mental Health Department	14.21%	\$3,332,526	0%	\$1,792,973	\$1,332,526
Employers' Training Resource	1.07%	\$250,000	0%	\$134,073	\$100,000
District Attorney's Office	0.99%	\$232,000	N/A	N/A	\$232,000
Street Interdiction Team	0.71%	\$166,509	0%	\$89,585	\$66,509
CBO Program	2.86%	\$670,940	N/A	N/A	\$670,940
Contingency	0.14%	\$33,569	-0.73%	-\$60,687	-\$89,081
<b>Total Funding Allocation</b>	<b>100%</b>	<b>\$23,451,975</b>			<b>\$9,379,325</b>
Carryover from FY 11/12 for CBO's/ Contingency <sup>1</sup>	N/A	\$312,364			

<sup>1</sup> The balance of un-claimed FY 11/12 carryover funds from Sheriff and Probation Departments shall be transferred to this new category as approved by the CCP on 6/27/12.

# Continued Data Collection, Research and Reporting

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One of the consequences of AB 109 is that it compelled departments to take a look at how they were interacting with each other and sharing data and information. Department heads were diligent about wanting to understand the impact AB 109 would have on the county and assigned key knowledgeable staff to work together who are innovative, could formulate ideas, make decisions quickly, and produce results.

In October 2011, a Departmental Analyst was hired to work specifically on data collection, research and reporting. In that period of time, the following has been accomplished by coordinating with direct input and dedicated assistance of key program and IT staff in each of the departments:

- Development of extensive list of data tracker elements
- Development of data tracker definitions such as recidivism for common understanding among all stakeholders
- Development of AB 109/CCP/Realignment web page for CCP information, Implementation Plan, and AB 109 resources ([www.kernprobation.com](http://www.kernprobation.com))
- Development of AB 109 financial report
- Development of departmental data dashboard reports with key statistical information
- Contacts with other counties for determination and uniform state-wide data practices and programs
- Assignment of Chief Probation Officer on CPOC state-wide data research committee to assist in development of the State's key data trackers
- Attendance at three AB 109 data development, research, collection, and reporting conference/trainings and five related webinars for up-to-date information, networking and state-wide data consistency
- Beginning discussions of possible development of a data mart - a centralized repository of different data systems from any and all sources for comprehensive reporting

It is still early in the AB 109 implementation process and trends will only be seen over an extended period of time. Therefore, it is imperative that consistency remains within the data collection and tracking to ensure comparatives from year to year.

For FY 12/13, data collection, research and reporting will be even more significant as decision making will be based upon data extracted and reported, correlations between variables, and

statistical analysis. Plans include further development of data tracker definitions, development of a centralized data collection system (e.g. data mart), expanded or improved capacity for data collection, measurement and evaluation training, visiting or directly interacting with other counties for networking and ideas, and a marketing/educational program for AB 109 information and awareness.

County staff remain active on the State level to ensure Kern County is receiving all crucial and available resources, accurate and useful information, and being heard as an important and significant Central Valley community. Each year, an annual report will be provided to the CCP and the Board of Supervisors with a more comprehensive assessment of AB 109 implementation and realignment activities.