

**RIVERSIDE COUNTY
COMMUNITY CORRECTIONS PARTNERSHIP
EXECUTIVE COMMITTEE**

DOWNTOWN LAW BUILDING
3960 ORANGE STREET, 5TH FLOOR CONFERENCE ROOM, RIVERSIDE, CA

APRIL 1, 2014, 1:30 P.M.

AGENDA

1. CALL TO ORDER – ROLL CALL
2. APPROVAL OF MINUTES – ACTION ITEM
 - a) JANUARY 7, 2014
3. AB 109 BUDGET UPDATE - ACTION ITEM
 - a) MIDYEAR BUDGET REPORT FOR FY 13/14
4. CALIFORNIA FORWARD PROJECT - DISCUSSION ITEM
5. MEASURABLE GOALS WORKGROUP UPDATE - DISCUSSION ITEM
6. RCRMC PROGRESS REPORT - CHRISTOPHER HANS, CFO - DISCUSSION ITEM
7. BUDGET DEVELOPMENT SCHEDULE - DISCUSSION ITEM
8. STAFF REPORTS – DISCUSSION ITEMS
 - a) PROBATION
 - b) SHERIFF
 - c) MENTAL HEALTH
 - d) POLICE
 - e) DISTRICT ATTORNEY
 - f) PUBLIC DEFENDER
 - g) COURT
9. PUBLIC COMMENTS
10. NEXT MEETING: JUNE 3, 2014; 1:30 P.M.

In accordance with State Law (The Brown Act):

- *The meetings of the CCP Executive Committee are open to the public. The public may address the Committee within the subject matter jurisdiction of this committee.*
- *Disabled persons may request disability-related accommodations in order to address the CCP Executive Committee. Reasonable accommodations can be made to assist disabled persons if requested 24-hours prior to the meeting by contacting Riverside County Probation Department at (951) 955-2830.*
- *The public may review open session materials at www.probation.co.riverside.ca.us under Related Links tab or at Probation Administration, 3960 Orange St., 6th Floor, Riverside, CA.*
- *Items may be called out of order.*

**RIVERSIDE COUNTY
COMMUNITY CORRECTIONS PARTNERSHIP
EXECUTIVE COMMITTEE MEETING**

January 7, 2014 - 1:30 p.m.
Downtown Law Building, 3960 Orange Street, 5th Floor, Riverside

MINUTES

1. CALL TO ORDER - ROLL CALL

The meeting was called to order by the Chairman, Chief Probation Officer Mark Hake at 1:35 p.m.

Roll call of the members:

Mark Hake, Chief Probation Officer, Chairman
Steven Harmon, Public Defender
Jerry Wengerd, Director, Mental Health
Paul Zellerbach, District Attorney

Not Present:

Adriaan Ayers, Countywide Operations Deputy, Superior Court
Frank Coe, Chief of Police, Beaumont
Stan Sniff, Sheriff

2. APPROVAL OF MINUTES

a) Mark Hake entertained a motion to approve the minutes of the Community Corrections Partnership Executive Committee (CCPEC) meeting from September 10, 2013. The motion was moved by Steve Harmon and seconded by Paul Zellerbach. Mark Hake requested a roll call vote of the motion which passed as follows:

Aye: Hake, Harmon, Zellerbach
Nay: None
Absent: Ayers, Coe, Sniff
Abstain: Wengerd

b) Mark Hake entertained a motion to approve the minutes of the Community Corrections Partnership Executive Committee (CCPEC) meeting from November 5, 2013. The motion was moved by Steve Harmon and seconded by Jerry Wengerd. Mark Hake requested a roll call vote of the motion which passed as follows:

Aye: Hake, Harmon, Wengerd, Zellerbach
Nay: None
Absent: Ayers, Coe, Sniff
Abstain: None

3. PROPOSAL TO USE AB 109 GRANT FUNDS FOR EVALUATION OF AB 109 PUBLIC SAFETY REALIGNMENT IMPLEMENTATION

Mark Hake reviewed the Evaluation Consultation Proposal dated January 7, 2014 (handout). In summary, he proposed to use AB 109 funding to hire an outside agency to assess realignment implementation in Riverside County. He requested input from the CCPEC to determine what should be reviewed and analyzed. He stated that it could be as specific as the county crime rate, care of

inmates, program implementation, but felt that it would be most beneficial to do a broad study to identify weak spots in the county AB 109 implementation plan. Paul Zellerbach agreed that it would be beneficial to the public and the stakeholders to see a comprehensive survey completed to ensure the AB 109 funds are well spent. Jerry Wengerd is also in favor of a study being conducted. He indicated that he would like an “outsider’s opinion” on how Riverside County is implementing realignment but cautioned that he does not think it would be useful for Riverside County to be compared to other counties. A few potential respondents to the Request for Proposal (RFP) were discussed. Both Steve Harmon and Under Sheriff Colleen Walker concurred that a comprehensive study would benefit the county. There was discussion in regards to internal staff completing the evaluation but it was decided against due to staff subjectivity and inadequate resources and experience in evaluation projects.

Mark Hake entertained a motion to assign the Measurable Goals Workgroup with the task of developing a scope of work for an evaluation and consultancy project for the Riverside County’s implementation of AB 109. The motion was moved by Paul Zellerbach and seconded by Jerry Wengerd. Mark Hake requested a roll call vote of the motion which passed as follows:

Aye: Hake, Harmon, Wengerd, Zellerbach
Nay: None
Absent: Ayers, Coe, Sniff
Abstain: None

4. CSAC REALIGNMENT ALLOCATION COMMITTEE (RAC) UPDATE

Mark Hake summarized the Long-term Allocation Framework (11-21-2013) (handout). He advised that RAC has begun to develop a recommended approach for the long-term AB 109 allocation beginning in Fiscal Year (FY) 14/15. He briefly touched on the four principles guiding the committee’s work and what they entailed:

- Formula driven by data
- Funding allocations
- Incentives
- Other elements

Mark Hake explained that for FY 14/15, RAC established the growth allocation formula from the following five factors; daily average population, guaranteed minimum for each county, percentage of AB 109 allocation implementation in a manner of legislative intent, establishment of a small county minimum allocation, and per inmate impact on the state prisons. He further stated that RAC is looking into utilizing county unemployment rates as a factor in the long-term AB 109 allocation formula.

5. STAFF REPORTS

a) PROBATION: Chief Deputy Probation Officer Andrea Greer reviewed the AB 109 Status Report dated January 7, 2014 (corrected to December 31, 2013), as follows:

Post-Release Community Supervision (PRCS):

- Clients Assigned to a Caseload: 1,624
- Grand Total Active Supervision: 1,856
- Revocation Petitions: 3,007
- Flash Incarcerations: 1,179

Mandatory Supervision (MS)

- Clients Ordered by the Court: 3,387
- Clients Assigned to a Caseload: 1,244
- Grand Total Active Supervision: 1,638
- Revocation Petitions: 3,262

Total PRCS and MS Offenders Assigned to a Caseload: 2,868

The PRCS Fact Sheet, Active PRCS Supervision Population by City, MS Offenders Population by City, and Active MS Offenders Population by City (handouts) were also briefly reviewed.

Andrea Greer stated that at the last CCPEC meeting (November 5, 2013), Paul Zellerbach requested data on flash incarcerations. She advised that the Probation Department is still working to obtain the information.

Chief Deputy Probation Administrator Doug Moreno reported the AB 109 Mid-Year Financial Reports are due to the Probation Department on January 21, 2014. He plans to send an email reminder to the Fiscal workgroup.

b) SHERIFF: Correctional Chief Deputy Jerry Gutierrez reviewed the AB 109 Impact Update, dated January 1, 2014 (handout). He also provided updated numbers as of January 7, 2014, as follows:

- Total number of offenders federally released from custody in 2014 is 194.
- Total number of “fed kicks” for 2013 was 9,342.

Jerry Gutierrez also stated the Sheriff’s Department is completing a basic SWOT (Strength, Weakness, Opportunities, Threats) analysis to determine what programs are working, as well as researching what programs other counties are utilizing in California. He advised they are doing everything they can to maximize bed space and briefly discussed the electronic monitoring program. He reviewed an incident that occurred in the Blythe jail in which inmates attacked jail staff. He reiterated that the jail population has begun to shift and that an estimated 46% of the population is incarcerated for committing a violent felony.

Paul Zellerbach questioned the low number of participants in the inmate fire camps. Jerry Gutierrez stated that many of the inmates are not accepted into the program because they cannot pass the dental exam.

c) MENTAL HEALTH: Jerry Wengerd distributed copies and reviewed the Health and Human Services Realignment Status Report (handout). He welcomed suggestions from the CCPEC in order to make the status report format more user friendly. Paul Zellerbach requested clarification on the breakdown of clients receiving services. Jerry Wengerd stated that the clients receiving services in the report are AB 109 offenders, but the report does not separate the Mandatory Supervision and the PRCS populations. Mark Hake stated that the Probation Department can assist Mental Health to identify the PRCS and MS offenders. In addition to the number of AB 109 clients, Mark Hake requested the status report include the number of times each client received services. He also indicated that the number of offenders being referred for substance abuse issues seems lower than expected and stated that staff should meet to look into the referral and tracking process.

d) POLICE: Not in attendance.

e) DISTRICT ATTORNEY: Nothing to report.

f) PUBLIC DEFENDER: Nothing to report.

g) COURT: Not in attendance.

6. PUBLIC COMMENTS

Elizabeth Olson from the Riverside County Executive Office advised that the Chief Executive Officer from Los Angeles County sent a letter to Riverside County Executive Officer Jay Orr (handout). The letter requested that Riverside County advocate for the Governor and the State Legislature to provide additional AB 109 funding to California counties. Elizabeth Olson stated that the Executive Office is working on a Form 11 that will go before the Board of Supervisors. Please contact her or Deputy County Executive Officer Alex Gann if you have any thoughts or concerns.

7. NEXT MEETING - APRIL 1, 2014, 1:30 P.M.

Meeting adjourned at 2:40 p.m.

An attendance sheet was signed by all present and will be kept on file.

Minutes submitted by Allison Paterson, Executive Secretary, Riverside County Probation Department.

**Submittal to the Community Corrections Partnership
Executive Committee
April 1, 2014 Agenda Item 3**

From: Fiscal Procedures Work Group

Subject: FY 2013/14 Community Corrections Partnership Executive Committee (CCPEC) Financial Reports for the period July 1, 2013 to December 31, 2013.

Background: On July 9, 2013, the CCPEC approved the FY 2013/14 AB 109 budgets. As previously approved by the CCPEC, the quarterly reporting template provides a method of financial reporting every 90 days by each CCPEC agency.

The template includes a narrative component for providing budget status; identifying/addressing budget and program concerns; and a summary of AB 109 activities performed during the reporting period.

The Probation Department, as the fiscal administrator of AB 109 Funds, has prepared the attached Summary of Expenditures (Schedule A) based on the financial schedules provided by each individual CCPEC agency. Each agency's submitted financial schedules are also included in the attached report.

Summary of Expenditures (Schedule A)

The attached FY 2013/14 Financial Report – Summary of Expenditures (Schedule A) summarizes the revised CCPEC agency budgets of \$68.7M, including the increased AB 109 Growth Funds received on October 11, 2013. As approved by the CCPEC on November 5, 2013, the AB 109 Growth Funds have been deposited into the contingency fund.

The District Attorney's and Public Defender's FY 2012/13 Growth Funds (originally estimated at \$0.18M) were \$0.34M, an increase of \$0.16M. At the November 5, 2013 CCPEC meeting, the District Attorney and Public Defender agreed to reduce their Annual Operating Budgets by the growth fund increase.

Overall, the total Budget Distribution has increased to \$70.6M.

- CCPEC Budget \$68.7M (including contingency of \$9.08M) consists of:
 - \$51.24M, FY 2013/14 Annual Budgets, including contingency \$1.69M.
 - \$13.14M FY 2012/13 Rollover Funds, including contingency \$3.07M.
 - \$4.32M FY 2012/13 Growth Funds, allocated to the contingency fund.

**Submittal to the Community Corrections Partnership
Executive Committee
April 1, 2014 Agenda Item 3**

Other Funds \$1.87M

- \$1.33M, additional funding for District Attorney and Public Defender.
- \$0.54M, AB 109 Planning Grant.

Each CCPEC agency has provided their FY 2013/14 Financial Reports. The District Attorney did not however provide a separate financial report for their "Other Funds." The reports include information as to their actual expenditures for the period July 1, 2013 to December 31, 2013, and year-end estimates through June 30, 2014 (for the Operating Funds and Other Funds). The Sheriff, Public Defender and Police are estimating to fully expend their respective CCPEC allocations for FY 2013/14. The District Attorney, Probation, and Health and Human Services are estimating to rollover unexpended allocations for FY 2013/14.

Overall, the total year-end estimated expenditures for all CCPEC agencies are approximately \$52.5M through June 30, 2014. The remaining available balance of approximately \$16.7M (of which, \$9.08M is Contingency Funds and \$0.52M is the Planning Grant) is available for use and/or rollover into FY 2014/15.

The FY 2013/14 Financial Reports for the nine months ending March 31, 2014 are due Monday, April 21, 2014.

Other Period 2 Financial Report Highlights

- The FY 2013/14 budget of \$51.24M in payments to Riverside County averages approximately \$4.27M per month.
- The total AB 109 Operating Funds received year-to-date (commencing September 2013), inclusive of the February 2014 allocation, is \$27.89M.
- To date, payments have averaged approximately \$4.65M monthly and have been received in regular monthly intervals (next payment scheduled for March 27, 2014).

Recommended Motion: That the Community Corrections Partnership Executive Committee:

1. Receive and file the FY 2013/14 Financial Report – Summary of Expenditures (Schedule A) and the individual CCPEC Agency Financial Reports.

**Submittal to the Community Corrections Partnership
Executive Committee
April 1, 2014 Agenda Item 3**

Respectfully submitted on behalf of the
Fiscal Procedures Work Group,



Douglas E. Moreno
Chief Deputy Probation Administrator

**AB 109 Community Corrections Partnership Executive Committee (CCPEC)
 FY 2013/14 Financial Report - Summary of Expenditures
 Reporting Period 1 - July 1, 2013 to December 31, 2013
 April 1, 2014**

Agenda Item 3
 Schedule A

CCPEC Agency	CCPEC Agency Budgets Approved August 20, 2013				CCPEC Agency Actual/Estimated Expenditures FY 2013/14				Total Savings/ (Deficit) (2)
	Rollover Funds	Growth Funds	Approved Annual Operating Budgets FY 2013/14 (1)	Total Budget Distribution	Operating Funds		Operating Funds		
					7/1/13 - 12/31/13 Actual	01/1/14 - 6/30/14 Estimate	YE Estimate	Total Funds	
Probation Department	\$ 3,401,045	\$ -	\$ 12,398,955	\$ 15,800,000	\$ 3,631,277	\$ 9,337,475	\$ 12,968,752	\$ 2,831,248	
Sheriff's Department	2,542,767	-	24,257,233	26,800,000	10,286,687	16,513,313	26,800,000	-	
District Attorney	494,650	-	907,913	1,402,563	476,637	574,393	1,051,030	351,533	
Public Defender	55,063	-	893,381	948,444	424,936	604,760	1,029,696	(81,252)	
Health and Human Services	3,501,346	-	9,768,846	13,270,192	4,645,521	4,645,521	9,291,042	3,979,150	
Police	70,927	-	1,329,073	1,400,000	338,456	1,061,544	1,400,000	-	
Contingency	3,073,862	4,315,216	1,688,169	9,077,247	-	-	-	9,077,247	
Sub-Total	\$ 13,139,660	\$ 4,315,216	\$ 51,243,570	\$ 68,698,446	\$ 19,803,514	\$ 32,737,006	\$ 52,540,520	\$ 16,157,926	
Other Funds									
District Attorney	\$ -	\$ 81,252	\$ 586,669	\$ 667,921	Unavailable	Unavailable	586,669	Unavailable	
Public Defender	\$ -	\$ 81,252	\$ 586,669	\$ 667,921	\$ 426,058	\$ 160,611	\$ -	\$ 81,252	
Superior Court	-	N/A	Unavailable	-	-	Unavailable	Unavailable	Unavailable	
Planning Grant	\$ 337,062	N/A	200,000	\$ 537,062	4,586	15,414	20,000	517,062	
Sub-Total Other Funds	\$ 337,062	\$ 162,504	\$ 1,373,338	\$ 1,872,904	\$ 430,644	\$ 176,025	\$ 606,669	\$ 517,062	
Grand Total	\$ 13,476,722	\$ 4,315,216	\$ 52,616,908	\$ 70,571,350	\$ 20,234,158	\$ 32,913,031	\$ 53,147,189	\$ 16,674,988	

(1) 11/05/13 CCPEC meeting, approval to reduce District Attorney & Public Defender budget by increase growth fund allocation \$162,504 (increased contingency account).

(2) The Total Savings/Deficit figure does not include amounts from the District Attorney Other Funds and Superior Court due to the unavailability of their actual and year end estimates.

**AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13**

Agenda Item 3a

CCPEC Agency: Probation Department
 Dept. Number (if applicable): 2600210000 / 2600700000
 Reporting Period (2, 3, or 4):

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-06/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$10,376,981	\$5,188,490	\$3,037,882	\$5,543,794	\$8,581,676	\$1,795,304	\$0
2	Supplies & Services	4,451,019	2,225,510	587,346	3,092,181	3,679,526	771,493	0
3	Other Charges	450,000	225,000	6,049	179,500	185,549	264,451	0
4	Fixed Assets	522,000	261,000	0	522,000	522,000	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
Total Expenditures		\$15,800,000	\$7,900,000	\$3,631,277	\$9,337,475	\$12,968,751	\$2,831,249	\$0

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-06/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
755928	AB 109 Local Cor. Corrections	\$15,800,000	\$7,900,000	\$3,593,400	\$9,375,352	\$12,968,751	(\$2,831,249)	\$0
		0	0	0	0	0	0	0
		0	0	0	0	0	0	0
Total Dept. Revenue		\$15,800,000	\$7,900,000	\$3,593,400	\$9,375,352	\$12,968,751	(\$2,831,249)	\$0
NET COST		\$0	\$0	\$37,877	(\$37,877)	\$0	(\$0)	\$0

**AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13**

CCPEC Agency: Probation Department
Dept. Number (if applicable): 2600210000 / 2600700000
Reporting Period (2, 3, or 4) 2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues. Expenditures for the period of July 1, 2013 through December 31, 2013 were approximately \$3.63M. Expenses primarily included salaries and benefits of the department's AB 109 filled positions. The Probation department anticipates incurring additional costs associated with the continued implementation of AB 109, such as the hiring of remaining positions, costs for expanding office locations for Adult Services Division and Southwest Day Reporting Center Temecula location. In addition, increased services and supplies to implement new programs such as providing bus passes, clothing, tattoo removal service, evidence based programs, electronic monitoring and other special program support services. Other costs include standard operating, indirect costs and costs of equipment and fixed assets (purchase of PSEC radios).

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached). As of December 31, 2013, total Post-release Community Supervision (PRCS) assigned to a caseload - 1,624, and 232 pending assessment, for a total active supervision of 1,856; Mandatory Supervision cases ordered by the Court - 3,387 and 1,244 Mandatory Supervision clients assigned to a caseload, and 394 pending assessment, for a total active supervision of 1,638. Total PRCS and Mandatory Supervision assigned to a caseload - 2,868.

Reporting Period: 7/1/13 - 12/31/13

Prepared by: Viola Becker, Principal Accountant

Date: 1/21/14

Approved by: Doug Moreno, CDPA

Date: 1/21/14

**AB 109 Community Corrections Partnership Executive Committee
 FY 2013/14 Financial Report - Community Corrections Partnership Funds
 7/1/13 - 12/31/13**

Agenda Item 3a

Planning Grant
 2600700000

CCPEC Agency:
 Dept. Number (if applicable):
 Reporting Period (2, 3, or 4)

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-06/30/14 Estimates	FY 13/14 Year-end Totals	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2	Supplies & Services	537,062	268,531	4,586	15,414	20,000	517,062	0
3	Other Charges	0	0	0	0	0	0	0
4	Fixed Assets	0	0	0	0	0	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
	Total Expenditures	\$537,062	\$268,531	\$4,586	\$15,414	\$20,000	\$517,062	\$0

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-06/30/14 Estimates	FY 13/14 Year-end Totals	Year-end Variance	Full-Year (On-Going) Estimates
755926	AB 109 Local Comm Corr Partners	\$337,062	\$168,531	\$4,586	\$15,414	\$20,000	(\$317,062)	\$0
	Total Dept. Revenue	\$337,062	\$168,531	\$4,586	\$15,414	\$20,000	(\$317,062)	\$0
	NET COST	\$200,000	\$100,000	\$0	\$0	\$0	\$200,000	\$0

**AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Community Corrections Partnership Funds
7/1/13 - 12/31/13**

CCPEC Agency:
Dept. Number (if applicable):
Reporting Period (2, 3, or 4)

Planning Grant
2600700000
2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues. At the end of December 31, 2013, the CCP Planning Allocation Fund had incurred \$4,586 in actual expenses, mainly for the reimbursement of the 3rd Annual AB109 Conference and County Counsel costs for providing assistance to the CCPEC. Anticipated costs in the next few months may include, CPOC, CSAC and ACA training courses. Other anticipated costs may include professional consulting and continued County Counsel costs.

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).

Reporting Period: _____ 7/1/13 - 12/31/13

Prepared by: _____ Viola Becker, Principal Accountant

Date: _____ 1/21/14

Approved by: _____ Doug Moreno, CDPA

Date: _____ 1/21/14

AB 109 Community Corrections Partnerships Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13

CCPEC Agency:
 Dept Number (if applicable):
 Reporting Period (2, 3, or 4)

Sheriff's Department
 Budget Unit
 2

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$16,941,946	\$8,470,973	\$7,659,577	\$9,282,369	\$0	\$0
2	Supplies & Services	\$9,839,967	\$4,919,984	\$2,609,023	\$7,230,944	\$0	\$0
3	Other Charges	\$18,087	\$9,044	\$18,087	\$0	\$0	\$0
4	Fixed Assets	\$0	\$0	\$0	\$0	\$0	\$0
7	Interfund Transfers	\$0	\$0	\$0	\$0	\$0	\$0
Total Expenditures		\$26,800,000	\$13,400,000	\$10,286,687	\$16,513,313	\$0	\$0

DEPARTMENTAL REVENUE

Code	Description	FY 12/13 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
75900	CA-AB118 Local Revenue	\$26,800,000	\$13,400,000	\$10,286,687	\$16,513,313	\$0	\$0
Total Dept. Revenue		\$26,800,000	\$13,400,000	\$10,286,687	\$16,513,313	\$0	\$0
NET COST		\$0	\$0	\$0	\$0	\$0	\$0

AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13

CCPEC Agency: Sheriff's Department
Dept Number (if applicable): 2500
Reporting Period (2, 3, or 4) 2

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues.
The spending plan is designed to help mitigate the impact of Realignment on the local jails, provide alternatives to incarceration, and deliver meaningful programming in an effort to facilitate the successful return of inmates to the community. Overall, our spending plan is proceeding as designed and we are making progress in transferring qualified inmates to fire camps in an effort to help mitigate jail overcrowding. As discussed, prior year commitments of approximately \$1.2 million dollars will materialize this fiscal year and are not reflected in the 13/14 budget status, but should be contemplated when evaluating our fiscal standing.

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).
The Sheriff's Department continues to implement the fire camp program and roll out programming opportunities for in-custody Realignment inmates. The Department will continue to refine its processes for inmate evaluation using evidence-based practices and work with other state and local agencies on data gathering and analysis. The local jails continue in a chronic state of overcrowding, requiring early releases pursuant to our Federal Court Order. Further data covering the impact of Realignment on Sheriff's Corrections is reflected in the attached monthly reports.

Reporting Period: 7/1/13 - 12/31/13

Prepared by: Doug Cady, Admin. Svcs. Mgr.III

Date: 1/15/14



RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

STANLEY SNIFF, SHERIFF / CORONER

TO: CCP Executive Committee

DATE: November 1, 2013

FROM: Sheriff Stanley Sniff

Point of Contact: Chief Deputy J. Gutierrez (951) 955-8792, jjgutier@riversidesheriff.org

RE: AB 109 Impact Update

Since State Prison Realignment under AB 109 went into effect, the jails in Riverside County have experienced a substantial increase in inmate population. As of this morning, our jail population stood at 3,801 inmates, or 97% of our maximum capacity (3,906 beds). In the first week of January 2012, our facilities hit maximum capacity, requiring us to initiate releases pursuant to a federal court order to relieve overcrowding. These types of releases have continued since that time. Last year, 6,990 inmates were released per the court order. 7,792 inmates have been released year-to-date for 2013 per the court order. In addition, we are utilizing alternative sentencing programs such as Fire Camp and SECP (electronic monitoring).

Inmate bookings since AB 109 went into effect which are directly related to realignment are:

Parole Violations (3056 PC)

Total booked to date is 8,511 (5,585 booked for violation only; 2,926 had additional charges)
The number of 3056 PC only inmates currently in custody is 109.

Flash Incarcerations (3454 PC)

Total booked to date is 1,175. The number of these inmates currently in custody is 10.

Post Release Community Supervision (PRCS) Violations (3455 PC)

Total booked to date is 2,710 (1,300 booked for a violation only; 1,410 had additional charges).
The number of 3455 PC only inmates currently in custody is 30.

Inmates Sentenced under 1170(h) PC for Felony Sentence to be served in County Jail

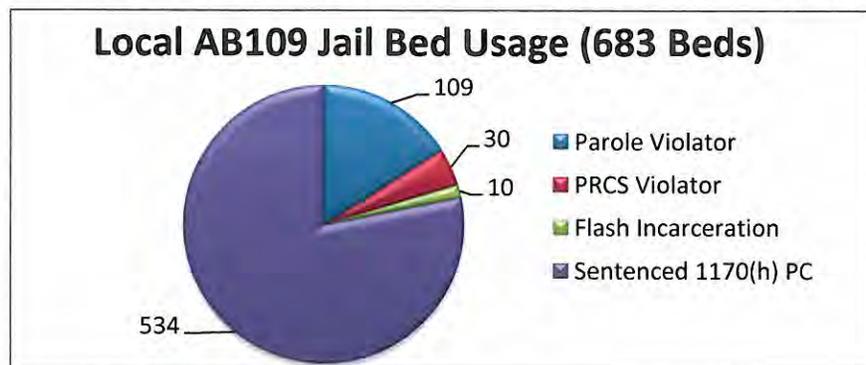
The total number of inmates sentenced per 1170(h) PC is 4,764. The number of these inmates that remain in custody is 534, or approximately 14.0% of the total jail population. 240 of these inmates have been sentenced to 3 years or more, with the longest local sentence standing at 12 years, 8 months.

The total number of 1170(h) Fire Camp participants is 52.

Since January 2012, there have been 335 full-time SECP participants. There are currently 68 participants.

Summary

The total number of inmates to date booked directly or sentenced to jail due to realignment is 12,824.
The number of those currently in custody is 683, or approximately 17.9% of the total jail population.





RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

STANLEY SNIFF, SHERIFF / CORONER

TO: CCP Executive Committee

DATE: December 1, 2013

FROM: Sheriff Stanley Sniff

Point of Contact: Chief Deputy J. Gutierrez (951) 955-8792, jjgutier@riversidesheriff.org

RE: AB 109 Impact Update

Since State Prison Realignment under AB 109 went into effect, the jails in Riverside County have experienced a substantial increase in inmate population. As of this morning, our jail population stood at 3,786 inmates, or 97% of our maximum capacity (3,906 beds). In the first week of January 2012, our facilities hit maximum capacity, requiring us to initiate releases pursuant to a federal court order to relieve overcrowding. These types of releases have continued since that time. Last year, 6,990 inmates were released per the court order. 8,632 inmates have been released year-to-date for 2013 per the court order. In addition, we are utilizing alternative sentencing programs such as Fire Camp and SECP (electronic monitoring).

Inmate bookings since AB 109 went into effect which are directly related to realignment are:

Parole Violations (3056 PC)

Total booked to date is 8,698 (5,705 booked for violation only; 2,993 had additional charges)

The number of 3056 PC only inmates currently in custody is 106.

Flash Incarcerations (3454 PC)

Total booked to date is 1,217. The number of these inmates currently in custody is 10.

Post Release Community Supervision (PRCS) Violations (3455 PC)

Total booked to date is 2,855 (1,351 booked for a violation only; 1,504 had additional charges).

The number of 3455 PC only inmates currently in custody is 31.

Inmates Sentenced under 1170(h) PC for Felony Sentence to be served in County Jail

The total number of inmates sentenced per 1170(h) PC is 4,957. The number of these inmates that remain in custody is 493, or approximately 13.0% of the total jail population. 245 of these inmates have been sentenced to 3 years or more, with the longest local sentence standing at 12 years, 8 months.

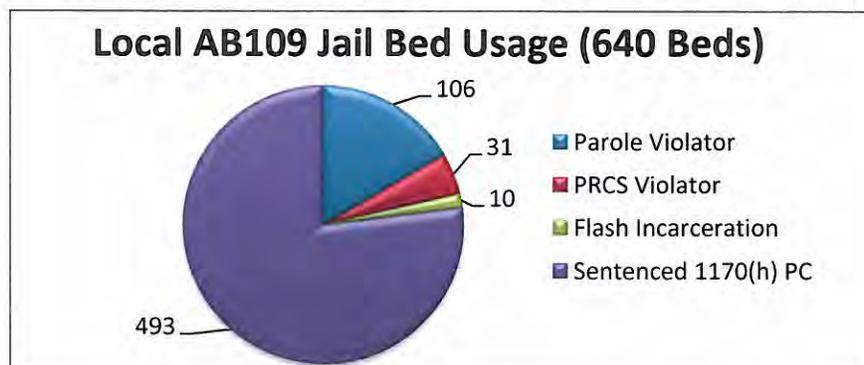
The total number of 1170(h) Fire Camp participants is 50.

Since January 2012, there have been 344 full-time SECP participants. There are currently 73 participants.

Summary

The total number of inmates to date booked directly or sentenced to jail due to realignment is 13,230.

The number of those currently in custody is 640, or approximately 16.9% of the total jail population.





RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

STANLEY SNIFF, SHERIFF / CORONER

TO: CCP Executive Committee

DATE: January 1, 2014

FROM: Sheriff Stanley Sniff

Point of Contact: Chief Deputy J. Gutierrez (951) 955-8792, jjgutier@riversidesheriff.org

RE: AB 109 Impact Update

Since State Prison Realignment under AB 109 went into effect, the jails in Riverside County have experienced a substantial increase in inmate population. As of this morning, our jail population stood at 3,777 inmates, or 97% of our maximum capacity (3,906 beds). In the first week of January 2012, our facilities hit maximum capacity, requiring us to initiate releases pursuant to a federal court order to relieve overcrowding. These types of releases have continued since that time. In 2013, 9,297 inmates were released per the court order, a 33% increase over the 6,990 released in 2012. In addition, we are utilizing alternative sentencing programs such as Fire Camp and SECP (electronic monitoring).

Inmate bookings since AB 109 went into effect which are directly related to realignment are:

Parole Violations (3056 PC)

Total booked to date is 8,873 (5,809 booked for violation only; 3,064 had additional charges)

The number of 3056 PC only inmates currently in custody is 105.

Flash Incarcerations (3454 PC)

Total booked to date is 1,271. The number of these inmates currently in custody is 5.

Post Release Community Supervision (PRCS) Violations (3455 PC)

Total booked to date is 3,002 (1,415 booked for a violation only; 1,587 had additional charges).

The number of 3455 PC only inmates currently in custody is 50.

Inmates Sentenced under 1170(h) PC for Felony Sentence to be served in County Jail

The total number of inmates sentenced per 1170(h) PC is 5,225. The number of these inmates that remain in custody is 564, or approximately 14.9% of the total jail population. 276 of these inmates have been sentenced to 3 years or more, with the longest local sentence standing at 12 years, 8 months.

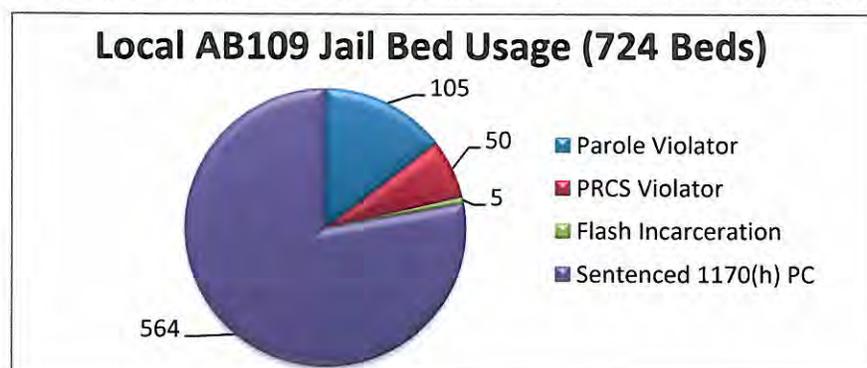
The total number of 1170(h) Fire Camp participants is 45.

Since January 2012, there have been 363 full-time SECP participants. There are currently 67 participants.

Summary

The total number of inmates to date booked directly or sentenced to jail due to realignment is 13,720.

The number of those currently in custody is 724, or approximately 19.2% of the total jail population.



**AB 109 Community Corrections Partnership Executive Committee
 FY 2013/14 Financial Report - Operating Funds
 7/1/13 - 12/31/13**

CCPEC Agency: District Attorney
 Dept Number (if applicable): 220
 Reporting Period (1, 2, 3, or 4): 2

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	1/1/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$1,101,800	\$550,900	\$433,974	\$532,000	\$965,974	\$135,826	\$0
2	Supplies & Services	122,444	61,222	42,663	42,393	85,056	37,388	0
3	Other Charges	0	0	0	0	0	0	0
4	Fixed Assets	0	0	0	0	0	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
Total Expenditures		\$1,224,244	\$612,122	\$476,637	\$574,393	\$1,051,030	\$173,214	\$0

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	1/1/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
755900	CA-AB118 Local Revenue	\$1,224,244	\$612,122	\$108,762	\$691,000	\$799,762	(\$424,482)	\$0
Total Dept. Revenue		\$1,224,244	\$612,122	\$108,762	\$691,000	\$799,762	(\$424,482)	\$0
NET COST		\$0	\$0	\$367,875	(\$116,607)	\$251,268	\$597,696	\$0

AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13

CCPEC Agency:
Dept Number (if applicable):
Reporting Period (1, 2, 3, or 4)

District Attorney
220
2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues.
(Please include in this section budget details such as number of filled/vacant positions, fixed asset expenditures, etc.)

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).

Reporting Period: 7/1/13 - 12/31/13

Prepared by: Eric Woolery

Date: 1/21/14

Approved by: Jeff Van Wagenen

Date: 1/21/14

**AB 109 Community Corrections Partnership Executive Committee
 FY 2013/14 Financial Report - Operating Funds
 7/1/13 - 12/31/13**

Agenda Item 5

CCPEC Agency: Public Defender
 Dept Number (if applicable): 2400100000
 Reporting Period (2, 3, or 4):

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$937,948	\$468,974	333,188	\$604,760	\$937,948	\$0	\$1,029,696
2	Supplies & Services	91,748	45,874	91,748	0	91,748	0	0
3	Other Charges	0	0	0	0	0	0	0
4	Fixed Assets	0	0	0	0	0	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
Total Expenditures		\$1,029,696	\$514,848	\$424,936	\$604,760	\$1,029,696	\$0	\$1,029,696

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
	Total Dept. Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NET COST		\$1,029,696	\$514,848	\$424,936	\$604,760	\$1,029,696	\$0	\$1,029,696

AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13

CCPEC Agency:
Dept Number (if applicable):
Reporting Period (2, 3, or 4)

Public Defender
2400100000
2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues.
All current AB109 positions are filled.

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).
In the FY12/13, the Law Offices of the Public Defender appeared on 1363 PRCS cases, which averaged to 113 cases per month. For the FY13/14, as of 12/31/13, the office appeared on 880 PRCS cases. Violations of Mandatory Community Supervision (1170(h) cases), in FY12/13 required the office to make 3743 court appearances. For FY13/14, as of 12/31/13, we have already made 2782 appearances. Also, since the state shifted the responsibility of handling parole violations to local entities, the Public Defender's office has appeared on 370 cases.

Reporting Period: 7/1/13 - 12/31/13

Prepared by: Amanda De Gasperin

Date: 1/17/14

Approved by: Chad Firetag

Date: 1/17/14

AB 109 Community Corrections Partnership Executive Committee
FY 13/14 Financial Report - Public Defender & District Attorney PCS Funds
7/1/13 - 12/31/13

CCPEC Agency:
 Dept Number (if applicable):
 Reporting Period (2, 3, or 4)

Public Defender
 2400100000

2

Agenda Item 5

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$586,669	\$293,335	\$426,058	\$160,611	\$586,669	\$0	\$586,669
2	Supplies & Services	0	0	0	0	0	0	0
3	Other Charges	0	0	0	0	0	0	0
4	Fixed Assets	0	0	0	0	0	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
Total Expenditures		\$586,669	\$293,335	\$426,058	\$160,611	\$586,669	\$0	\$586,669

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
	Total Dept. Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NET COST		\$586,669	\$293,335	\$426,058	\$160,611	\$586,669	\$0	\$586,669

CCPEC Agency:
Dept Number (if applicable):
Reporting Period (2, 3, or 4)

Public Defender
2400100000
2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues.
All current AB109 positions are filled.

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).
In the FY12/13, the Law Offices of the Public Defender appeared on 1363 PRCS cases, which averaged to 113 cases per month. For the FY13/14, as of 12/31/13, the office appeared on 880 PRCS cases. Violations of Mandatory Community Supervision (1170(h) cases), in FY12/13 required the office to make 3743 court appearances. For FY13/14, as of 12/31/13, we have already made 2782 appearances. Also, since the state shifted the responsibility of handling parole violations to local entities, the Public Defender's office has appeared on 370 cases.

Reporting Period: 7/1/13 - 12/31/13

Prepared by: Amanda De Gasperin

Date: 1/17/14

Approved by: Chad Firetag

Date: 1/17/14

**AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13**

CCPEC Agency:
Dept Number (if applicable):
Reporting Period (1, 2, 3, or 4)

MH Treatment
4100200000

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	1/1/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$2,935,452	\$1,467,726	\$886,271	\$886,271	\$1,772,542	\$1,162,910	\$3,112,157
2	Supplies & Services	1,443,623	721,812	658,023	658,023	1,316,046	127,577	1,507,211
3	Other Charges	5,701,740	2,850,870	2,240,493	2,240,493	4,480,986	1,220,754	7,187,956
4	Fixed Assets	0	0	0	0	0	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
Total Expenditures		\$10,080,815	\$5,040,408	\$3,784,787	\$3,784,787	\$7,569,574	\$2,511,241	\$11,807,324

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	1/1/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
		\$950,608	\$475,304	\$99,654	\$99,654	\$199,308	(\$751,300)	\$695,087
		0	0	0	0	0	0	0
		0	0	0	0	0	0	0
Total Dept. Revenue		\$950,608	\$475,304	\$99,654	\$99,654	\$199,308	(\$751,300)	\$695,087
NET COST		\$9,130,207	\$4,565,104	\$3,685,133	\$3,685,133	\$7,370,266	\$3,262,541	\$11,112,237

**AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13**

CCPEC Agency:
Dept Number (if applicable):
Reporting Period (1, 2, 3, or 4)

MH Treatment
4100200000
2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues.

This expenditure report includes actual costs incurred by Health and Human Services (HHS), including Department of Mental Health, Community Health Agency, Riverside County Regional Medical Center. HHS continues to work on refining the tracking mechanism to accurately report all costs related to AB 109. For these reasons, there is a possibility that not all qualifying costs have been reported for the first quarter claim. Efforts to create service access are ongoing and staff recruitment is ongoing. One of the current challenges is being able to determine overall needs of this new population in order to plan for services and determine impact on the county resources. As the current review process becomes more standardized, as staff are hired to provide services, and as mechanisms to identify AB 109 clients are finalized, we will be able to identify the impact on the county resources and sufficiency of funding. RCRMC projects to exceed their current funding of \$2.7 million by \$966,000. It would be helpful to receive a complete list of all AB 109 clients that have been sentenced after July 1st with identifying information (SSN, DOB). It would also be helpful to receive a list of all AB 109 clients that have been released by the State and returned to Riverside County whether they have been identified initially as needing mental health services or not, because some of the clients just shows up at existing service offices on their own without specific referral. It is also important to have Fiscal contacts meet regularly and be included in ongoing discussions regarding improvements to tracking of AB 109 clients.

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).
Please see attached report.

Reporting Period: _____ 7/1/13 - 12/31/13

Prepared by: _____ Approved by: _____

Date: _____ Date: _____

**AB 109 Community Corrections Partnership Executive Committee
 FY 2013/14 Financial Report - Operating Funds
 7/1/13 - 12/31/13**

CCPEC Agency:
 Dept Number (if applicable):
 Reporting Period (1, 2, 3, or 4):

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	1/1/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$1,439,365	\$719,683	\$399,459	\$399,459	\$798,918	\$640,447	\$2,106,617
2	Supplies & Services	504,088	252,044	61,808	61,808	123,616	380,472	737,770
3	Other Charges	0	0	0	0	0	0	0
4	Fixed Assets	0	0	0	0	0	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
Total Expenditures		\$1,943,453	\$971,727	\$461,267	\$461,267	\$922,534	\$1,020,919	\$2,844,387

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	1/1/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
	Total Dept. Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NET COST		\$1,943,453	\$971,727	\$461,267	\$461,267	\$922,534	\$1,020,919	\$2,844,387

**AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13**

CCPEC Agency: Detention
Dept Number (if applicable): 4100300000
Reporting Period (1, 2, 3, or 4): 2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues.
The expenditure report for this Org includes actual costs incurred by the Department of Mental Health - Detention. During the first period of implementation of AB 109, HHS has experienced problems accurately identifying AB 109 clients making it difficult to calculate costs incurred. HHS continues to work on refining the tracking mechanism to accurately report all costs related to AB 109. For these reasons, there is a possibility that not all qualifying costs have been reported for the first quarter claim. Efforts to create service access are ongoing and staff recruitment is ongoing. The Department of Mental Health - Detention's services has experienced increase in medication costs for AB109 clients for FY1314. One of the current challenges is being able to determine overall needs of this new population in order to plan for services and determine impact on the county resources. As the current review process becomes more standardized, as staff are hired to provide services, and as mechanisms to identify AB 109 clients are finalized, we will be able to identify the impact on the county resources and sufficiency of funding. It would be helpful to receive a complete list of all AB 109 clients that have been sentenced after July 1st with identifying information (SSN, DOB). It would also be helpful to receive a list of all AB 109 clients that have been released by the State and returned to Riverside County whether they have been identified initially as needing mental health services or not, because some of the clients just shows up at existing service offices on their own without specific referral. It is also important to have Fiscal contacts meet regularly and be included in ongoing discussions regarding improvements to tracking of AB 109 clients.

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).
Please see attached report.

Reporting Period: 7/1/13 - 12/31/13

Prepared by: _____ Approved by: _____

Date: _____ Date: _____

**AB 109 Community Corrections Partnerships Executive Committee
 FY 2013/14 Financial Report - Operating Funds
 7/1/13 - 12/31/13**

CCPEC Agency:
 Dept Number (if applicable):
 Reporting Period (1, 2, 3, or 4)

Substance Abuse
 4100500000
 2

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	1/1/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$1,273,779	\$636,890	\$232,800	\$232,800	\$465,600	\$808,179	\$1,438,259
2	Supplies & Services	456,389	228,195	44,539	44,539	89,078	367,311	515,322
3	Other Charges	466,364	233,182	122,128	122,128	244,256	222,108	526,585
4	Fixed Assets	0	0	0	0	0	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
Total Expenditures		\$2,196,532	\$1,098,266	\$399,467	\$399,467	\$788,934	\$1,397,598	\$2,480,166

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	1/1/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
	Total Dept. Revenue	\$0	\$0	\$3,746	\$3,746	\$7,492	\$7,492	\$0
	NET COST	\$2,196,532	\$1,098,266	\$395,721	\$395,721	\$791,442	\$1,390,106	\$2,480,166

**AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13**

CCPEC Agency:
Dept Number (if applicable):
Reporting Period (1, 2, 3, or 4)

Substance Abuse
4100500000
2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues.
The first period expenditure report for this Org includes actual costs incurred by Department of Mental Health - Substance Abuse services. Substance abuse clients were referred for healthcare, mental health, and substance abuse services. Efforts to create service access are ongoing and staff recruitment is ongoing. It would be helpful to receive a complete list of all AB 109 clients that have been sentenced after July 1st with identifying information (SSN, DOB). It would also be helpful to receive a list of all AB 109 clients that have been released by the State and returned to Riverside County whether they have been identified initially as needing mental health services or not, because some of the clients just shows up at existing service offices on their own without specific referral. It is also important to have Fiscal contacts meet regularly and be included in ongoing discussions regarding improvements to tracking of AB 109 clients. It would be helpful to receive a complete list of all AB 109 clients that have been sentenced after July 1st with identifying information (SSN, DOB). It would also be helpful to receive a list of all AB 109 clients that have been returned to Riverside County regardless of being referred or not to Mental Health department.

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).
Please see attached report.

Reporting Period: _____ 7/1/13 - 12/31/13

Prepared by: _____ Approved by: _____

Date: _____ Date: _____

AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
7/1/13 - 12/31/13

Agenda Item 4a

CCPEC Agency: PACT
 Dept Number (if applicable): 2600210000
 Reporting Period (2, 3, or 4):

EXPENDITURES

Level	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
1	Salaries & Benefits	\$1,300,000	\$650,000	\$286,543	\$1,013,457	\$1,300,000	\$0	\$0
2	Supplies & Services	100,000	50,000	51,913	48,087	100,000	0	0
3	Other Charges	0	0	0	0	0	0	0
4	Fixed Assets	0	0	0	0	0	0	0
7	Interfund Transfers	0	0	0	0	0	0	0
Total Expenditures		\$1,400,000	\$700,000	\$338,456	\$1,061,544	\$1,400,000	\$0	\$0

DEPARTMENTAL REVENUE

Code	Description	FY 13/14 Budget	50% Of Budget	7/1/13 - 12/31/13 Actuals	01/01/14-6/30/14 Estimates	FY 13/14 Year-end Estimates	Year-end Variance	Full-Year (On-Going) Estimates
755928	AB 109 Local Cor Corrections	\$1,400,000	\$700,000	\$338,456	\$1,061,544	\$1,400,000	\$0	\$0
Total Dept. Revenue		\$1,400,000	\$700,000	\$338,456	\$1,061,544	\$1,400,000	\$0	\$0
NET COST		\$0	\$0	\$0	\$0	\$0	\$0	\$0

AB 109 Community Corrections Partnership Executive Committee
FY 2013/14 Financial Report - Operating Funds
 7/1/13 - 12/31/13

CCPEC Agency: PACT
 Dept Number (if applicable): 2600210000
 Reporting Period (2, 3, or 4): 2

NARRATIVE

1. Description of current budget status, including any known or potential problem areas within the budget and options and/or recommendations for addressing these issues.

<i>PACT City Police Department:</i>	
City of Beaumont	48,416
Cathedral City	74,983
City of Corona	51,532
City of Desert Hot Springs	37,316
City of Hemet	55,356
City of Palm Springs	70,853
City of Riverside	0
TOTAL YTD Expenditures Q2 FY13/14	\$ 338,456

YTD Expenditure

2. Provide a summary of AB 109 activities performed during the reporting period (if desired, copies of the monthly CCPEC reports may be attached).

Reporting Period: 7/1/13 - 12/31/13
 Prepared by: Viola Becker, Principal Accountant
 Date: 1/21/14
 Approved by: Doug Moreno, CDPA
 Date: 1/21/14



ACHIEVING BETTER OUTCOMES THROUGH DATA-DRIVEN SYSTEM CHANGE

Overview of the Project and Model for System Change

California Forward (CA Fwd) is offering assistance to a select group of counties, for up to three years, to support their system change efforts to:

1. Build the culture and capacity for data-based decision-making and continuous evaluation and improvement;
2. Reduce over-reliance on incarceration by implementing alternatives shown to work; and
3. Improve public safety outcomes and reduce costs.

California Forward's ultimate goal is that counties will apply new tools, processes and decision-making models to other county responsibilities and create a culture where data-driven decision-making is applied to policy, budget and management decisions to improve the overall effectiveness of how public dollars are spent to achieve better outcomes.

CA Fwd is reaching out to forward-thinking counties whose leaders are committed to system change and are ready to get started or need assistance to integrate their efforts. Assistance will be tailored to individual counties based on their desired outcomes, the challenges they want to address, opportunities they identify, and their strengths and weaknesses. The data-driven process is guided by the model we refer to as the *Seven Elements of System Change* or 7 Es, which is described below. CA Fwd intends to use this model as a framework for guiding counties through the process of engaging stakeholders, developing or clarifying the vision and outcomes desired, exploring challenges and opportunities, examining system data, designing and testing solutions, and exploring innovations to improve the efficiency and effectiveness of the justice system and achieve better outcomes. The process will be county-driven and based on the specific county's goals, strengths and challenges. If a particular part of the process, such as vision and outcomes, has already been completed there will be no need to duplicate these activities.

Background

Counties have always had great latitude in organizing their local criminal justice systems. Over the last three decades, counties have relied on the state prison and the parole system to manage the significant numbers of felony drug and non-violent offenders. The 2011 Public Safety Realignment transferred responsibility for criminal justice sanctions, supervision, and interventions for these individuals to the counties. This provides a window of opportunity for smart innovative county leaders to make, or accelerate progress of, systemic changes to improve outcomes.

Over the past quarter century a significant body of empirical research has helped criminologists and justice practitioners understand the risk factors associated with crime and the approaches most apt to reduce recidivism for medium and high risk offenders. Advances have also been made in promoting sophisticated systemic reforms that reduce costly incarceration and maximize community-based alternatives. These alternatives are not only less expensive, but are better able to create positive change and break the cycle of recidivism that is commonly seen amongst criminal justice populations, particularly those reentering the community after a period of incarceration.

In California, as in much of the country, these practices are under-applied and government leaders have expressed a need to develop the tools and skills to implement data-driven reforms at the county level to address the challenges of Realignment implementation. Without an intentional and deliberate effort to maximize appropriate alternatives to incarceration, counties will be burdened with exorbitant expense, increased liability associated with poor conditions of confinement in jails, including inadequate health care services, and poor public safety outcomes.

“Without an intentional and deliberate effort to maximize appropriate alternatives to incarceration, counties will be burdened with exorbitant expense, increased liability associated with poor conditions of confinement in jails, including inadequate health care services, and poor public safety outcomes.”

Realignment presents an opportunity for counties to develop the culture and capacity needed to change their justice systems to improve public safety outcomes and reduce costs. This opportunity, combined with other emerging reforms, also can assist forward-thinking counties to make system changes across the continuum of public services to improve outcomes and address the antecedents of crime and other social issues.

For the past two years, California Forward has worked with criminal justice experts and local government leaders across the state to assist counties in making system changes to effectively implement Realignment and improve public safety outcomes. CA Fwd recognized that the convergence of Realignment and the Affordable Care Act created significant opportunities for counties to improve services to offenders, reduce recidivism and county costs, and better integrate public services. Over the past year California Forward, in collaboration with Community Oriented Correctional Health Services and Californians for Safety and Justice, has held nine convenings with 30 counties to assist them in developing strategies to take full advantage of the opportunities provided through Realignment and the Affordable Care Act.

These convenings reaffirmed that counties want to make data-based decisions and to take action on identified opportunities. Yet, given the enormous responsibilities placed on them, many counties need assistance and

“Counties want to make data-based decisions”

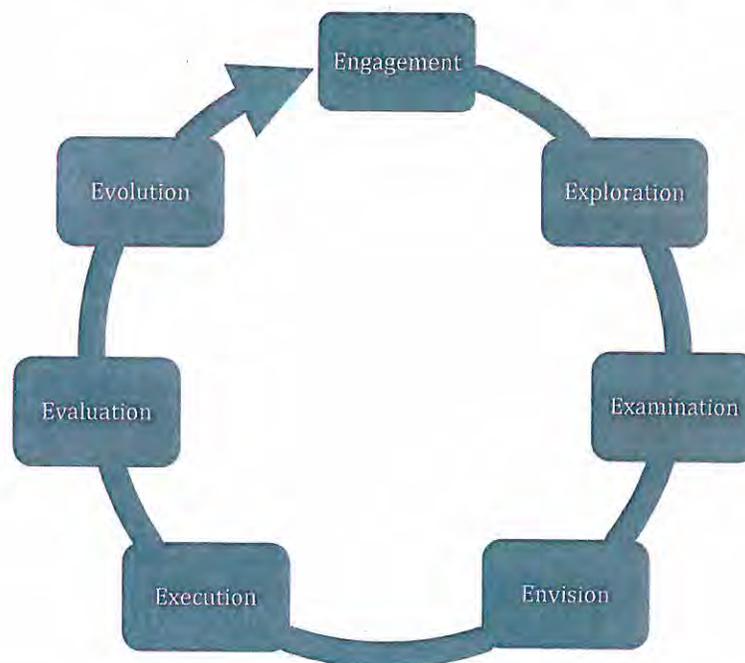
support to put these opportunities into action and to organize and use data more effectively.

This prompted CA Fwd to begin identifying a small group of counties to assist in building local capacity for sustainable continuous improvement efforts through data-driven decision-making models with an emphasis on cross-disciplinary collaboration. CA Fwd will provide individualized assistance to counties that are committed to sustainable collaborative data-driven practices and continuous improvement processes to inform and shape their justice system to achieve better outcomes. CA Fwd will use the model, the *Seven Elements of System Change* or “7 Es”, to assist counties.

The Seven Elements of System Change

The Seven Elements of System Change is the model CA Fwd will use to guide counties through the process of system change. This is a continuous and ever-evolving process. Each component is discussed in more detail below.

The Data Driven Process: The Seven Elements of System Change



Engagement

Engagement occurs at different stages, in different ways, with different people based on the objectives and focus of the particular improvement effort. Engagement begins during discussions between CA Fwd and a county about the project concept and model. Discussions with county leaders, justice and other professionals will help both CA Fwd and the county determine if there is a good fit between the county’s needs and what CA Fwd can offer through the project.

A leadership steering team, with the full support of the board of supervisors and county executive, will engage in developing a focused plan to create or clarify the values, vision and desired outcomes for criminal justice if this has not already been done by the county. The team will also provide guidance at key points in identifying issues, selecting priority areas and determining commitment level for future phases of work. Teams with various areas of focus may be formed to assist in various phases of the work. These teams can be assembled within a particular department or division or may have membership that crosses different areas of county governance, i.e., jail, health and human services and probation.

Exploration

CA Fwd's model is based on the premise that even the best-run county systems can improve processes and outcomes and reduce costs, just as businesses and other organizations must continually respond to new changes in their environment and inefficiencies that creep into key processes.

This requires that the county look at the entire system because each part of the system affects the others. A systemic perspective starts with a large portrait. Aggregate data is obtained that, for example, may look at trajectories through the criminal justice process and use of incarceration. This is the first step of a diagnostic process and that will later assist in determining what systemic or programmatic interventions could be applied to reduce unnecessary delays or inefficiencies and/or reduce failures that lead to incarceration. Interventions would involve the jails, probation departments, and other agencies that affect these trajectories. Through the data-driven process counties can effectively intervene to solve problems.

Counties also have to continuously monitor their system processes, data and outcomes and take the actions necessary to improve effectiveness and efficiency. As a beginning step, the model calls for an exploration phase where leaders and policy makers' hunches and expert opinions are gathered to identify key issues, establish priority areas and commitment levels for future phases of the work.

"When policy and practice choices are based on hunches or anecdotes, the results can be costly, ineffective and even harmful."

Policy makers and leaders often have "hunches" about the causes of problems. Sometimes these hunches are correct and at other times they may only be partially correct or altogether incorrect. When policy and practice choices are based on hunches or anecdotes, the results can be costly, ineffective and even harmful.

Hunches are best used as a starting point. Subject experts can often develop hypotheses to assist in identifying problem areas and potential causes. These hunches or hypotheses can be triangulated by additional qualitative and quantitative data to confirm and better understand problems, causal factors, and potential solutions.

Examination

Exploration is akin to an open process of identifying patterns, trends, and anomalies that point to areas needing system improvement, whereas examination is the process of

intentionally narrowing and deepening the focus to learn more about these patterns. Program and system improvements are premised on the understanding that at each stage of the justice process (pretrial, sentencing and community supervision) discretionary decisions are made and programs are implemented that greatly influence system outcomes. Some systemic practices are conducive to offender success while others may actually compound failures that may not even be linked to criminogenic risk. By disaggregating data at each system decision and process point, problems to be addressed and successes to be championed are illuminated. For example, a county may be concerned about probation failures that lead to jail sentences. A study of probation failures will help understand the scale of the problem and will ultimately lead to solutions that will promote probation success and reduce jail confinement. The solution may also involve other county services, such as behavioral health treatment systems.

“at each stage of the justice process discretionary decisions are made and programs are implemented that greatly influence system outcomes”

The examination phase is designed to accomplish three goals:

1. Provide a data portrait of system utilization in areas of inquiry, based on a snapshot or specific period of data. These baseline data can be drawn from reports on jail population, court processing, probation, or other areas relevant to the areas of inquiry;
2. Confirm hunches, perceptions, and hypotheses about the problem areas; and
3. Learn more about why these problems exist.

The examination process is most often a layered approach that starts with a broad focus on data in large aggregate form and then moves to drilling down on salient areas. This disaggregation process helps the team learn more about the particular factors that are contributing to the system issues. As data reveals trends or patterns, teams discuss the data, identify issues that are contributing to system problems, or generate new questions to be explored by drilling down on the data. It is important to resist making findings about the source of problems prematurely. While drilling down on the data can be a tedious, it is far more costly and wasteful to make bad policy decisions based on incomplete or inaccurate data.

The examination phase is where many systems feel they lack the internal systems to gather, analyze and interpret the data. CA Fwd anticipates that this will be a key area of initial support. However, the long term desired goal is to help counties build internal capacity and expertise to sustain the data-driven process when CA Fwd's assistance ends.

Envision

Following examination and analysis of the baseline data the team must make decisions about appropriate responses. The process of drilling down on the data will not only naturally illuminate what is happening, but what may be done to address problem areas. Typically, teams meet and review the data together to discuss potential solutions. Solutions are essentially hypotheses about how certain system changes or particular program interventions will address problem areas. These solutions can come in the form

of innovations that are homegrown by the local stakeholders, or they could be existing practices or evidence-based programs that have been tested in other jurisdictions that the stakeholders believe would address the problems. Emphasis should be placed on areas that will have the greatest impact. This frequently comes in the form of practice changes in system flow or operation. Implementing programs to change offender behavior are important and potentially impactful, but they are often costly. System changes often require little or no cost and can produce dramatic results. The envisioning should conclude with decisions about the course of action that will be taken to address problems and tested to assure it indeed solves the problem.

“System changes often require little or no cost and can produce dramatic results.”

This envisioning phase is more than just determining a systemic or programmatic solution. It includes developing a plan that:

1. Has consensus, agreement so the solution will be implemented;
2. Establishes the policy decisions and protocols that will be necessary to successfully implement the program;
3. Identifies funds and resources that will be obtained through outside funding streams, reallocation, cost avoidance or other means; and
4. Identifies staffing, training and material needs.

See Appendix 1, Systemic Interventions.

Execution

Execution is simply the process of implementing policy or practice changes that are identified through the exploration and envisioning phases. It is important that special attention is paid to implementation. A good program or idea will fail if not properly implemented. If implementation is not closely monitored, an inaccurate assumption can be made that the practice or program solution was the wrong one, when in fact, if implemented properly, it may have been the right solution. Often premature assessments are made that programs and solutions are a failure. Resistance to change is a normal part of the process when implementing new ways of working that run counter to prevailing culture and practice, yet with steadfast leadership and management solutions can be given a proper trial to determine their effectiveness.

Evaluation

The data portraits that are developed before the execution process provide a baseline from which system change can be measured. It is very powerful and motivating to see the results and the change that is produced through the system improvement effort.

Ongoing evaluation will provide the dashboard or report card that shows whether or not the executed solutions were impactful. If they are not impactful, new hypotheses can be formed as to what will solve problems and new approaches can be applied and tested. If the solutions were impactful, as is often the case, evaluation will show positive results and opportunities to continuously improve and refine system practices and solutions.

Evolution

The 7 Es model is based on the same principles and processes that have been shown to work, over time, in creating system change. The model outlines the sequential steps of the process with continuous improvement as the crucial link among all the steps. Embedding continuous improvement processes into a system allows for a system to continue to adjust and evolve based on evaluation findings (see diagram below).

The data-driven process is iterative and represents a continuous improvement cycle as shown on the diagram below. Although the process is sequenced, several steps can and will be repeated. For example, engagement is an ongoing participation process that continues throughout each phase of the work and evaluation is a continued examination process after execution and implementation.

“The data-driven process is iterative and represents a continuous improvement cycle.”

Using the 7 Es system change model, CA Fwd will assist counties in identifying the problems in their system and choosing the least expensive solution that can have the greatest impact. This will allow counties to demonstrate impact more quickly. Counties will not only be left with improved capacity to continue data-driven approaches into the future, but new innovations will emerge that can be exported to other jurisdictions grappling with similar problems.

CA Fwd’s Team

CA Fwd will provide a team of technical assistants who, based on county need, will be available to assist counties in the system improvement effort. At a minimum, it is expected that the following PCE technical assistants will include:

1. Facilitator and scribe
2. Justice system consultant
3. Data analyst

See Appendix 2 for CA Fwd’s Team.

This team’s primary objective is to assist county leaders and staff in building capacity for data-driven practices that are sustained after the assistance ends. CA Fwd will assist counties in launching and supporting the system improvement effort but the locus of control and influence remains with the county. This process is a non-prescriptive process; the role of the PCE staff and consultants is to help illuminate issues, provide tools, processes and coaching and assist county leaders and staff in their decision-making. As PCE helps the county identify focused areas of work, it is anticipated that additional subject experts may be helpful. PCE will provide limited resources as needed in the form of subject experts. Subject experts may include consultants specializing in pretrial services, substance use and mental health programs, and the use of Medi-Cal in paying for services to individuals involved in the justice system.

While the ultimate goal is to promote effective governance through cross system collaboration, PCE is non-prescriptive about where this work will begin based on the belief that work in one specific department will lead to cross system engagement and solution building.

Timelines and Intensity

The intensity of assistance will be based primarily on need, but it is anticipated that the work would occur over three years. During the first year, CA Fwd's team will work on-site with counties based on the individual needs of each county. Additionally, offsite assistance such as analysis and document review will be offered via email and conference calls. Site visits will likely occur over one to two days and can include a combination of work with the full collaborative and/or smaller work groups that are assembled to address specified areas of work. In year two and three, a less intensive level of assistance is expected with the intent that the county will sustain their efforts.

Selection Process

CA Fwd has approached counties that have shown some interest in building or improving data-driven capacity and appear to have the leadership and level of commitment necessary to be successful in improving their outcomes. It is also important that CA Fwd's support can assist the county in system improvement efforts or enhance and complement those already underway. Initial phone calls were held with chief executive's office and key county leaders to provide a brief overview of the project and determine if there was initial interest in exploring a partnership. If initial interest was expressed CA Fwd has/will:

1. Meet with the chief executive's office and county leaders on-site to discuss the model in detail, assess the needs and the existing strengths within the county in data-driven practices, identify potential areas for assistance and determine mutual interest in proceeding with the project and next steps.
2. Work with the county to outline the scope of assistance to be provided and send a letter to the chief executive outlining the agreed upon scope of assistance.
3. Request that the chief executive respond to the letter identifying the commitment of the chief executive, board of supervisors and other leaders to full participation in the project and the scope of assistance agreed upon.

The final selection of counties will be based on the extent to which counties have:

1. Identified a need and desire for assistance from CA Fwd;
2. Expressed a commitment to data-driven practices and achieving better outcomes;
3. Determined some specific areas for systemic improvement and innovations; and
4. Agreement and support from the chief executive, board of supervisors and key county leaders to move forward with the project.

APPENDIX 1 - SYSTEMIC INTERVENTIONS:

Enhanced Services to Reduce Recidivism and Reliance on Incarceration

	PRETRIAL	SENTENCE	POST SENTENCE/ PROBATION SUPERVISION	SYSTEM SEAMLESSNESS & CAPACITY BUILDING
PROCEDURES & POLICIES	<ul style="list-style-type: none"> ➤ Structured decision-making Pretrial releases ➤ Discretionary releases authority 	<ul style="list-style-type: none"> ➤ Risk Assessment incorporated in sentencing recommendations ➤ Negotiations with court to develop targeted probation plans at Probation Discretion ➤ Revision of policies including, length of probation and other ➤ Use of split sentences 	<ul style="list-style-type: none"> ➤ Reassessment of risk ➤ Reentry Planning ➤ Incentivized probation with policies for early termination ➤ Authorization of Administrative Responses at Probation Discretion ➤ Policies to ensure assertive case management strategies and reasonable efforts are exhausted before use of incarceration ➤ Development of policies to incentivize and manage probation caseloads through early terminations and reduced probation grant periods 	<ul style="list-style-type: none"> ➤ Contracts with service providers that require EBP and quality assurance mechanisms, for desired system outcomes ➤ Proactive information sharing with system stakeholders
PRACTICES & TOOLS	<ul style="list-style-type: none"> ➤ Risk assessment for pretrial release ➤ Straight releases ➤ Pre-arraignment release ➤ Administrative responses for rule violations ➤ Alternatives to incarceration through increased intensity of supervision 	<ul style="list-style-type: none"> ➤ EBP Risk Assessment ➤ Continuum of Alternatives to jail and prison menu ➤ Screening committee / admin review for prison recommendations 	<ul style="list-style-type: none"> ➤ Administrative Response grid including punishers and incentives ➤ Reentry Assessments and planning tools prior to release ➤ Probation Violation Review through screening committee or centralized processes ➤ Performance-based probation Length – incentives to reduce length of probation ➤ Strength based and motivational interviewing ➤ Cognitive behavioral techniques 	<ul style="list-style-type: none"> ➤ Data-driven methods to diagnose system needs and identify areas for process improvements ➤ Gap analysis of assessment results and services available ➤ Joint training and quality assurance efforts

<p>SYSTEM SEAMLESSNESS AND CAPACITY AND BUILDING</p>	<p>Coordinating Councils of system stakeholders to review and improve service delivery</p>	<p>POST SENTENCE/ PROBATION SUPERVISION</p>	<p>Evidence Based Programs which are aligned as probation violation alternatives Warrant Reduction Program to increase probation connectedness</p>	<p>Tracking of referral and program data Link assessment and case planning data to programs and outcome Quality assurance of system integrity System level dashboards</p>
<p>SENTENCE</p>	<p>How to succeed on probation curriculum EBP alternatives to incarceration community based program alternatives</p>	<p>SENTENCE</p>	<p>How to succeed on probation curriculum EBP alternatives to incarceration community based program alternatives</p>	<p>Tracking of probation success Data on Probation violations and responses by type</p>
<p>PRETRIAL</p>	<p>Supervised Release Intensive supervised release with electronic monitoring</p>	<p>SENTENCE</p>	<p>How to succeed on probation curriculum EBP alternatives to incarceration community based program alternatives</p>	<p>Data tracking of probation success outcomes Program dosage and monitoring of success Quality Assurance monitoring for "net-widening"</p>
<p>PROGRAMS</p>	<p>Supervised Release Intensive supervised release with electronic monitoring</p>	<p>SENTENCE</p>	<p>How to succeed on probation curriculum EBP alternatives to incarceration community based program alternatives</p>	<p>Tracking of FTA's and Re-offenses by type Tracking of rule violations (separated from public safety measures above) Tracking of jail days saved</p>
<p>PERFORMANCE OUTCOMES & DATA MEASURES</p>	<p>Tracking of FTA's and Re-offenses by type Tracking of rule violations (separated from public safety measures above) Tracking of jail days saved</p>	<p>SENTENCE</p>	<p>How to succeed on probation curriculum EBP alternatives to incarceration community based program alternatives</p>	<p>Data tracking of probation success outcomes Program dosage and monitoring of success Quality Assurance monitoring for "net-widening"</p>

APPENDIX 2

California Forward's Team

Sharon Aungst, Director, Partnership for Community Excellence, CA Fwd Project Manager and Facilitator for Project

Sharon Aungst has over thirty years of leadership and management experience in health and public/private community mental health and forensic/correctional mental health for adults and children. Areas of expertise include turnaround management, leading executive/legislative initiatives, negotiating and implementing federal consent decrees and court orders, managing complex multi-constituent statewide initiatives, managing non-profit organizations, policy and program development, strategic planning, coaching and facilitating resolution of contentious issues.

She was previously the Chief Deputy Secretary and Director of Correctional Health Care for the California Department of Corrections and Rehabilitation and served as the Deputy Director of Mental Health Services for the Ohio Department of Rehabilitation and Correction. She negotiated and implemented the consent decree *Dunn v. Voinovich*, a federal class action lawsuit related to inadequate mental health services in Ohio's prisons and met all major requirements of the consent decree within three years. All requirements of the consent decree were met within five years.

At the Ohio Department of Mental Health she served as Assistant Deputy Director working with county mental health boards, overseeing several Centers of Excellence and managing several offices and division operations. She held other positions including Chief of Children's Services and Prevention and Chief of Forensic Services.

At the New York State Psychiatric Institute at Columbia University Ms. Aungst served as Associate Director, tasked with launching the Evidence-Based Practices Technical Assistance Center to promote the widespread use of mental health evidence-based practices throughout New York State. She also served as CEO of a children's agency providing residential, foster care, and behavioral health services to youth involved in the juvenile justice and/or child welfare system. As Director of Children's Services and Account Manager for Comprehensive NeuroScience, Inc. she worked with several state Medicaid agencies to improve psychotropic prescribing practices of Medicaid providers.

She holds a Master of Science in Management of Rehabilitation Services from DePaul University and a Bachelor of Arts in Political Science from Earlham College.

Scott MacDonald, Consultant, Partnership for Community Excellence, CA Fwd Justice System Expert for the Project

Scott MacDonald has thirty years of experience in county probation as Probation Chief in Santa Cruz County and as a Probation Officer, working in both the juvenile and adult probation systems. Scott Holds a Master of Science Degree in Administration of Justice from San Jose State University and a Bachelor of Arts Degree in Psychology from the University of California Santa Cruz.

As an Associate Consultant of the Vera Institute of Justice, Mr. MacDonald has worked with a cross section of government, education, social service and justice officials in New York City and multiple counties throughout New York State to implement juvenile justice reform. He is one of twelve justice practitioners who were invited to participate in the

Juvenile Justice Leadership Network at Georgetown University to advance reform and improve juvenile justice systems. His research on effective probation practice in the courtroom is published in Federal Probation and he contributed to three chapters of a book on Juvenile Reentry, which was published in January 2004 by the Federal Office of Juvenile Justice Delinquency Prevention.

Mr. MacDonald was instrumental in reforming the juvenile justice system in Santa Cruz County, which is a recognized national model in reducing unnecessary detention, racial disparities and building effective community-based partnerships to address public safety, reduce recidivism and improve youth outcomes. This reform resulted in nearly a sixty percent reduction in juvenile incarceration, greater use of evidence-based and restorative community programs for youth, and improved public safety outcomes. As a model site for the Juvenile Detention Alternatives Initiative, he and his staff hosted practitioners from over 90 county and state jurisdictions from across the country to learn about juvenile justice reform.

Mr. MacDonald took the lead in replicating many of these strategies in the adult criminal justice system with similar results. This included the implementation of an effective Pretrial Services program and an innovative program that reduced probation warrants while increasing probation success. This innovation has been recognized by the Pew Foundation and the California State Association of Counties as a model program. Mr. MacDonald developed the concept of "systemic interventions," created in partnership with the Crime and Justice Institute, which focuses on system changes that foster probation success. He has co-authored two publications with the Center for Juvenile and Criminal Justice on successful systemic interventions to address the unnecessary and expensive use of jail for low risk populations. He recently served on the Board of State and Community Corrections' Executive Steering Committee to oversee jail construction projects under Senate Bill 1022, which promoted facilities that emphasize jail programs and reentry practices.

He has lectured nationally in the areas of restorative justice, and juvenile and criminal justice reform. He lectured at the University of California Santa Cruz in the area of juvenile justice reform and has provided 200 internship positions within the Santa Cruz County Probation Department and community based organizations. He has also taught criminal justice courses at San Jose State University and at Cabrillo College.

Data Analyst

Not yet identified.

Mai Vang, Policy Associate, Partnership for Community Excellence, CA Fwd Project Support

Mai Yang Vang, as a Policy Associate for CA Fwd's Partnership for Community Excellence, has assisted in conducting nine convenings with 30 counties to help counties leverage Public Safety Realignment and the Affordable Care Act to increase services provided to justice-involved individuals and reduce recidivism and county costs. She also works with others in CA Fwd to advance efforts to bring transparency and accountability to the people of California. She is passionate about improving outcomes in marginalized communities, which includes those involved with the criminal justice system.

Ms. Vang has previously worked as a Research and Policy Graduate Assistant at Marin Institute, Health Fellow at the Asian Pacific Islander Health Forum, and as Voter Registration and Education Coordinator for the Asian Pacific American Labor Alliance in Los Angeles. She also served as a Barbara Jordan Health Policy Fellow for Congresswoman Eleanor Holmes Norton. Ms. Vang holds dual Master's degrees in Public Health and Asian American Studies from the University of California, Los Angeles.

CA Fwd may contract with experts for specific focused assistance as needed by the project.

CAFWD:

**PARTNERSHIP
FOR COMMUNITY
EXCELLENCE**

SUPPORTING COUNTIES IN IMPLEMENTING THE 2011 PUBLIC SAFETY REALIGNMENT

**Achieving Better Justice System Outcomes
Through Data-Driven Practices
and Decision-Making**

**Riverside County
February 20, 2014**

Overview

Introductions

CA Fwd

Improving governance in California

Partnership for Community Excellence

Three tiered plan

CAFWD:

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Overview

Background

Overview of the System Change Project
& Model

Seven Elements of System Change

Identify decision-makers, resources, and
data capacity

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Overview

Is the project a good fit for Riverside Co.
and CA Fwd?

Next steps

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Introductions

Sharon Aungst, Director
Partnership for Community Excellence
Project Manager & Facilitator for Project

Scott MacDonald, Consultant
Justice System Expert for Project

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Introductions

Riverside Team

Position, department, role

Key initiatives working on

Key issues & concerns about system

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CA Fwd

Smart Government Framework is a strategic action plan for improving California's governance system

Implementing the framework in a variety of ways

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Improving Governance

Working with innovative local governments to improving results and accountability

The system change project is one way of achieving CA Fwd goals

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CA Fwd's Projects

Partnership for Economic Prosperity:
Economic Summit/Infrastructure

Partnership for Public Accountability:
Transparency, Accountability &
Legislative Incentives / Initiative
Reform



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CA Fwd's Projects

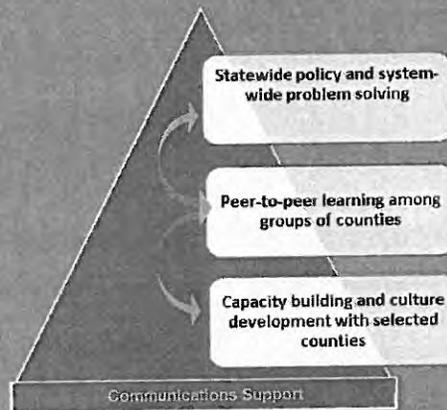
Partnership for Community
Excellence

Assists counties in implementing
the 2011 Public Safety
Realignment



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SUPPORTING COUNTIES IN IMPLEMENTING THE 2011 PUBLIC SAFETY REALIGNMENT

Partnership for Community Excellence – Three Tiered Plan



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Need for Data-Driven Practices to Promote Effective Governance

Counties recognizing the power & importance of using data to clearly understand:

- Local system processes & outcomes
- Areas needing improvement
- Potential impact & value of systemic interventions
- Importance of reporting results

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Need for Cross-Discipline Efforts

Individuals and communities are impacted by all county services.

Possibilities for strengthening public services grows exponentially when combining the resources and expertise of public systems.



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Need for Cross-Discipline Efforts

Ca Fwd wants to support counties in:

Breaking down silos

Promoting cross system efforts

Goal is to enhance, expedite and expand good governance.



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Public Safety Realignment A Critical Starting Point

Prisons dangerously overcrowded & fiscally unsustainable.

Five fold prison increase prior to AB109

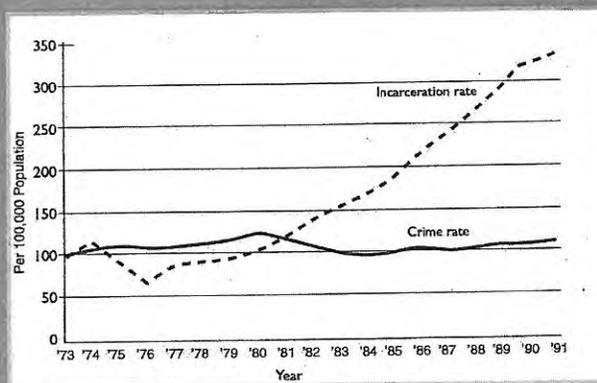
Not explained by crime as crime rates relatively flat over same period

Drug & drug related offenses accounted for the majority of growth & are now majority categories of AB109 offenses



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Before Realignment Prisons Had Quintupled Over 30 Years



Source: "Urban America: Policy Choices for Los Angeles and the Nation" J. Steinberg, D. Lyon and M. Valana



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Before Realignment

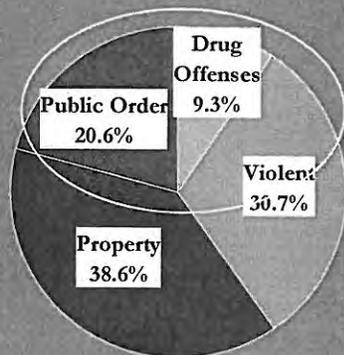
Jail growth outpaced prison growth 21 percent to 11 percent from 2001-2006.

16,000 prisoners are kicked out of jail each month due to crowded facilities.

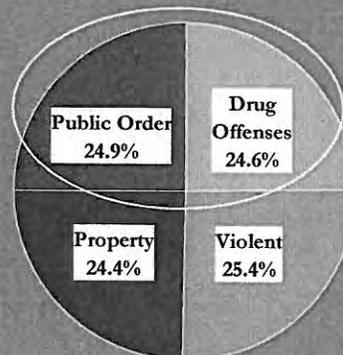
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More Low Severity & High Needs Offenders in Jail...

30% Lower level /Drug Offenses in 1983



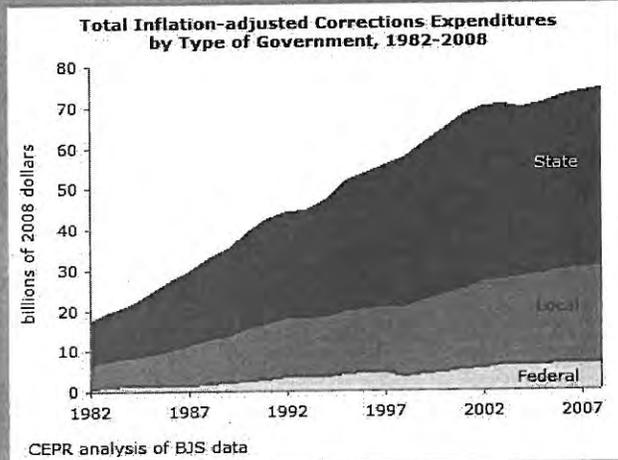
50% Lower level /Drug Offenses in 2002



Source: Justice Policy Institute; *Jailing Communities* 2008

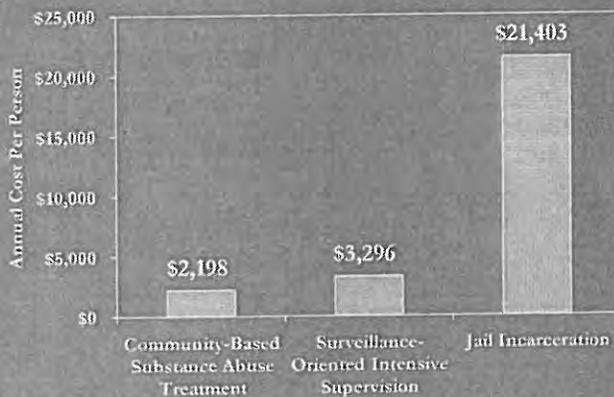
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State and Correctional Spending Has Quadrupled



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Counties Can Save Thousands on Each Offender with Community-based Alternatives



Source: Justice Policy Institute *Jailing Communities*, April 2008

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Challenges Are Clear

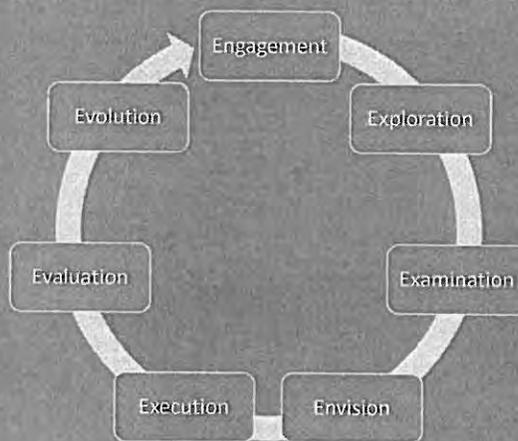
Must take different approach with non violent, non sex & non serious offenders or counties may replicate the failures of the State

Jails are & will continue to experience additional impact with added responsibility to house N3 offenders

Particular attention should be paid to drug offender population

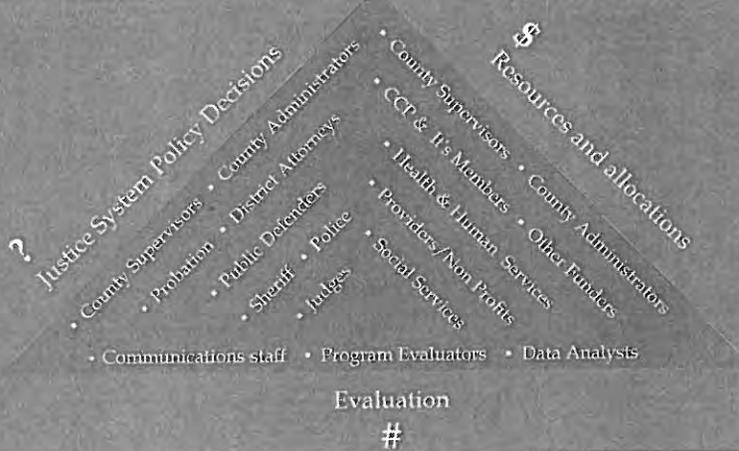
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The Data Driven Process: The Seven Elements of System Change



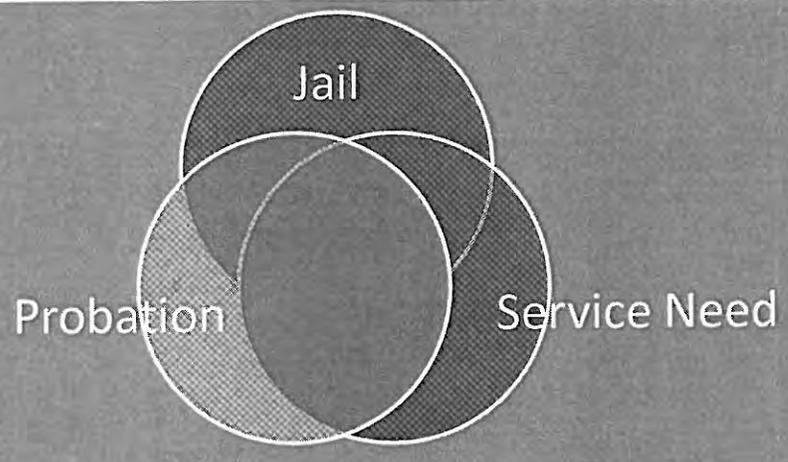
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Engagement: Determining Right Mix of Partners



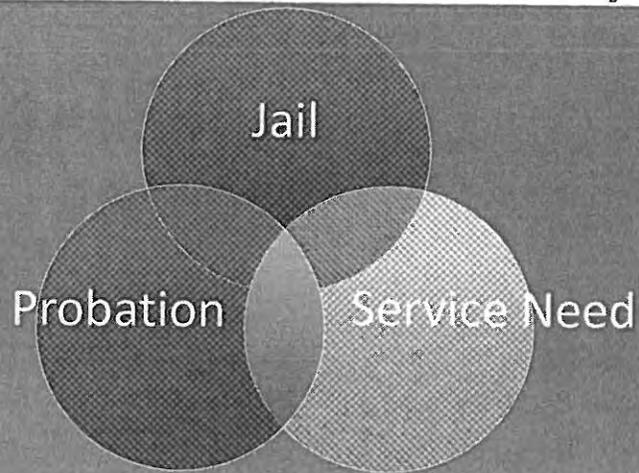
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Measuring Overlapping Spheres of Influence...



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...To Identify Opportunities For Cost Effective Public Safety



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Data-Driven Improvement Process

An Example from the Field

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Data-Driven Improvement Process

Exploration

What's probation's impact on the jail?

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Most Probationers Spend Time In Jail

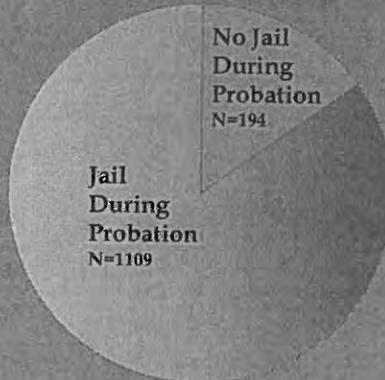
Formal Probationers and Jail



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Virtually All Probationers Have Some Experience With Jail

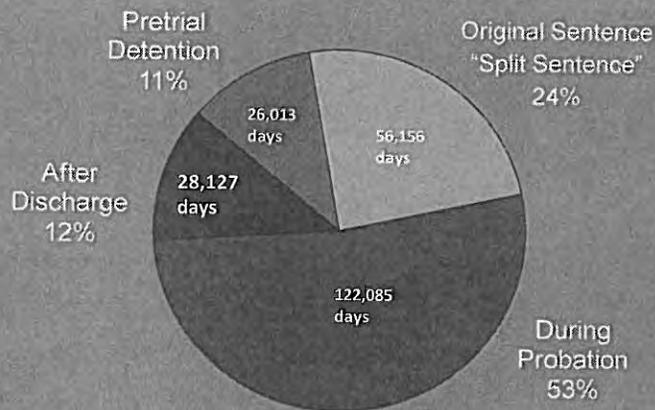
Formal Probationers & Jail



Source: Records of 1303 offenders leaving probation in 2004

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Probationers Spend Many Days In Jail Before, During & After Probation....



Total Number of Jail Days:
232,741

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Data-Driven Improvement Process

Examination

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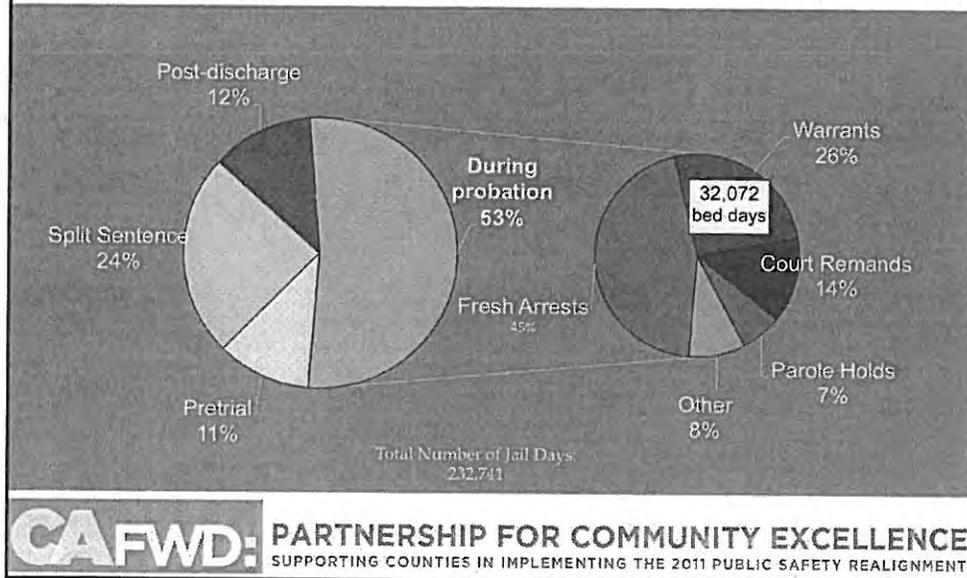
Most Probationers Who Return To Jail Break Rules, Not Laws



Total Number of Jail Days: 232,741

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Warrants Represent a Significant Number of Probation Returns...



Identifying Fertile Ground for Intervention...

For failure to respond, probation violators did an average of 40 days in jail upon return

Probation warrants for failure to abscond were identified as fertile ground to target

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Data-Driven Improvement Process

Envisioning

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From Examination to Envisioning a Solution...

Large probation caseloads, failure to engage before reentry, lack of clear understanding of expectations all contributed

Hypothesis: more information and an assertive process of engaging probationers could avert warrants

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Program Solution...

Small contract with non-profit, Friends Outside, used to:

Locate low-risk probation absconders

Reconnect offender with probation officer

Admonishment or non-jail sanction was established

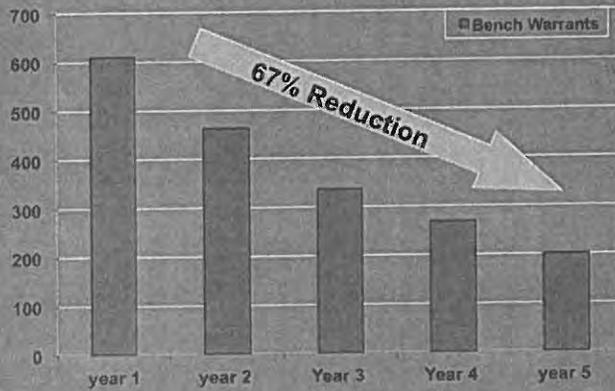
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Data-Driven Improvement Process

Evaluation

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Sixty Seven Percent Drop in Warrants

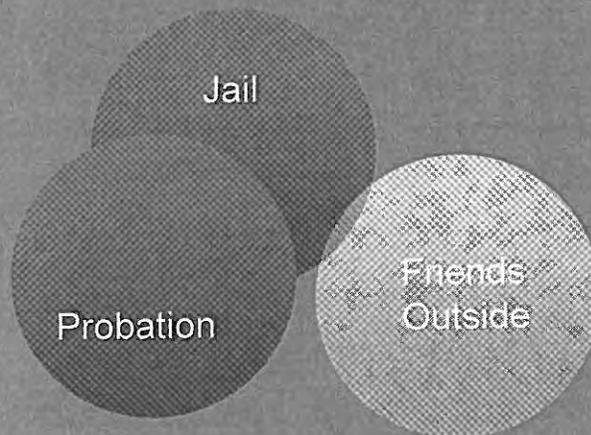


Mid-sized county: Annually - 16,040 bed days saved & \$1.35M saved with \$45k investment

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Before The Warrant Reduction Strategy...

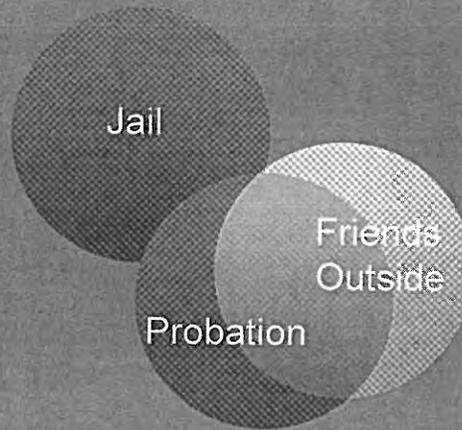
Probation warrants significantly impacted the Jail



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After The Warrant Reduction Strategy...

...a tighter coupling between F.O. and probation reduced jail reliance & increased success on probation.



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Data-Driven Improvement Process

Evolution



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Opportunities

	PRETRIAL	SENTENCE	POST SENTENCE/ PROBATION/ SUPERVISION	System Seamlessness and Capacity Building
POLICIES & PROCEDURES	<ul style="list-style-type: none"> Structured decision-making Pretrial releases Discretionary releases authority 	<ul style="list-style-type: none"> Risk Assessment incorporated in sentencing recommendations Negotiations with court to develop targeted probation plans at Probation Discretion Revision of policies including length of probation and other 	<ul style="list-style-type: none"> Reassessment of risk incentivized probation with policies for early termination Authorization of Administrative Responses at Probation Discretion Policies to ensure assertive case management strategies and reasonable efforts are exhausted before use of incarceration Development of policies to incentivize and manage probation caseloads through early terminations and reduced probation grant periods 	<ul style="list-style-type: none"> Contracts with service providers that require EBP and quality assurance mechanisms for desired system outcomes Proactive information sharing with system stakeholders
PRACTICES & TOOLS	<ul style="list-style-type: none"> Risk assessment for pretrial release Straight releases Pre-arrestment release Administrative responses for rule violations Alternatives to incarceration through increased intensity of supervision 	<ul style="list-style-type: none"> EBP Risk Assessment Continuum of Alternatives to jail and prison menus Screening committee / admin review for prison recommendations 	<ul style="list-style-type: none"> Administrative Response grid including penalties and incentives Probation Violation Review through screening committee or centralized processes Performance-based probation Length - incentives to reduce length of probation Strength based and motivational interviewing Cognitive behavioral techniques 	<ul style="list-style-type: none"> Data-driven methods to diagnose system needs and identify areas for process improvements Gap analysis of assessment results and services available Joint training and quality assurance efforts CPAI and/or CPCs for service providers

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Key Issues

What are the key issues for Riverside County related to criminal justice?

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Potential Areas of Focus

What hunches might you have about potential areas to explore for process improvements?

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Identify decision-makers, resources, and data capacity

Who are the decision-makers?

Are the right resources available?

Is there sufficient data capacity?

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Fit of Project for Riverside County

Is the project a good fit for Riverside County and CA Fwd?

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Next Steps

Follow-up conference call to:

Answer questions

Confirm if good "fit" or not

Begin to work through specifics

Others?

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Contact Us

Sharon Aungst, Director
Partnership for Community Excellence

A Project of California Forward

Sharon@cafwd.org

916-529-0912

www.cafwd.org/pce

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DATE: April 1, 2014

Memorandum

From: Christopher Hans, Interim Chief Finance Officer

To: Community Corrections Partnership Board

Members of the CCP Board,

Please receive and file my report on county hospital operations and plans that impact matters under your review and authority. Attachments include a report on FY 2013 detention health costs, an update on plans to expand Medi-Cal coverage of inmates, a copy of an email from the hospital CEO citing some of his detention health concerns, and a March 31 status report from Bill Wilson on Detention Health Services.

Jail inpatient and outpatient health services are critical. They are also costly, at \$1900 per day and over \$12 million per year for inpatient alone. Therefore hospital staff, in cooperation with Sheriff and Mental Health, is exploring a number of options. These include reducing patient stay possibly by identifying a suitable alternative care setting, and also increasing Medi-Cal coverage.

Hospital Revenue Cycle staff has nearly completed its initiative to increase Medi-Cal coverage of inmates. Initial figures call for ongoing new revenue of \$2-2.5 million per year. These are initial figures and should not be considered final. Any new revenue reduces the existing funding gap. The total funding gap is approximately 12 - 2.5 (general fund) - 2.5 (CCP support) = \$7 million per year. The funding gap for CCP inpatient care is approximately 4 - 2.5 (CCP support) = \$1.5 million. All these figures are approximate and preliminary. Once full revenue costs are known, a complete report will be provided to this board.

Inmate care impacts the rest of the hospital because of the cost and because of overflow to other wards outside of the detention ward. It will be beneficial to move patients whose acute health problems are controlled (these are typically psychiatric patients) to a lesser care location. No suitable alternatives have been identified.

Alternatively, the detention unit at RCRMC could be expanded in conjunction with the complete construction of the teaching and office building now under construction.

Finally attached is a detailed report from Bill Wilson updating the board on matter affecting Detention Health.

Christopher M. Hans
Riverside County Regional Medical Center
Interim CFO
chans@rceo.org
951.486.4453

DETENTION JAIL PATIENTS AT RCRMC
 CALCULATION OF COST - COUNTY PRISONERS
 FY 2012-13

Cost Report Line #	COST CENTER	INPATIENT DAYS	INPATIENT CHARGES	OUTPATIENT CHARGES	TOTAL CHARGES	COST PER DAY/RCC *	INPATIENT COSTS	OUTPATIENT COSTS	TOTAL COSTS
30	ADULTS & PEDIATRICS	6,319	16,715,440	-	16,715,440	1,172.84	7,411,176	-	7,411,176
31	INTENSIVE CARE UNIT	119	673,952	-	673,952	1878.41	223,531	-	223,531
35	PEDIATRIC INTENSIVE CARE UNIT	5	28,340	-	28,340	3380.83	16,904	-	16,904
50	OPERATING ROOM		1,837,446	-	1,837,446	0.191219	351,355	-	351,355
52	DELIVERY ROOM & LABOR ROOM		54,057	-	54,057	0.748811	40,478	-	40,478
54	RADIOLOGY - DIAGNOSTIC		498,778	-	498,778	0.208051	103,771	-	103,771
56	RADIOISOTOPE		21,738	-	21,738	0.415753	9,038	-	9,038
57	CAT SCAN		1,491,185	-	1,491,185	0.025078	37,396	-	37,396
58	MRI		153,352	-	153,352	0.055875	8,569	-	8,569
60	LABORATORY		3,300,074	-	3,300,074	0.083851	276,714	-	276,714
60.01	LABORATORY - PATHOLOGICAL		96,660	-	96,660	0.124056	11,991	-	11,991
62	WHOLE BLOOD & PACKED RED BLOOD CELLS		27,348	-	27,348	1.353935	37,027	-	37,027
65	RESPIRATORY THERAPY		1,406,916	-	1,406,916	0.113743	160,027	-	160,027
66	PHYSICAL THERAPY		114,249	-	114,249	0.476775	54,471	-	54,471
67	OCCUPATIONAL THERAPY		51,170	-	51,170	0.548224	28,053	-	28,053
68	SPEECH PATHOLOGY		12,230	-	12,230	0.238489	2,917	-	2,917
69	ELECTROCARDIOLOGY		216,060	-	216,060	0.127137	27,469	-	27,469
70	ELECTROENCEPHALOGRAPHY		17,813	-	17,813	0.230961	4,114	-	4,114
71	MEDICAL SUPPLIES CHARGED TO PATIENTS		1,132,065	-	1,132,065	0.181093	205,009	-	205,009
72	IMP DEV. CHARGED TO PATIENTS		-	-	-	0.637104	-	-	-
73	DRUGS CHARGED TO PATIENTS		8,884,448	-	8,884,448	0.265398	2,357,915	-	2,357,915
74	RENAL DIALYSIS		4,912	-	4,912	1.3074	6,422	-	6,422
76	OTHER ANCILLARY SERVICES		601,523	-	601,523	0.65393	393,354	-	393,354
90	CLINIC		1,488	-	1,488	0.857115	1,275	-	1,275
91	EMERGENCY		915,755	-	915,755	0.621561	569,198	-	569,198
194.02	DENTAL CLINIC		-	-	-	0.621561	-	-	-
		6,443	38,256,999	-	38,256,999		12,338,174	-	12,338,174
	AVERAGE COST PER DAY								
	TOTAL PAYMENTS YTD						1,915		

* USED RCCs & COST PER DAY FROM FY 12-13 MEDI-CAL COST REPORT

Revenue Cycle

Jail – Medi-Cal Eligibility Project



Eligibility: under Statute AB720, the following Medi-Cal guidelines apply to jail patients who qualify for Medi-Cal

Covered Services

- ▶ Pre-Inmate Booking
 - ▶ Active Medi-Cal: All services eligible
- ▶ Post-Inmate Booking
 - ▶ Adult: IP Acute services
 - ▶ Juvenile: IP Acute and Psych services

Non-Covered Services

- ▶ Pre-Inmate Booking
 - ▶ No Active Medi-Cal: No services eligible
- ▶ Post-Inmate Booking
 - ▶ Adult: All OP services (incl. Diagnostic)
 - ▶ Juvenile: All OP services (incl. Diagnostic)

Reimbursement Opportunity:

- ▶ One-Time: \$900K - \$1M
- ▶ Recurring: \$2M - \$2.5M annualized

One-Time Opportunity		09/01/2012 - 01/01/2014			01/01/2014 - 02/28/2014		
Billable Status	Status Reason	Volume	Total Charges	Expected Reimbursement	Volume	Total Charges	Expected Reimbursement
Billable	Eligible ¹	59	\$ 2,186,787	\$ 534,353	18	\$ 1,487,754	\$ 387,515
Unbillable	Not Eligible ²	307	\$ 14,193,763	\$ -	51	\$ 2,223,670	\$ -
	Other ³	5,719	\$ 45,158,322	\$ -	487	\$ 2,891,017	\$ -
Total		6,085	\$ 61,538,872	\$ 534,353	556	\$ 6,602,441	\$ 387,515

1. 'Eligible' includes patients eligible for Medi-Cal or Medi-Cal Managed Care coverage
 2. 'Not Eligible' includes patients not eligible for Medi-Cal, and accts for which no eligibility check was performed due to lack of SSN
 3. 'Other' includes non-covered services (OP & PSY), non-covered aid codes, accounts past timely-filing, and patients eligible for RCHC

Hans, Christopher

From: Johnson, Lowell
Sent: Wednesday, March 26, 2014 11:34 AM
To: Hans, Christopher; Varisco Flores, Victoria; Greenwood, Annette; Wilson, William
Cc: Tabuenca, Arnold
Subject: Re: DCU
Attachments: Lowell Johnson.vcf

Categories: Red Category, Reference

AS we plan together for future Inmate health care needs we need to be cognizant of the coming expansion of prison capacity throughout Riverside County. On any given day when I attend morning bed huddles there are often 22 inmates on the 4th floor detention unit and 10 or more state inmates on the medical surgical floors. We need to develop plans to house an ever expanding inmate population as the new jails open. It would not surprise me to need space for 60 inmates on any given day by 2020. We will explore converting the entire 4th floor into a detention hospital as we vacate space when the new education building opens; with a focus upon accommodating more State prisoners who pay extremely well.

An equally important approach is better management of the length of stay of our Inmate population. Yesterday we had 7 out of 10 of our longest staying patients located in the 4400 unit. The average length of stay on unit 4400 is 3 times as long as for our non-inmate patients. This tells me we should be better able to manage their care and move them back to jail or some lesser care giving modality more quickly.

I appreciate that it is RCRMC's job as a county department to meet all of the Sheriff's need for health care of his prisoners; we will gladly do that. I only want to plan for the future and be more efficient in length of stay whenever we can.

Lowell

Thank you
Lowell Johnson, CEO
Riverside County Regional Medical Center
26520 Cactus Avenue
Moreno Valley, CA 92555
(951) 486-4470, fax (951) 486-4475
www.rcrmc.org

>>> William Wilson 3/26/2014 9:15 AM >>>
Lieutenant:

Reviewed all inmates on DCU yesterday. There were a few transfer out/in after our since our conversation Momday evening. No additional inmates are ready for transfer at this moment

I did note that 12 of the 22 beds are taken by Mental Health patients. As you know, DMH rather than DHS manages those patients.

For a correctional setting the size of Riverside, a unit of at least 25 beds just for inmate medical is appropriate. Having only 10 beds available for medical, as was the case yesterday, will continue to be problematic in managing those medically needy inmates in the Sheriff's office custody.

Bill

**Riverside County Regional Medical Center
Detention Health Services**

Update: March 31, 2014

ITEM	UPDATE
1. Electronic Data Collection/EHR	Early in March Exec. Office, Sheriff Office and RCIT made decision to proceed with implementation of DHS system that had been designed over previous several months. Decision was reversed for unknown reason 10 days ago. DHS operations will continue to be manually based and will continue to resent data collection and care delivery challenges for DHS and the Sheriff Office...
2. Probation-- Memorandum of Understanding	Probation MOA review has been completed. DHS is awaiting signature from Probation.
3. Sheriff Office memorandum of Understanding	Awaiting final review from the Sheriff Office.
4. ACA Enrollment	Discussions continue on capturing ACA revenue for DCU patients and to assist DPSS in enrollment activities.
5. DCU	Review of patients on DCU being conducted on a regular basis. RCRMC Executive team invited for a tour of Presley Detention Center to understand the limited medical capability in the Jail as it relates to being able to accept DCU patients back into the Jail. A meeting requested to explore other options for transferring DCU patients to more medically appropriate facilities, such as skilled nursing facility or custodial settings.
6. DCU Reimbursement	RCRMC to be able to increase collections on County DHS patients from approximately 40% of costs to approximately 80% of costs for those inmates qualifying under the Affordable Care Act. A one day audit on those inmates on the unit concluded that upwards of 90% would qualify for the increased reimbursement.
7. DHS Staffing	Of the 44 FTEs budgeted for FYE14, 74% filled have been filled. 33 FTEs are included in the FYE15 budget. Securing physical locations within the jails for new hires to be housed continues to be a challenged at every facility.
8. Revised Inmate Health Care Request Form	Form consistent with IMQ and NCCHC standards has been reviewed and implemented.
9. Portable Radiology Unit for Robert Presley	Awaiting delivery of portable unit at Robert Presley. This will reduce the number of inmates requiring transport to Southwest Justice Center for radiology.
10. Twin Pines Juvenile Facility	An announcement has been made that the facility will be closed May 1, 2014. The minimal DHS staff at Twin Pines will be

**Riverside County Regional Medical Center
Detention Health Services**

	transferred into open positions elsewhere in DHS.
11. Prison Law Office	DHS has copied more than 15,000 pages of documents for counsel relative to the Prison Law Office action. Some older records requested have been impossible to locate. Depositions for several members of the DHS staff are scheduled for April.
12. NCCHC Accreditation	Obtained pricing for accreditation of Sheriff's facilities. Feasibility of receiving accreditation at one or more of the facilities to be evaluates in next 90 days.
13. DHS Dashboard	Shared data elements and report presented on a monthly basis as requested by the Sheriff Office.
14. Telemedicine	Visited LA County Jail facilities and toured its telemedicine program for second time. First visited 3 years ago. A must consideration for Riverside County Jail facilities. Might have positive impact on clinic volume for RCRMC and will reduce inmate transportation activity.
15. Jail refrigerators	Will need to acquire new (medical) refrigerators for each of the Jails to comply with Public Health Department requirements.
16. Master Problem Lists	DCU is developing a Master Problem List for inclusion in its records and consistent with accreditation standards. Implementation is expected by the end of May.
17. Staff	Dodgie Hilario has been hired a nurse practitioner for Southwest. Maureen Burns has been hired a Quality Assurance Director. Nancy Redler has been hired as Supervisory Institutional Nurse for Indio and Blythe. Rajni Lopez has been hired a Health Analyst. These are part of the DHS Executive Leadership Group.

Please let me know if you want additional information on any item. Thank you.

**AB 109 Community Corrections Partnership Executive Committee
 FY 2014/15 – Proposed Budget Timelines
 April 1, 2014**

FY 2014/15 Estimated Funding (in millions)

FY 2014/15 Riverside Co Share of Statewide Allocation (\$934.1M)	\$47.86 (1)
FY 2013/14 Riverside Co Share of Growth Funding (\$64.3M)	3.20 (1)
FY 2013/14 Projected Contingency Fund Balance	9.08
FY 2013/14 CCPEC Agency Projected Carry Forward Balances	<u>7.08</u>
Total FY 2014/15 Estimated Available Funding	<u>\$67.22</u>
FY 2013/14 Approved Budget (including contingency)	<u>68.70</u>
FY 2014/15 Projected Shortfall in Funding	<u>(\$1.48)</u>

(1) Estimates are based on current percent allocation for Riverside County

FY 2014/15 Proposed Budget Schedule

CCPEC Proposed Budget Development	April 1, 2014
CCPEC Proposed Budget Presentations	June 3, 2014 (Probation, PD, Police) June 10, 2014 (MH, DA, Sheriff)
CCPEC Proposed Budget Adoption	July 15, 2014
Board of Supervisors Meeting	August/September 2014

<u>Financial Reports</u>	<u>Due Date</u>	<u>CCPEC Mtg Date</u>
Quarter 1 – 7/1/14 to 9/30/14	October 20, 2014	December 2, 2014
Quarter 2 – 7/1/14 to 12/31/14	January 20, 2015	TBD
Quarter 3 – 7/1/14 to 3/31/15	April 20, 2015	TBD
Quarter 4 – 7/1/14 to 6/30/15	July 31, 2015	TBD

RIVERSIDE COUNTY PROBATION DEPARTMENT

Serving Courts • Protecting Communities • Changing Lives



MARK A. HAKE
CHIEF PROBATION OFFICER



AB 109 STATUS REPORT

Date of Report: March 26, 2014

	POST-RELEASE COMMUNITY SUPERVISION	MANDATORY SUPERVISION
<u>Clients Ordered by the Court:</u>	N/A	3,794
<u>Clients Assigned to a Caseload:</u>	1,715	1,302
High:	1,185 69%	745 57%
Medium:	244 14%	267 21%
Low:	286 17%	290 22%
Pending Assessment:	255	400
 Grand Total Active Supervision:	 1,970	 1,702
<u>Revocation Petitions:</u>	3,410	3,979
New Offense:	1,149 34%	1,620 41%
<i>New Offense Offenders:</i>	920	947
Technical:	2,261 66%	2,359 59%
<i>Technical Offenders:</i>	1,197	1,308
Dismissed/Withdrawn:	77	82
<u>Flash Incarcerations:</u>	1,339	N/A
<i>Flash Incarceration Offenders:</i>	911	N/A
 Total PRCS and MS Offenders Assigned to a Caseload:	 3,017	

*Pursuant to PC 1170(h)(5)(B)(ii), Supervised Release will be referred to as Mandatory Supervision

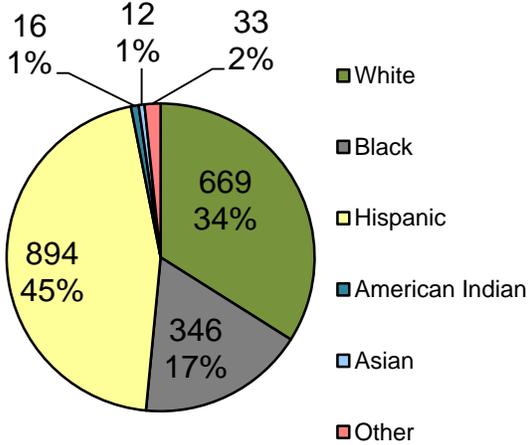
RIVERSIDE COUNTY PROBATION

Post-release Community Supervision Fact Sheet

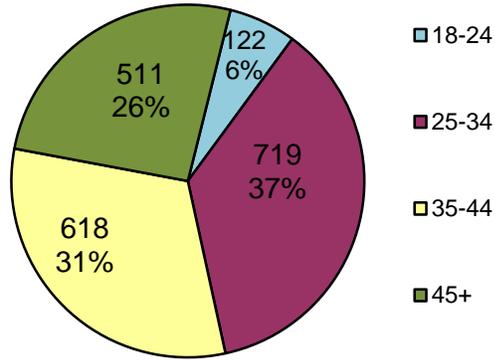
Offenders Under Supervision

Data as of
March 26, 2014

BY ETHNICITY



BY AGE



*Supervisorial District

District 1	448	23%
District 2	334	17%
District 3	307	15%
District 4	309	16%
District 5	416	21%
Out of County/State	156	8%
Total	1,970	

Gender

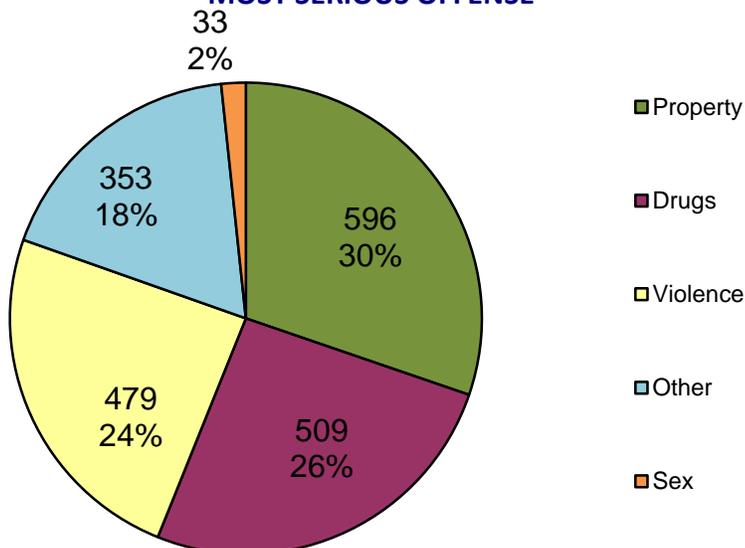
Males	1,798	91%
Females	172	9%
Total	1,970	

*Districts Include Resident and Homeless

Resides In:

Aguanga	1	Homeland	8	Palm Desert	15		
Anza	1	Idyllwild	2	Palm Springs	31		
Banning	42	Indio	54	Perris	140		
Beaumont	23	Jurupa Valley	85	Quail Valley	2		
Bermuda Dunes	1	La Quinta	13	Rancho Mirage	2		
Blythe	17	Lake Elsinore	65	Ripley	1		
Cabazon	7	Mecca	2	Riverside	269		
Calimesa	2	Menifee	22	Romoland	5		
Canyon Lake	4	Mira Loma	15	San Jacinto	42		
Cathedral City	27	Moreno Valley	166	Sun City	11		
Cherry Valley	4	Mountain Center	3	Temecula	26		
Coachella	22	Murrieta	38	Thermal	6		
Corona	95	Norco	18	Thousand Palms	6	Resident	1,536
Desert Hot Springs	56	North Palm Springs	1	Whitewater	2	Homeless	278
Eastvale	3	North Shore	1	Wildomar	24	Out of County/State Resident	151
Hemet	147	Nuevo	5	Winchester	4	Out of County/State Homeless	5
Total							1,970

UNIVERSAL CRIME REPORTING CATEGORIES FOR MOST SERIOUS OFFENSE



Sub-Categories

Crimes Against Children	22
Domestic Violence	224
Drug/Manufacture/Sell	253
Drug/Possess/Use	256
DUI	61
Other	121
Possession of a Weapon	171
Property/Other	26
Property/Theft	570
Sex	33
Use of Firearms/Weapons	85
Violence	148
Total	1,970

RIVERSIDE COUNTY PROBATION DEPARTMENT
Post Release Community Supervision (PRCS)
Population by City as of March 26, 2014
Active Supervision 1,970 Offenders
Male: 1,798; Female: 172

PRCS Riverside County					
Aguanga	1	Idyllwild	2	Perris	140
Anza	1	Indio	54	Quail Valley	2
Banning	42	Jurupa Valley	85	Rancho Mirage	2
Beaumont	23	La Quinta	13	Ripley	1
Bermuda Dunes	1	Lake Elsinore	65	Riverside	269
Blythe	17	Mecca	2	Romoland	5
Cabazon	7	Menifee	22	San Jacinto	42
Calimesa	2	Mira Loma	15	Sun City	11
Canyon Lake	4	Moreno Valley	166	Temecula	26
Cathedral City	27	Mountain Center	3	Thermal	6
Cherry Valley	4	Murrieta	38	Thousand Palms	6
Coachella	22	Norco	18	Whitewater	2
Corona	95	North Palm Springs	1	Wildomar	24
Desert Hot Springs	56	North Shore	1	Winchester	4
Eastvale	3	Nuevo	5		
Hemet	147	Palm Desert	15	Total	1,536
Homeland	8	Palm Springs	31	Out of County	136
				Out of State	15
PRCS Homeless					
Anza	2	Indio	19	Perris	21
Banning	9	Jurupa Valley	2	Riverside	123
Beaumont	1	La Quinta	2	San Jacinto	3
Blythe	5	Lake Elsinore	3	Temecula	5
Cathedral City	7	Menifee	2	Wildomar	1
Coachella	1	Mira Lona	1		
Corona	14	Moreno Valley	1		
Desert Hot Springs	5	Murrieta	13	Total	278
Hemet	19	Palm Desert	2	Out of County	5
Homeland	1	Palm Springs	16	Out of State	0

RIVERSIDE COUNTY PROBATION DEPARTMENT
Mandatory Supervision Offenders
Population by City as of March 26, 2014
Court Ordered Mandatory Supervision Offenders: 3,794
Male: 2,996; Female: 798

Court Ordered Mandatory Supervision Riverside County					
Aguanga	2	Indio	142	Rancho Mirage	9
Anza	1	Jurupa Valley	128	Ripley	1
Banning	71	La Quinta	22	Riverside	505
Beaumont	39	Lake Elsinore	83	Romoland	11
Bermuda Dunes	6	Mead Valley	1	San Jacinto	61
Blythe	43	Mecca	11	Sun City	18
Cabazon	11	Menifee	31	Temecula	38
Calimesa	6	Mira Loma	16	Thermal	19
Canyon Lake	6	Moreno Valley	236	Thousand Palms	14
Cathedral City	69	Mountain Center	2	Whitewater	5
Cherry Valley	7	Murrieta	41	Wildomar	43
Coachella	66	Norco	25	Winchester	10
Corona	179	North Shore	6		
Desert Hot Springs	109	Nuevo	15		
Eastvale	4	Palm Desert	33		
Hemet	216	Palm Springs	71	Total	2,617
Homeland	12	Perris	170	Out of County	619
Idyllwild	2	Quail Valley	1	Out of State	42
Court Ordered Mandatory Supervision Homeless					
Banning	11	Jurupa Valley	9	Riverside	215
Beaumont	3	La Quinta	4	San Jacinto	2
Bermuda Dunes	1	Lake Elsinore	11	Sun City	0
Blythe	4	Menifee	1	Temecula	4
Cabazon	1	Mira Loma	3	Thermal	1
Cathedral City	8	Moreno Valley	23	Thousand Palms	1
Coachella	8	Murrieta	2	Wildomar	1
Corona	27	North Palm Springs	0	Winchester	1
Desert Hot Springs	20	Palm Desert	1	Total	494
Hemet	26	Palm Springs	27	Out of County	21
Indio	55	Perris	24	Out of State	1

RIVERSIDE COUNTY PROBATION DEPARTMENT
Active Mandatory Supervision Offenders
Population by City as of March 26, 2014

Active Supervision: 1,702

Male: 1,320; Female: 382

Active Mandatory Supervision Riverside County					
Aguanga	2	Idyllwild	0	Quail Valley	1
Banning	28	Indio	66	Rancho Mirage	1
Beaumont	17	Jurupa Valley	53	Ripley	1
Bermuda Dunes	1	La Quinta	15	Riverside	224
Blythe	16	Lake Elsinore	41	Romoland	7
Cabazon	8	Mecca	6	San Jacinto	23
Calimesa	2	Menifee	16	Sun City	9
Canyon Lake	3	Mira Loma	6	Temecula	15
Cathedral City	26	Moreno Valley	114	Thermal	9
Cherry Valley	4	Murrieta	21	Thousand Palms	5
Coachella	31	Norco	10	Whitewater	2
Corona	83	North Shore	5	Wildomar	24
Desert Hot Springs	51	Nuevo	7	Winchester	5
Eastvale	1	Palm Desert	23		
Hemet	108	Palm Springs	32	Total	1,216
Homeland	5	Perris	89	Out of County	262
				Out of State	27
Active Mandatory Supervision Homeless					
Banning	6	Jurupa Valley	3	Perris	9
Beaumont	0	La Quinta	1	Riverside	76
Blythe	3	Lake Elsinore	5	San Jacinto	2
Cathedral City	2	Menifee	1	Temecula	3
Coachella	4	Mira Loma	1	Thermal	1
Corona	12	Moreno Valley	7	Wildomar	1
Desert Hot Springs	7	Murrieta	1		
Hemet	11	Palm Desert	1	Total	189
Indio	21	Palm Springs	11	Out of County	7
				Out of State	1



RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

STANLEY SNIFF, SHERIFF / CORONER

TO: CCP Executive Committee

DATE: February 1, 2014

FROM: Sheriff Stanley Sniff

Point of Contact: Chief Deputy J. Gutierrez (951) 955-8792, jjgutier@riversidesheriff.org

RE: AB 109 Impact Update

Since State Prison Realignment under AB 109 went into effect, the jails in Riverside County have experienced a substantial increase in inmate population. As of this morning, our jail population stood at 3,801 inmates, or 97% of our maximum capacity (3,906 beds). In the first week of January 2012, our facilities hit maximum capacity, requiring us to initiate releases pursuant to a federal court order to relieve overcrowding. These types of releases have continued since that time. In 2013, 9,296 inmates were released per the court order, a 33% increase over the 6,990 released in 2012. Year-to-date for 2014, 1,085 have been released per the court order. In addition, we are utilizing alternative sentencing programs such as Fire Camp and SECP (electronic monitoring).

Inmate bookings since AB 109 went into effect which are directly related to realignment are:

Parole Violations (3056 PC)

Total booked to date is 9,099 (5,948 booked for violation only; 3,151 had additional charges)

The number of 3056 PC only inmates currently in custody is 117.

Flash Incarcerations (3454 PC)

Total booked to date is 1,317. The number of these inmates currently in custody is 13.

Post Release Community Supervision (PRCS) Violations (3455 PC)

Total booked to date is 3,173 (1,475 booked for a violation only; 1,698 had additional charges).

The number of 3455 PC only inmates currently in custody is 38.

Inmates Sentenced under 1170(h) PC for Felony Sentence to be served in County Jail

The total number of inmates sentenced per 1170(h) PC is 5,503. The number of these inmates that remain in custody is 556, or approximately 14.6% of the total jail population. 275 of these inmates have been sentenced to 3 years or more, with the longest local sentence standing at 12 years, 8 months.

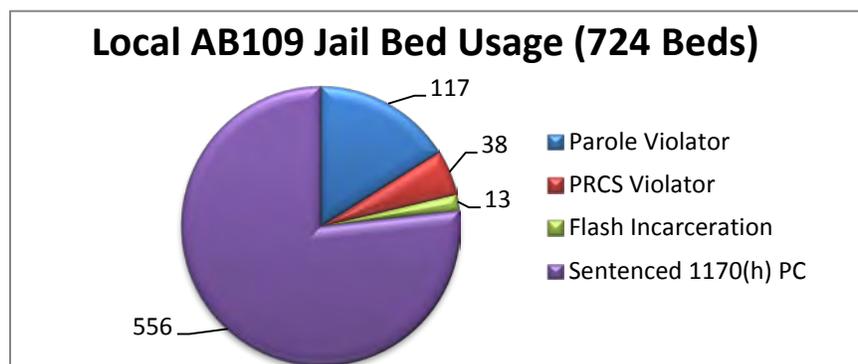
The total number of 1170(h) Fire Camp participants is 48.

Since January 2012, there have been 375 full-time SECP participants. There are currently 65 participants.

Summary

The total number of inmates to date booked directly or sentenced to jail due to realignment is 14,243.

The number of those currently in custody is 724, or approximately 19.0% of the total jail population.





RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

STANLEY SNIFF, SHERIFF / CORONER

TO: CCP Executive Committee

DATE: March 1, 2014

FROM: Sheriff Stanley Sniff

Point of Contact: Chief Deputy J. Gutierrez (951) 955-8792, jjgutier@riversidesheriff.org

RE: AB 109 Impact Update

Since State Prison Realignment under AB 109 went into effect, the jails in Riverside County have experienced a substantial increase in inmate population. As of this morning, our jail population stood at 3,790 inmates, or 98% of our maximum capacity (3,884 beds). In the first week of January 2012, our facilities hit maximum capacity, requiring us to initiate releases pursuant to a federal court order to relieve overcrowding. These types of releases have continued since that time. In 2013, 9,296 inmates were released per the court order, a 33% increase over the 6,990 released in 2012. Year-to-date for 2014, 2,105 have been released per the court order. In addition, we are utilizing alternative sentencing programs such as Fire Camp and SECP (electronic monitoring).

Inmate bookings since AB 109 went into effect which are directly related to realignment are:

Parole Violations (3056 PC)

Total booked to date is 9,271 (6,056 booked for violation only; 3,215 had additional charges)

The number of 3056 PC only inmates currently in custody is 114.

Flash Incarcerations (3454 PC)

Total booked to date is 1,382. The number of these inmates currently in custody is 13.

Post Release Community Supervision (PRCS) Violations (3455 PC)

Total booked to date is 3,334 (1,559 booked for a violation only; 1,775 had additional charges).

The number of 3455 PC only inmates currently in custody is 38.

Inmates Sentenced under 1170(h) PC for Felony Sentence to be served in County Jail

The total number of inmates sentenced per 1170(h) PC is 5,824. The number of these inmates that remain in custody is 579, or approximately 15.3% of the total jail population. 304 of these inmates have been sentenced to 3 years or more, with the longest local sentence standing at 12 years, 8 months.

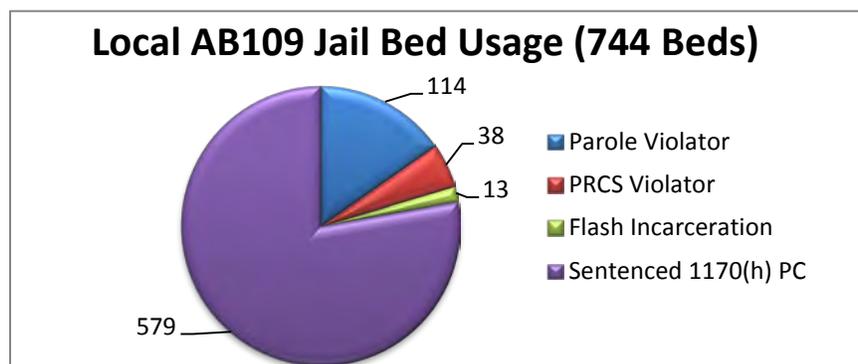
The total number of 1170(h) Fire Camp participants is 54.

Since January 2012, there have been 381 full-time SECP participants. There are currently 58 participants.

Summary

The total number of inmates to date booked directly or sentenced to jail due to realignment is 14,821.

The number of those currently in custody is 744, or approximately 19.6% of the total jail population.





RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

STANLEY SNIFF, SHERIFF / CORONER

TO: CCP Executive Committee

DATE: April 1, 2014

FROM: Sheriff Stanley Sniff

Point of Contact: Chief Deputy J. Gutierrez (951) 955-8792, jjgutier@riversidesheriff.org

RE: AB 109 Impact Update

Since State Prison Realignment under AB 109 went into effect, the jails in Riverside County have experienced a substantial increase in inmate population. As of this morning, our jail population stood at 3,799 inmates, or 97% of our maximum capacity (3,906 beds). In the first week of January 2012, our facilities hit maximum capacity, requiring us to initiate releases pursuant to a federal court order to relieve overcrowding. These types of releases have continued since that time. In 2013, 9,296 inmates were released per the court order, a 33% increase over the 6,990 released in 2012. Year-to-date for 2014, 3,171 have been released per the court order. In addition, we are utilizing alternative sentencing programs such as Fire Camp and SECP (electronic monitoring).

Inmate bookings since AB 109 went into effect which are directly related to realignment are:

Parole Violations (3056 PC)

Total booked to date is 9,478 (6,188 booked for violation only; 3,290 had additional charges)

The number of 3056 PC only inmates currently in custody is 147.

Flash Incarcerations (3454 PC)

Total booked to date is 1,442. The number of these inmates currently in custody is 15.

Post Release Community Supervision (PRCS) Violations (3455 PC)

Total booked to date is 3,504 (1,641 booked for a violation only; 1,863 had additional charges).

The number of 3455 PC only inmates currently in custody is 45.

Inmates Sentenced under 1170(h) PC for Felony Sentence to be served in County Jail

The total number of inmates sentenced per 1170(h) PC is 6,137. The number of these inmates that remain in custody is 599, or approximately 15.8% of the total jail population. 364 of these inmates have been sentenced to 3 years or more, with the longest local sentence standing at 12 years, 8 months.

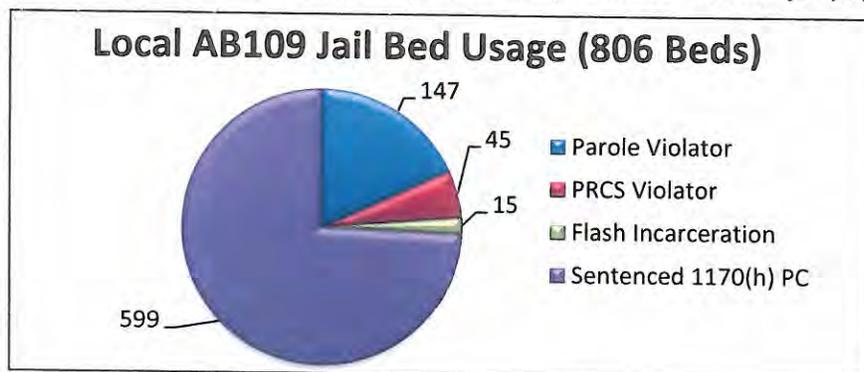
The total number of 1170(h) Fire Camp participants is 55.

Since January 2012, there have been 393 full-time SECP participants. There are currently 52 participants.

Summary

The total number of inmates to date booked directly or sentenced to jail due to realignment is 15,408.

The number of those currently in custody is 806, or approximately 21.2% of the total jail population.





RIVERSIDE COUNTY DEPARTMENT OF MENTAL HEALTH

Jerry A. Wengerd, Director

TO: Jerry Wengerd, Director
FROM: Deborah Johnson, Deputy Director
DATE: March 27, 2014
SUBJECT: CCPEC Report and Data for January and February 2014

The New Life (AB109) program has worked tirelessly over the past few weeks to review, identify, and analyze mechanisms for identifying and reporting on New Life clients, most notably within the Substance Abuse Programs. Towards this end we have identified several holes in the system, which we are currently working to correct. We will continue putting policies in place to ensure information is captured within the ELMR system correctly, and anticipate having these in place by the beginning July 2014, for both Mental Health and Substance Abuse services.

Effective immediately we will be providing DMH data in a monthly report format, as we understand the other Community Correction Partnership Executive Committee (CCPEC) partners do. The statistical data attached for the month of January'14 shows a marked improvement over the last report for the 2nd quarter reporting period. Although February's numbers are slightly lower than January, this was anticipated because of the short month.

Additionally, it was requested by the District Attorney that you report the number of times a New Life client is touched by a DMH clinician in Detention. In order to obtain this data we had RPDC track encounters between February 16 and March 13, the data is provided below, please note that this does not represent unduplicated clients, but every encounter during the period, and only represents the one jail location.

Type of Service	# of Clients
AB109 Screenings	228
AB109 Treatment Services	212
AB109 Contact (refused services)	189
Total:	629

DMH Forensic Administration is actively working with our CCPEC partner, Probation, to ensure the process between two departments is operating as originally intended. There are identified areas of needed improvement. Each Probation Office will be implementing a tracking system currently being used at the Indio location that appears to be working well. Effective April 1, each Probation Office will begin to mirror this process referring all AB109 clients for screening, and DMH will report back to Probation each outcome, including if the client "no showed".

Waitlist for both SA Clinic services and Residential Placement services are in the process of being abolished. We have stressed to all Substance Abuse Clinic Staff that there are to be no waitlist for New Life Clients, when first identified there were 63 clients on the waitlist, 13 Detox and 50 Residential. As of the date of this memo there are 4 yet to be placed. We are waiting for Probation to locate 2 clients and there are 2 clients in the process of being placed in Detox for Heroin addiction, one will be going to the Ranch today and we are seeking a bed for the other. There are 5 Detox providers, however not all are equipped to provide services for Heroin addiction. Substance Abuse worked with the contractors to secure addition bed days for New Life clients, which was essential in order to reduce the waitlist to the current number.

Recently Forensic Administration and Probation met to discuss ways to ensure that DMH is able to capture all New Life client data. Currently DMH does not know if the client being referred is a Post Release Community Supervision (PRCS) or Mandatory Probationer. Probation agreed to modify the referral form to include this information, however; we have no way to enter or track the information in ELMR. Once the Probation Sharing of Data MOU has been ratified and all of the CCPEC Partners receive the electronic information on New Life clients, we will be better able to report and to ensure that DMH is capturing all New Life clientele. The Sharing of Data MOU is currently in the final review stages with Probation Executive Management, after which signatures from the 8 CCPEC partners will be obtained and the Probation data will be shared. Additionally, Probation has agreed to refer all clients for screening, prior to, but not in lieu of, completing the COMPASS. This will ensure that it is a clinician, CT or BHS, who determines if a SA or MH referral is made.



Riverside County Department of Mental Health Health and Human Services Realignment Status Report

January 2014 / Fiscal Year 2013/2014

	CLIENTS SERVED
INTENSIVE TREATMENT TEAMS (ITT)	47
DETENTION	
Detention Screening	134
Detention Assessments & Treatment Services	420
Mental Health Court	9
Realignment / Pre-Sentencing	9
CONTRACTED PLACEMENT SERVICES	
Crisis Services (ETS/OCS/CRT)	16
Long Term Care (State Hosp/IMD/BC/ART)	2
RCRMC Mental Health Inpatient Treatment (ITF/PHF)	15
Other Hospitals	2
CLINIC SERVICES	
Medication Services	87
Mental Health Screening	43
Mental Health Treatment/Assessment	243
Substance Abuse Screening	83
Substance Abuse Treatment Services	91
Substance Abuse Residential Treatment Services	32
DETENTION UNDUPLICATED CLIENTS SERVED	554
MENTAL HEALTH UNDUPLICATED CLIENTS SERVED	244
SUBSTANCE ABUSE UNDUPLICATED CLIENTS SERVED	118
HOSPITAL (RCRMC) UNDUPLICATED CLIENTS SERVED	3
GRAND TOTAL	698
HOUSING DATA	
January 2104 / FY 2013/2014	
Non-Mental Health – Probation – Public Safety Realignment Housing:	
a) 630 bed nights of emergency housing - 21 clients served	
Mental Health AB109 Housing:	
a) 600 bed nights of emergency housing – 20 clients served	

*Please note: Unduplicated Totals from Substance Abuse and Mental Health will not sum to the unduplicated Grand Total, since some of the same clients have been served by both Mental Health and Substance Abuse. The Grand Totals represents an unduplicated count across all programs.



Riverside County Department of Mental Health Health and Human Services Realignment Status Report

February 2014 / Fiscal Year 2013/2014

	CLIENTS SERVED
INTENSIVE TREATMENT TEAMS (ITT)	33
DETENTION	
Detention Screening	189
Detention Assessments & Treatment Services	385
Mental Health Court	11
Realignment / Pre-Sentencing	8
CONTRACTED PLACEMENT SERVICES	
Crisis Services (ETS/OCS/CRT)	8
Long Term Care (State Hosp/IMD/BC/ART)	2
RCRMC Mental Health Inpatient Treatment (ITF/PHF)	10
Other Hospitals	2
CLINIC SERVICES	
Medication Services	77
Mental Health Screening	46
Mental Health Treatment/Assessment	220
Substance Abuse Screening	46
Substance Abuse Treatment Services	80
Substance Abuse Residential Treatment Services	27
DETENTION UNDUPLICATED CLIENTS SERVED	574
MENTAL HEALTH UNDUPLICATED CLIENTS SERVED	220
SUBSTANCE ABUSE UNDUPLICATED CLIENTS SERVED	107
HOSPITAL (RCRMC) UNDUPLICATED CLIENTS SERVED	0
GRAND TOTAL	644
HOUSING DATA	
February 2104 / FY 2013/2014	
Non-Mental Health – Probation – Public Safety Realignment Housing:	
b) 600 bed nights of emergency housing - 20 clients served	
Mental Health AB109 Housing:	
b) 240 bed nights of emergency housing – 8 clients served	

*Please note: Unduplicated Totals from Substance Abuse and Mental Health will not sum to the unduplicated Grand Total, since some of the same clients have been served by both Mental Health and Substance Abuse. The Grand Totals represents an unduplicated count across all programs.

Glossary of Terms:

(ITT): "Intensive Treatment Teams", is a full service partnership program, that provides intensive wellness and recovery based services for AB109 clients who have a serious mental health disorder.

Detention Screening: Brief preliminary evaluation to determine if Mental Health challenges exist.

Detention Assessment & Treatment Services: In-depth psycho-social evaluation to determine extent of mental illness and diagnosis. Individual, group, medication, in-patient and out-patient services provided in the treatment of mental illness.

Mental Health Court: This program assists the court in providing appropriate assessment and placement of criminal defendants suffering from a mental illness. Mental Health Court support and implement individualized treatment plans and case management.

Contracted Services: Services provided to Mental Health clients outside of a County of Riverside Clinics.

Crisis Services: OCS, "Oasis Crisis Services". Provides psychiatric emergency services and crisis stabilization services for up to 24 hours, for all ages. This facility is 5150 designated, which operates 24 hours/day, 7 days a week. Riverside County Regional Medical Center – Emergency Treatment Services (ETS), Provides psychiatric emergency services 24 hours a day, 7 days a week for all ages.

Long Term Care: Care provided to a DMH client with a severe mental health diagnosis, requiring long term hospitalization or Board and Care services.

State Hospital: Institution operated by the state of California for the severely mentally ill.

IMD: Locked Skilled Nursing Facility for Treatment of Mental Illness.

BC: "Board and Care", long term community living environment. Clients need round the clock supervision, but not necessarily a locked secure environment.

ART: "Adult Residential Treatment", facility very similar to Board and Care.

ITF: "Inpatient Treatment Facility", Riverside County Regional Medical Center, Arlington campus.

PHF: "Psychiatric Health Facility", located in Indio, the PHF is a 16 bed acute, locked, 5150-designated inpatient facility for voluntary and involuntary clients. The facility is administered by a private contractor.

Medication Services: Initial contact with the Psychiatrist for evaluation, ongoing medication and support.

Emergency and transitional housing: Emergency housing will provide up to 30 days of immediate housing for AB109 clients who have no identified residence and have just been released from custody. Transitional Housing will provide support for up to 6 months for AB109 clients without alternative housing, including assisting in the transition back to community living, developing skills and accessing resources needed for self sufficiency.

Realignment/Pre-Sentencing Services: AB109 services including, assessments, treatment plan and recommendations for community placement provided to inmates prior to being sentenced.

Intensive Treatment Services (ITT):

During the month of January 2014 alone, FSP served 47 clients. This is an increase over the monthly average of 18.3 reported during the second quarter, or 55 clients over the 3 month period. During the Month of February 33 FSP clients were seen, although this is a decrease of 14 clients over the prior month this only equates to a difference per day of only .3 clients.

Detention Assessment and Treatment Services:

A total of 420 clients served during the month of January 2014 alone, and 385 in the month of February. This is an increase 56 clients and 21 clients respectively over the entire 2nd quarter.

Contracted Placement Services:

Inpatient Treatment Services at both RCRMC ITF and the Psychiatric Health Facility (PHF) in the desert served 15 clients during the month of January, and 10 clients in February. During the 2nd quarter there was an average of 8 clients served each month.

Clinic Services:

Throughout the County, medication services for AB109 clients have increased. There was an average of 40 clients served each month of the 2nd quarter, 87 served during the month of January, and 77 in February 2014. Mental Health Treatment and Assessment services have seen an increase of 91.1%, 243 clients served during January, and 220 in February 2014, 267 total were served in the second quarter.

Average Caseloads:

The average caseload per clinician is 30.

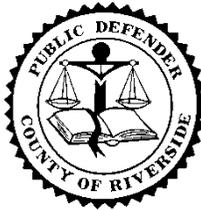
LAW OFFICES OF THE
Public Defender
 COUNTY OF RIVERSIDE

STEVEN L. HARMON
 PUBLIC DEFENDER

BRIAN L. BOLES
 ASSISTANT PUBLIC DEFENDER

CHAD W. FIRETAG
 ASSISTANT PUBLIC DEFENDER

TRACY M. MACUGA
 ASSISTANT PUBLIC DEFENDER



RIVERSIDE MAIN OFFICE
 4200 Orange Street
 Riverside, CA 92501
 Telephone: (951) 955-6000
 Facsimile: (951) 955-6025

To: Community Corrections Partnership Executive Committee

Re: Public Defender Report

Date: April 1, 2014

<u>AB109 Impact</u>	<u>FY12/13</u>	<u>FY13/14 (as of 3/21/14)</u>	<u>% Change</u>
Average Number of PRCS cases per month	Average 112 cases/mo (Total 1346 cases)	Average 140 cases/mo (Total 1192 cases)	25% increase
Total Parole Cases	n/a	Total 530 cases	n/a
Average monthly Appearances on Violations of Mandatory Community Supervision	311 appearances/mo (Total Appearances 3743)	474 appearances/mo (Total Appearances 4031)	52% increase
Spilt Sentences	161 cases/mo (Total 1934 cases)	162 cases/mo (Total 1379 cases)	0% change
Executed Sentences	35 cases/mo (Total 423 cases)	76 cases/mo (Total 648 cases)	117% increase



March 27, 2014

Mark Hake, Chairman
Chief Probation Officer, Riverside County
Community Corrections Partnership Executive Committee
3960 Orange Street, 5th Floor
Riverside, CA 92501

SUBJECT: "SMART ON CRIME" LEGISLATIVE ITEMS-REQUEST FOR SUPPORT

Dear Chairman Hake & CCP Executive Committee members:

As the representative for the 56th Assembly District, I would like to express my sincere appreciation for your leadership, collaboration among departments, and hard work toward the implementation of public safety realignment and securing the safety of our Riverside County communities. I am writing this letter to bring to your attention four policy items I have introduced this legislative session and to respectfully request the CCP Executive Committee's support.

Signed into law in 2011, AB 109 shifted to counties the responsibility for monitoring, tracking and incarcerating lower level offenders previously sent to state prison. Since its passage, over 100,000 offenders have been diverted from state prison to county supervision. From the perspective of those in the field -- probation officers, judges, and police officers -- AB 109 has several implementation challenges that, if not addressed, place the health and safety of the public at risk. Below are four measures that serve as smart, effective policies to help our local jurisdictions achieve realignment goals and reduce recidivism:

1. AB 1860 Increasing Access to Peace Officer Training

With the enactment of realignment, county probation departments are facing unprecedented demand for trained field officers to monitor lower-level offenders now under county supervision. Peace officers are required to complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training (POST) prior to exercising the powers of a peace officer. However, due to limited course offerings, the location of the trainings, and competition for course slots with the general public, probation departments are unable to get their new hires trained in a timely manner, impeding their ability to effectively uphold their responsibilities and ensure public safety.

Since the introduction of AB 1860, negotiations between POST and the probation departments have resulted in the probation departments being allowed to become certified providers of the required PC 832 training. AB 1860 builds off the progress of recent negotiations by specifying that county probation departments that are certified providers of the PC 832 training are not required to offer the courses to the general public, thus ensuring they can prioritize training for their recruits.

Sponsor: Chief Probation Officers of California

2. AB 1919 Criminal Justice Risk and Needs Assessment

Throughout the criminal justice process, law enforcement professionals are relied on to make myriad decisions related to the handling of an offender's case. These decisions have ramifications not only for the individual, but they also impact the allocation of public resources related to facilities, programming, and staffing. In the post-realignment era, local jurisdictions throughout the state are adjusting to higher case loads and their resulting demands on staffing, programs, and facilities. The use of risk and needs assessment tools can help promote a more consistent and data-driven approach to case management throughout the system, ultimately improving public safety. AB 1919 encourages the use of a validated risk and needs assessment at varying points in the criminal justice system and is consistent with other "smart on crime" approaches to public safety realignment.

Sponsor: Californians for Safety and Justice

3. AB 2060 Workforce Investment for the Re-Entry Population

Workforce development for the re-entry population is a practical strategy for improving access to a stable job. It helps improve offender outcomes, reduce the likelihood of recidivism, and promote community safety and stability. AB 2060 would allocate resources from the Recidivism Reduction Fund for workforce training and development for the re-entry population through a new competitive grant program. Administered by the California Workforce Investment Board, the new grant program would be available to counties on a competitive basis, with greater consideration for counties that provide matching funds, have demonstrated collaborative working relationship with local workforce investment boards, and/or have a workforce training program for the reentry population already in place.

Sponsor: PolicyLink

4. AB 1449 Public Safety Realignment: AB 1449 seeks to address some of the unforeseen challenges of state-mandated public safety realignment by:

- Allowing an offender's full adult criminal history to be considered when determining whether the county or state will supervise a parolee. This allows for more nuanced decision making given the training and resources that may be needed for complex cases.
- Remanding those sentenced to more than three years to state custody, while clarifying that only inmates serving three years or less are eligible for county custody. This ensures that those in long-term placements have access to the facilities and programs they need for successful rehabilitation, while helping to address overcrowding in local jails.
- Authorizing the use of a one-year prison sentence for anyone convicted of three or more serious technical probation violations. This creates a deterrent to break unhealthy cycles of recidivism.

Sponsors: California Police Chiefs Association & Riverside County District Attorney's Office

These bills are discussed in more detail in the accompanying fact sheets and legislative language. As you will see, my intention is to help public safety realignment succeed. We know that with the implementation of any major policy, minor adjustments to the law become necessary in order to address overlooked details, deal with unanticipated consequences, and ultimately to produce the desired results.

I hope to have the Riverside County Community Corrections Partnership Executive Committee's support on these policy items that seek to complement the state's realignment goals, helping to reduce the overall prison population and enabling local jurisdictions to focus on reducing recidivism and transforming offender behavior. Should you have any questions or need any additional information, please feel free to contact my legislative aide, Rafael Aguilera, at (916) 319-2056. Thank you for your attention to this important request.

Sincerely,

A handwritten signature in black ink that reads "V. Manuel Pérez". The signature is written in a cursive style with a large initial "V" and a stylized "Pérez".

V. MANUEL PÉREZ

Assemblymember, 56th District



AB 1860 – INCREASING ACCESS TO PEACE OFFICER TRAINING

ISSUE

With the enactment of state-mandated public safety realignment, county probation departments are facing unprecedented demand for trained field officers to monitor lower-level offenders now under county supervision. However, due to limited course offerings, the location of the trainings, and competition for course slots with the general public, probation departments are unable to get their new hires trained in a timely manner, impeding their ability to effectively uphold their responsibilities and ensure public safety.

BACKGROUND

Under existing law, peace officers are required to complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training (POST) prior to exercising the powers of a peace officer.

This training requirement includes the PC 832 Arrest and Firearms Course. PC 832 training consists of a minimum of 64 hours with several learning domains. These include, but are not limited to, laws of arrest, search and seizure, investigative report writing, and arrest methods.

Due to limited course offering dates and locations, county probation departments have found it very difficult to complete the required training in a timely manner. Often, courses are held in locations that require extensive travel and time off to complete. In addition, access to the courses can be impacted based on the number of slots available to law enforcement agencies and the general public.

Given the demands placed on local jurisdictions due to public safety realignment, it is imperative that the state ensure that probation departments can get new hires into these trainings and working on caseloads as quickly as possible.

Since the introduction of AB 1860, negotiations between POST and the probation departments have resulted in the Probation departments being allowed to become certified providers of the PC 832 training.

SOLUTION

AB 1860 builds off the progress of these negotiations by specifying that county probation departments that are certified providers of the PC 832 training are not required to offer the courses to the general public. This would expedite access to the course and ensure that departments are able to meet the demand for training of probation deputies and other law enforcement entities in order to effectively manage their caseloads.

STATUS

Introduced February 19, 2013

FOR MORE INFORMATION

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SUPPORT

Chief Probation Officers of California (Sponsor)

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1860

Introduced by Assembly Member V. Manuel Pérez

February 19, 2014

An act to amend Section 832 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1860, as amended, V. Manuel Pérez. Peace officers: basic training requirements.

Existing law requires every peace officer to complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training, except for specifically exempted categories of ~~people~~ *peace officers*, and imposes other training requirements on those persons who would exercise the powers of peace officers.

This bill *would provide that a probation department that is a certified provider of the introductory training course shall not be required to offer the course to the general public, and would make other technical, nonsubstantive changes in those provisions.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 832 of the Penal Code is amended to
2 read:
3 832. (a) Every person described in this chapter as a peace
4 officer shall satisfactorily complete an introductory training course

1 prescribed by the Commission on Peace Officer Standards and
2 Training. On or after July 1, 1989, satisfactory completion of the
3 course shall be demonstrated by passage of an appropriate
4 examination developed or approved by the commission. Training
5 in the carrying and use of firearms shall not be required of a peace
6 officer whose employing agency prohibits the use of firearms.

7 (b) (1) Every peace officer described in this chapter, prior to
8 the exercise of the powers of a peace officer, shall have
9 satisfactorily completed the *training* course ~~of training~~ described
10 in subdivision (a).

11 (2) Every peace officer described in Section 13510 or in
12 subdivision (a) of Section 830.2 may satisfactorily complete the
13 training required by this section as part of the training prescribed
14 pursuant to Section 13510.

15 (c) Persons described in this chapter as peace officers who have
16 not satisfactorily completed the course described in subdivision
17 (a), as specified in subdivision (b), shall not have the powers of a
18 peace officer until they satisfactorily complete the course.

19 (d) A peace officer who, on March 4, 1972, possesses or is
20 qualified to possess the basic certificate as awarded by the
21 Commission on Peace Officer Standards and Training is exempted
22 from this section.

23 (e) (1) A person completing the training described in
24 subdivision (a) who does not become employed as a peace officer
25 within three years from the date of passing the examination
26 described in subdivision (a), or who has a three-year or longer
27 break in service as a peace officer, shall pass the examination
28 described in subdivision (a) prior to the exercise of the powers of
29 a peace officer, except for a person described in paragraph (2).

30 (2) The requirement in paragraph (1) does not apply to a person
31 who meets any of the following requirements:

32 (A) Is returning to a management position that is at the second
33 level of supervision or higher.

34 (B) Has successfully requalified for a basic course through the
35 Commission on Peace Officer Standards and Training.

36 (C) Has maintained proficiency through teaching the course
37 described in subdivision (a).

38 (D) During the break in California service, was continuously
39 employed as a peace officer in another state or at the federal level.

1 (E) Has previously met the requirements of subdivision (a), has
2 been appointed as a peace officer under subdivision (c) of Section
3 830.1, and has been continuously employed as a custodial officer
4 as defined in Section 831 or 831.5 by the agency making the peace
5 officer appointment since completing the training prescribed in
6 subdivision (a).

7 (f) The commission may charge appropriate fees for the
8 examination required by subdivision (e), not to exceed actual costs.

9 (g) Notwithstanding any other law, the commission may charge
10 appropriate fees for the examination required by subdivision (a)
11 to each applicant who is not sponsored by a local or other law
12 enforcement agency, or is not a peace officer employed by, or
13 under consideration for employment by, a state or local agency,
14 department, or district, or is not a custodial officer as defined in
15 Sections 831 and 831.5. The fees shall not exceed actual costs.

16 (h) *A probation department that is a certified provider of the*
17 *training course described in this section shall not be required to*
18 *offer the course to the general public.*



ISSUE

Throughout the criminal justice process, law enforcement professionals are relied on to make myriad decisions related to the handling of an offender's case. These decisions have ramifications not only for the individual, but they also impact the allocation of public resources related to facilities, programming, and staffing.

In the post-realignment era, local jurisdictions throughout the state are adjusting to higher case loads and their resulting demands on staffing, programs, and facilities. The use of risk and needs assessment tools can help promote a more consistent and data-driven approach to case management throughout the system, ultimately improving public safety.

BACKGROUND

Since 2011, California has been undergoing a major transition in how and where it detains those who break the law and how these individuals are reintegrated back into society. As jurisdictions adapt to the influx of thousands of inmates now in their supervision, research-based tools can be of great assistance.

Risk and needs assessments are data-driven instruments that can be designed to help law enforcement personnel make a wide variety of decisions. Used appropriately, they help law enforcement make informed predictions about an individual's likelihood of re-offending; appearing at court dates or probation appointments; or engaging in harmful behavior. In addition, they can be used at key decision points in the criminal justice process, spanning:

- policing strategies and arrests (whether to cite and release an individual or book them into county jail, whether or not to file charges);
- pre-trial detention determinations;
- sentencing (whether to utilize a split sentence) and placement in alternative custody programs;
- pre-release (what type of programming or supervision is needed to successfully reenter and reintegrate into the community); and
- during supervision (whether probation or parole should be revoked).

Currently, risk and needs assessment tools are being used to different degrees within the probation system and by some county law enforcement entities. In fact, the Los Angeles County Sheriff's Department recently decided to implement a risk assessment tool to more appropriately manage its jail population, which houses nearly one-third of the realigned inmates in the state. However, there is no consistent state policy supporting their use throughout the state.

The use of a research-validated risk and needs assessment tool would support data-driven decision making and a more consistent and effective criminal justice system. Ultimately, this will provide the valuable information necessary to provide better allocation of state and local resources, and to help ensure safer communities.

SOLUTION

Rather than relying on subjective determinations, the criminal justice system should incorporate the use of data-driven decision making into its practices. AB 1919 encourages the use of validated risk and needs assessment tools at various points in the criminal justice process.

SUPPORT

Californians for Safety and Justice (Sponsor)

FOR MORE INFORMATION

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ASSEMBLY BILL

No. 1919

Introduced by Assembly Member V. Manuel Pérez

February 19, 2014

An act to add Section 1210.17 to the Penal Code, relating to inmates.

LEGISLATIVE COUNSEL'S DIGEST

AB 1919, as amended, V. Manuel Pérez. Inmates: local supervision: assessment.

Existing law generally requires felons to be incarcerated in *state prison or county jails* and generally requires those inmates to be supervised by *the Department of Corrections and Rehabilitation or county probation agencies* upon release. Existing law authorizes a variety of programs for inmates who are supervised by *local probation agencies on postrelease supervision, including parole, postrelease community supervision, and mandatory supervision.*

~~This bill would express the intent of the Legislature to enact legislation to provide better assessment of inmates in local facilities for purposes of local supervision after their release, or local supervision as an alternative to incarceration.~~

This bill would encourage all actors in the criminal justice system to use a validated risk and needs assessment, as defined, to help make determinations at all stages of the judicial process, as prescribed.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1210.17 is added to the Penal Code,
2 immediately following Section 1210.16, to read:
3 1210.17. (a) The Legislature finds and declares all of the
4 following:
5 (1) According to research by the Washington State Institute for
6 Public Policy, combining supervision based on the risk level of an
7 individual in the criminal justice system with evidence-based
8 programming to address the specific needs of that individual yields
9 the greatest reduction in recidivism rates.
10 (2) According to a 2010 study, entitled "The Role of Offender
11 Risk Assessment: A Policy Maker Guide," the mismatch of higher
12 supervision and inappropriate services can actually increase the
13 recidivism rate of a low-risk individual, thereby decreasing public
14 safety and wasting valuable funding.
15 (3) Validated risk and needs assessments are an important tool
16 that can provide decisionmakers with data to help predict an
17 individual's likelihood of committing a crime and engaging in
18 harmful behavior, such as substance abuse, and can help determine
19 which interventions or services will have the most impact on the
20 individual.
21 (4) Validated risk and needs assessments can be used at many
22 different times in the criminal justice process, including in
23 determining who should be detained while awaiting trial, on
24 probation, before release from incarceration, and while on
25 postrelease supervision, such as parole, postrelease community
26 supervision, or mandatory supervision.
27 (b) For purposes of this section, "risk and needs assessment"
28 means a set of measures and questions that are used to measure
29 the risk of an individual to commit another offense, miss future
30 court appearance or other appointments, engage in substance
31 abuse, and determine what unmet needs the individual has.
32 (c) All actors in the criminal justice system are encouraged to
33 use a validated risk and needs assessment to help make
34 determinations at all stages of the judicial process, including in
35 making the determination of who should be detained while awaiting
36 trial, and determining supervision level and service referrals while
37 on probation, before release from incarceration, and while on

1 *postrelease supervision, such as parole, postrelease community*
2 *supervision, or mandatory supervision.*

3 ~~SECTION 1. It is the intent of the Legislature to enact~~
4 ~~legislation to provide better assessment of inmates in local facilities~~
5 ~~for purposes of local supervision after their release or local~~
6 ~~supervision as an alternative to incarceration, including postrelease~~
7 ~~services such as education and vocational training.~~



AB 2060 – WORKFORCE INVESTMENT FOR THE RE-ENTRY POPULATION

UPDATED: 3/24/14

ISSUE

With orders from the U.S. Supreme Court to reduce its prison population, the state needs smart, effective policies to help local jurisdictions achieve realignment goals and reduce recidivism.

Workforce development for the re-entry population is a practical strategy for improving access to a stable job. It helps improve offender outcomes, reduce the likelihood of recidivism, and promote community safety and stability.

BACKGROUND

In the criminal justice system, the reliance on incarceration, without rehabilitative programming, places a fiscal strain on limited resources without making communities safer.

Studies show that in order to successfully improve the transition from prison to the community, reduce recidivism, and increase public safety, we must significantly expand and improve the services, supports and opportunities available to those being released from prison.

Law enforcement and judges have consistently pointed out that opportunity-enhancing strategies are less expensive and more effective at reducing recidivism and improving community safety.

In particular, access to good workforce training is critical to reducing recidivism rates. It ensures that men and women re-entering our communities gain training and education, job readiness skills, and job placement assistance required for securing necessary employment after being released from prison.

The Recidivism Reduction Fund, created last year by the Legislature, provides California with an opportunity to invest in innovative programs that deliver workforce training to reduce the prison population, ease over-crowding, and reduce the risk of recidivism.

SOLUTION

AB 2060 would allocate resources from the Recidivism Reduction Fund for workforce training

and development for the re-entry population through a new competitive grant program. Administered by the California Workforce Investment Board, the new grant program would be available to counties on a competitive basis, with greater consideration for counties that provide matching funds, have demonstrated collaborative working relationship with local workforce investment boards, and/or have a workforce training program for the reentry population already in place.

SUPPORT

PolicyLink (Sponsor)

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AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2060

Introduced by Assembly Member V. Manuel Pérez

February 20, 2014

An act to amend Section 15820.92 of the Government Code, relating to local criminal justice facilities; add Chapter 4 (commencing with Section 1234) to Title 8 of Part 2 of the Penal Code, relating to postrelease community supervision.

LEGISLATIVE COUNSEL'S DIGEST

AB 2060, as amended, V. Manuel Pérez. ~~County jails: construction funding.~~ *Postrelease Community Supervision Population Workforce Training Grant Program.*

Existing law requires all eligible people released from prison on and after October 1, 2011, or, whose sentences have been deemed served, as provided, after serving a prison term for a felony, upon release from prison, and for a period not exceeding 3 years immediately following release, to be subject to community supervision provided by a county agency designated by each county's board of supervisors that is consistent with evidence-based practices, including, but not limited to, supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under postrelease supervision. Existing law creates the Recidivism Reduction Fund in the State Treasury, available upon appropriation by the Legislature, for, among other things, activities designed to reduce recidivism of the state's prison population.

This bill would establish the Postrelease Community Supervision Population Workforce Training Grant Program to be administered, as

provided, by the California Workforce Investment Board and funded, upon appropriation by the Legislature, using moneys from the Recidivism Reduction Fund. The bill, among other things, would provide grant program eligibility criteria for counties. The bill would also provide that eligible uses for grant funds include, but are not limited to, vocational training, stipends for trainees, and apprenticeship opportunities for the postrelease community supervision population. By January 1, 2017, the board would be required to submit a report to the Legislature containing specified information, including an evaluation of the effectiveness of the grant program.

~~Existing law authorizes the Board of State and Community Corrections (BSCC), a participating county, and the State Public Works Board to acquire, design, and construct an adult local criminal justice facility approved by the BSCC or to acquire a site or sites owned by, or subject to a lease or option to purchase held by, a participating county, as provided. The BSCC, a participating county, and the board are required to enter into an agreement for each adult local criminal justice facility that provides, at a minimum, performance expectations of the parties related to the acquisition, design, and construction, including, without limitation, renovation of the adult local criminal justice facility; guidelines and criteria for use and application of the proceeds of revenue bonds, notes, or bond anticipation notes issued by the board to pay for the cost of the approved adult local criminal justice facility; and ongoing maintenance and staffing responsibilities for the term of the financing.~~

~~This bill would make technical, nonsubstantive changes to these provisions:~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 4 (commencing with Section 1234) is
2 added to Title 8 of Part 2 of the Penal Code, to read:

3

4 CHAPTER 4. POSTRELEASE COMMUNITY SUPERVISION
5 POPULATION WORKFORCE TRAINING GRANT PROGRAM

6

7 1234. For purposes of this chapter, the following terms have
8 the following meanings:

1 (a) "California Workforce Investment Board" or "State WIB"
2 means the California Workforce Investment Board established
3 pursuant to Article 1 (commencing with Section 14010) of Chapter
4 3 of Division 7 of the Unemployment Insurance Code.

5 (b) "Grant program" means the Postrelease Community
6 Supervision Population Workforce Training Grant Program.

7 (c) "Recidivism Reduction Fund" means the Recidivism
8 Reduction Fund created pursuant to Section 1233.9.

9 1234.1. (a) This chapter establishes the Postrelease
10 Community Supervision Population Workforce Training Grant
11 Program to be administered by the California Workforce
12 Investment Board.

13 (b) The grant program shall be competitive and open to all
14 counties in accordance with the criteria set forth in Section 1234.3.

15 (c) The grant program shall be funded, upon appropriation of
16 the Legislature, using moneys from the Recidivism Reduction Fund.

17 1234.2. The State WIB shall administer the grant program as
18 follows:

19 (a) Develop criteria for the selection of grant recipients through
20 a public process.

21 (b) Design the grant program application to ensure all of the
22 following occurs:

23 (1) There is fairness and competitiveness for smaller counties.

24 (2) There is fair and equitable geographic distribution of grant
25 funds.

26 (3) There is greater consideration given to counties that have
27 demonstrated a collaborative working relationship with local
28 workforce investment boards or that currently have in place a
29 workforce training program for the postrelease community
30 supervision population.

31 1234.3. (a) Each county is eligible to apply for the grant
32 program funds.

33 (b) (1) Preference shall be given to counties with demonstrated
34 matching funding.

35 (2) Matching funds may come from governmental or
36 nongovernmental sources, including, but not limited to, local
37 workforce investment boards, local governments, or private
38 foundation funds.

39 (c) Eligible uses of grant funds include, but are not limited to,
40 vocational training, stipends for trainees, and apprenticeship

1 opportunities for the postrelease community supervision
2 population.

3 1234.4. (a) Upon completion of the grant period, grant
4 recipients shall report to the State WIB regarding their use of the
5 funds and workforce training program outcomes.

6 (b) By January 1, 2017, the State WIB shall submit a report to
7 the Legislature using the reports from the grant recipients. The
8 report shall contain all the following information:

9 (1) The overall success of the grant program.

10 (2) An evaluation of the effectiveness of the grant program.

11 (3) A recommendation on the long-term viability of local
12 workforce investment board and county collaborations on
13 workforce training programs for the postrelease community
14 supervision population.

15 (4) A recommendation on the long-term viability of county
16 workforce training programs for the postrelease community
17 supervision population.

18 (c) (1) The requirement for submitting a report imposed under
19 subdivision (b) is inoperative on January 1, 2021, pursuant to
20 Section 12031.5 of the Government Code.

21 (2) A report to be submitted pursuant to subdivision (b) shall
22 be submitted in compliance with Section 9795 of the Government
23 Code.

24 SECTION 1. ~~Section 15820.92 of the Government Code is~~
25 ~~amended to read:~~

26 ~~15820.92. For purposes of this chapter, "participating county"~~
27 ~~means a county, or regional consortium of counties, within the~~
28 ~~state that has been certified to the State Public Works Board (the~~
29 ~~board) by the Board of State and Community Corrections (BSCC)~~
30 ~~as having satisfied all of the requirements set forth in Section~~
31 ~~15820.925 for financing an adult local criminal justice facility~~
32 ~~pursuant to this chapter. For purposes of this chapter, an adult local~~
33 ~~criminal justice facility may include any custodial housing, reentry~~
34 ~~program, mental health, or treatment space necessary to manage~~
35 ~~the adult offender population consistent with the legislative intent~~
36 ~~described in Sections 17.5 and 3450 of the Penal Code under the~~
37 ~~jurisdiction of the sheriff or county department of corrections, as~~
38 ~~may be applicable, to be further defined by the BSCC in duly~~
39 ~~adopted regulations.~~

1 ~~(a) The BSCC, a participating county, and the board are~~
2 ~~authorized to acquire, design, and construct an adult local criminal~~
3 ~~justice facility approved by the BSCC pursuant to Section~~
4 ~~15820.925, or to acquire a site or sites owned by, or subject to a~~
5 ~~lease or option to purchase held by, a participating county. For the~~
6 ~~purposes of this chapter, acquisition shall include, but is not limited~~
7 ~~to, acquisition of completed facilities through a build-to-suit~~
8 ~~purchase. Facilities financed pursuant to this chapter may be~~
9 ~~delivered through either a design-bid-build or a design-build~~
10 ~~process. The ownership interest of a participating county in the~~
11 ~~site or sites for an adult local criminal justice facility shall be~~
12 ~~determined by the board to be adequate for purposes of its~~
13 ~~financing in order to be eligible under this chapter.~~

14 ~~(b) Notwithstanding Section 14951, the participating county~~
15 ~~may assign an inspector during the construction of the adult local~~
16 ~~criminal justice facility.~~

17 ~~(c) The BSCC, a participating county, and the board shall enter~~
18 ~~into an agreement for each adult local criminal justice facility that~~
19 ~~provides, at a minimum, performance expectations of the parties~~
20 ~~related to the acquisition, design, and construction, including,~~
21 ~~without limitation, renovation of the adult local criminal justice~~
22 ~~facility; guidelines and criteria for use and application of the~~
23 ~~proceeds of revenue bonds, notes, or bond anticipation notes issued~~
24 ~~by the board to pay for the cost of the approved adult local criminal~~
25 ~~justice facility; and ongoing maintenance and staffing~~
26 ~~responsibilities for the term of the financing.~~

27 ~~(d) The agreement shall include a provision that the participating~~
28 ~~county agrees to indemnify, defend, and hold harmless the state~~
29 ~~for any and all claims and losses arising out of the acquisition,~~
30 ~~design, and construction of the adult local criminal justice facility.~~
31 ~~The agreement may also contain additional terms and conditions~~
32 ~~that facilitate the financing by the board.~~

33 ~~(e) The scope and cost of the adult local criminal justice facilities~~
34 ~~shall be subject to approval and administrative oversight by the~~
35 ~~board.~~

36 ~~(f) For purposes of compliance with the California~~
37 ~~Environmental Quality Act (Division 13 (commencing with Section~~
38 ~~21000) of the Public Resources Code), neither the board nor the~~
39 ~~BSCC shall be deemed a lead or responsible agency and the~~
40 ~~participating county shall be the lead agency.~~

O



AB 1449 – PUBLIC SAFETY REALIGNMENT

ISSUE

In 2011, Governor Jerry Brown signed AB 109, The Public Safety Realignment Act. California counties, still recovering from the worst economic conditions since the Great Depression, have encountered a number of administrative and structural challenges that impede the effective implementation of realignment, placing at risk the health and safety of our communities.

BACKGROUND

In *Brown v. Plata*, the U.S. Supreme Court found that California had violated the Eighth Amendment ban against cruel and unusual punishment by providing constitutionally inadequate medical and mental health services in its prisons. In its decision, the Court concluded that prison overcrowding was the primary factor underlying the violation. Specifically, the Court determined that California had room for just 80,000 prisoners in its 33 state prisons, but it housed more than twice that number, impeding its ability to provide adequate medical and mental health care to its inmates.

In 2011, in response to the Court decision, the Legislature passed and the Governor signed AB 109, The Public Safety Realignment Act, which shifts to counties the responsibility for monitoring, tracking, and incarcerating lower-level offenders previously sent to state prison. By mid-2013, more than 100,000 offenders had been diverted from state prison to county supervision.

DEFICIENCIES IN AB 109

A recent analysis by Stanford University has identified several implementation challenges related to AB 109 that, if not addressed, will place the health and safety of the public at risk:

1) Criminal History: Under AB 109, only the current conviction offense is considered when

determining whether inmates leaving prison will be placed under county or state supervision. As a result, offenders with minor current crimes, but a history of serious and violent prior convictions (including moderate-risk sex offenders), are reporting to county probation officers.

County probation officers are not equipped to manage offenders with a history of serious and/or violent crimes. Some counties have gone as far as arming their probation officers, creating a conflict with county probation's rehabilitative mission.

2) Length of Sentence: Under Realignment, responsibility for housing lower-level offenders regardless of sentence is delegated to the counties. However, County jails, and by extension their ability to provide medical care, are only designed to handle inmates serving up to one year in prison. By shifting responsibility to counties for housing inmates for sentences above one year, the state faces the potential of risking, once again, providing inadequate medical care to inmates.

3) Technical Parole Violations: Prior to Realignment, technical violations of a parolee's terms of supervision could result in a return to prison for up to one year. Under Realignment, violators are sent only to county jail, and only for a maximum of six months. In counties where the jails are crowded and sheriffs are opting to release some inmates early, technical violators may be one of the first groups freed to create room for more serious offenders. This cycle of supervision, violation, brief punishment, and release gives an offender little incentive to comply with supervision rules.

SOLUTION

AB 1449 seeks to address the challenges identified above by:

- Allowing an offender's full adult criminal history to be considered when determining whether the county or state will supervise a parolee.
- Remanding any person sentenced to three or more years to state custody. Only inmates serving fewer than three years will be eligible for county custody.
- Imposing a one-year prison sentence on anyone convicted of three or more serious technical probation violations.

STATUS

FOR MORE INFORMATION

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SUPPORT

California Police Chiefs Association (Co-sponsor)

OPPOSITION

None on File

ASSEMBLY BILL

No. 1449

Introduced by Assembly Member V. Manuel Pérez

January 7, 2014

An act to amend Sections 1170, 3000.08, 3451, and 3455 of the Penal Code, relating to punishment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1449, as introduced, V. Manuel Pérez. Realignment Omnibus Act of 2014.

(1) Under existing law, certain specified felonies are punishable by imprisonment in a county jail for 16 months, or 2 or 3 years or, where the term is specified, for the term described in the underlying offense. Notwithstanding these provisions, existing law requires that a sentence be served in state prison where the defendant has a prior or current conviction for a serious or violent felony, has a prior felony conviction in another jurisdiction that has all of the elements of a serious or violent felony, is required to register as a sex offender, or has an aggravated white collar crime enhancement imposed as part of the sentence.

This bill would additionally require a sentence to be served in the state prison when the defendant is convicted of a felony or felonies otherwise punishable in a county jail and is sentenced to an aggregate term of more than 3 years.

(2) Existing law requires that all persons released from prison after serving a prison term for a felony, be subject to postrelease community supervision provided by a county agency for a period of 3 years immediately following release, except for persons released after serving a term for a serious felony, a violent felony, an offense for which the person was sentenced pursuant to the 3 strikes law, a crime where the

person is classified as a high-risk sex offender, or a crime where the person is required to undergo treatment by the State Department of State Hospitals because the person has a severe mental disorder. Existing law requires these persons to be subject to parole supervision by the Department of Corrections and Rehabilitation following release from state prison and the jurisdiction of the court in the county in which the parolee is released, resides, or in which an alleged violation of supervision has occurred.

This bill would also require any person who is released from prison who has a prior conviction for any of the above crimes to be subject to parole supervision by the department and the jurisdiction of the court in the county in which the parolee is released, resides, or in which an alleged violation of supervision has occurred.

(3) Existing law, the Postrelease Community Supervision Act of 2011, requires certain inmates released from state prison to be subject to 3 years of supervision by a county agency. The act provides that if the supervising county agency has determined, following application of its assessment processes, that authorized intermediate sanctions are not appropriate, the supervising county agency is required to petition the revocation hearing officer to revoke and terminate postrelease supervision of the inmate. Existing law allows the revocation hearing officer to order the person to confinement in a county jail for a period not to exceed 180 days, among other sanctions.

This bill would, if the person has been found to have violated the conditions of postrelease community supervision on 2 or more prior occasions, allow the revocation hearing officer to revoke and terminate postrelease community supervision and order the person to confinement in the state prison for a period of one year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known, and may be cited as, the
- 2 Realignment Omnibus Act of 2014.
- 3 SEC. 2. Section 1170 of the Penal Code, as amended by Section
- 4 5 of Chapter 508 of the Statutes of 2013, is amended to read:
- 5 1170. (a) (1) The Legislature finds and declares that the
- 6 purpose of imprisonment for crime is punishment. This purpose
- 7 is best served by terms proportionate to the seriousness of the

1 offense with provision for uniformity in the sentences of offenders
2 committing the same offense under similar circumstances. The
3 Legislature further finds and declares that the elimination of
4 disparity and the provision of uniformity of sentences can best be
5 achieved by determinate sentences fixed by statute in proportion
6 to the seriousness of the offense as determined by the Legislature
7 to be imposed by the court with specified discretion.

8 (2) Notwithstanding paragraph (1), the Legislature further finds
9 and declares that programs should be available for inmates,
10 including, but not limited to, educational programs, that are
11 designed to prepare nonviolent felony offenders for successful
12 reentry into the community. The Legislature encourages the
13 development of policies and programs designed to educate and
14 rehabilitate nonviolent felony offenders. In implementing this
15 section, the Department of Corrections and Rehabilitation is
16 encouraged to give priority enrollment in programs to promote
17 successful return to the community to an inmate with a short
18 remaining term of commitment and a release date that would allow
19 him or her adequate time to complete the program.

20 (3) In any case in which the punishment prescribed by statute
21 for a person convicted of a public offense is a term of imprisonment
22 in the state prison of any specification of three time periods, the
23 court shall sentence the defendant to one of the terms of
24 imprisonment specified unless the convicted person is given any
25 other disposition provided by law, including a fine, jail, probation,
26 or the suspension of imposition or execution of sentence or is
27 sentenced pursuant to subdivision (b) of Section 1168 because he
28 or she had committed his or her crime prior to July 1, 1977. In
29 sentencing the convicted person, the court shall apply the
30 sentencing rules of the Judicial Council. The court, unless it
31 determines that there are circumstances in mitigation of the
32 punishment prescribed, shall also impose any other term that it is
33 required by law to impose as an additional term. Nothing in this
34 article shall affect any provision of law that imposes the death
35 penalty, that authorizes or restricts the granting of probation or
36 suspending the execution or imposition of sentence, or expressly
37 provides for imprisonment in the state prison for life, except as
38 provided in paragraph (2) of subdivision (d). In any case in which
39 the amount of preimprisonment credit under Section 2900.5 or any
40 other provision of law is equal to or exceeds any sentence imposed

1 pursuant to this chapter, the entire sentence shall be deemed to
2 have been served and the defendant shall not be actually delivered
3 to the custody of the secretary. The court shall advise the defendant
4 that he or she shall serve a period of parole and order the defendant
5 to report to the parole office closest to the defendant's last legal
6 residence, unless the in-custody credits equal the total sentence,
7 including both confinement time and the period of parole. The
8 sentence shall be deemed a separate prior prison term under Section
9 667.5, and a copy of the judgment and other necessary
10 documentation shall be forwarded to the secretary.

11 (b) When a judgment of imprisonment is to be imposed and the
12 statute specifies three possible terms, the choice of the appropriate
13 term shall rest within the sound discretion of the court. At least
14 four days prior to the time set for imposition of judgment, either
15 party or the victim, or the family of the victim if the victim is
16 deceased, may submit a statement in aggravation or mitigation. In
17 determining the appropriate term, the court may consider the record
18 in the case, the probation officer's report, other reports, including
19 reports received pursuant to Section 1203.03, and statements in
20 aggravation or mitigation submitted by the prosecution, the
21 defendant, or the victim, or the family of the victim if the victim
22 is deceased, and any further evidence introduced at the sentencing
23 hearing. The court shall select the term which, in the court's
24 discretion, best serves the interests of justice. The court shall set
25 forth on the record the reasons for imposing the term selected and
26 the court may not impose an upper term by using the fact of any
27 enhancement upon which sentence is imposed under any provision
28 of law. A term of imprisonment shall not be specified if imposition
29 of sentence is suspended.

30 (c) The court shall state the reasons for its sentence choice on
31 the record at the time of sentencing. The court shall also inform
32 the defendant that as part of the sentence after expiration of the
33 term he or she may be on parole for a period as provided in Section
34 3000.

35 (d) (1) When a defendant subject to this section or subdivision
36 (b) of Section 1168 has been sentenced to be imprisoned in the
37 state prison and has been committed to the custody of the secretary,
38 the court may, within 120 days of the date of commitment on its
39 own motion, or at any time upon the recommendation of the
40 secretary or the Board of Parole Hearings, recall the sentence and

1 commitment previously ordered and resentence the defendant in
2 the same manner as if he or she had not previously been sentenced,
3 provided the new sentence, if any, is no greater than the initial
4 sentence. The court resentencing under this subdivision shall apply
5 the sentencing rules of the Judicial Council so as to eliminate
6 disparity of sentences and to promote uniformity of sentencing.
7 Credit shall be given for time served.

8 (2) (A) (i) When a defendant who was under 18 years of age
9 at the time of the commission of the offense for which the
10 defendant was sentenced to imprisonment for life without the
11 possibility of parole has served at least 15 years of that sentence,
12 the defendant may submit to the sentencing court a petition for
13 recall and resentencing.

14 (ii) Notwithstanding clause (i), this paragraph shall not apply
15 to defendants sentenced to life without parole for an offense where
16 the defendant tortured, as described in Section 206, his or her
17 victim or the victim was a public safety official, including any law
18 enforcement personnel mentioned in Chapter 4.5 (commencing
19 with Section 830) of Title 3, or any firefighter as described in
20 Section 245.1, as well as any other officer in any segment of law
21 enforcement who is employed by the federal government, the state,
22 or any of its political subdivisions.

23 (B) The defendant shall file the original petition with the
24 sentencing court. A copy of the petition shall be served on the
25 agency that prosecuted the case. The petition shall include the
26 defendant's statement that he or she was under 18 years of age at
27 the time of the crime and was sentenced to life in prison without
28 the possibility of parole, the defendant's statement describing his
29 or her remorse and work towards rehabilitation, and the defendant's
30 statement that one of the following is true:

31 (i) The defendant was convicted pursuant to felony murder or
32 aiding and abetting murder provisions of law.

33 (ii) The defendant does not have juvenile felony adjudications
34 for assault or other felony crimes with a significant potential for
35 personal harm to victims prior to the offense for which the sentence
36 is being considered for recall.

37 (iii) The defendant committed the offense with at least one adult
38 codefendant.

39 (iv) The defendant has performed acts that tend to indicate
40 rehabilitation or the potential for rehabilitation, including, but not

1 limited to, availing himself or herself of rehabilitative, educational,
2 or vocational programs, if those programs have been available at
3 his or her classification level and facility, using self-study for
4 self-improvement, or showing evidence of remorse.

5 (C) If any of the information required in subparagraph (B) is
6 missing from the petition, or if proof of service on the prosecuting
7 agency is not provided, the court shall return the petition to the
8 defendant and advise the defendant that the matter cannot be
9 considered without the missing information.

10 (D) A reply to the petition, if any, shall be filed with the court
11 within 60 days of the date on which the prosecuting agency was
12 served with the petition, unless a continuance is granted for good
13 cause.

14 (E) If the court finds by a preponderance of the evidence that
15 the statements in the petition are true, the court shall hold a hearing
16 to consider whether to recall the sentence and commitment
17 previously ordered and to resentence the defendant in the same
18 manner as if the defendant had not previously been sentenced,
19 provided that the new sentence, if any, is not greater than the initial
20 sentence. Victims, or victim family members if the victim is
21 deceased, shall retain the rights to participate in the hearing.

22 (F) The factors that the court may consider when determining
23 whether to recall and resentence include, but are not limited to,
24 the following:

25 (i) The defendant was convicted pursuant to felony murder or
26 aiding and abetting murder provisions of law.

27 (ii) The defendant does not have juvenile felony adjudications
28 for assault or other felony crimes with a significant potential for
29 personal harm to victims prior to the offense for which the sentence
30 is being considered for recall.

31 (iii) The defendant committed the offense with at least one adult
32 codefendant.

33 (iv) Prior to the offense for which the sentence is being
34 considered for recall, the defendant had insufficient adult support
35 or supervision and had suffered from psychological or physical
36 trauma, or significant stress.

37 (v) The defendant suffers from cognitive limitations due to
38 mental illness, developmental disabilities, or other factors that did
39 not constitute a defense, but influenced the defendant's
40 involvement in the offense.

1 (vi) The defendant has performed acts that tend to indicate
2 rehabilitation or the potential for rehabilitation, including, but not
3 limited to, availing himself or herself of rehabilitative, educational,
4 or vocational programs, if those programs have been available at
5 his or her classification level and facility, using self-study for
6 self-improvement, or showing evidence of remorse.

7 (vii) The defendant has maintained family ties or connections
8 with others through letter writing, calls, or visits, or has eliminated
9 contact with individuals outside of prison who are currently
10 involved with crime.

11 (viii) The defendant has had no disciplinary actions for violent
12 activities in the last five years in which the defendant was
13 determined to be the aggressor.

14 (G) The court shall have the discretion to recall the sentence
15 and commitment previously ordered and to resentence the
16 defendant in the same manner as if the defendant had not
17 previously been sentenced, provided that the new sentence, if any,
18 is not greater than the initial sentence. The discretion of the court
19 shall be exercised in consideration of the criteria in subparagraph
20 (B). Victims, or victim family members if the victim is deceased,
21 shall be notified of the resentencing hearing and shall retain their
22 rights to participate in the hearing.

23 (H) If the sentence is not recalled, the defendant may submit
24 another petition for recall and resentencing to the sentencing court
25 when the defendant has been committed to the custody of the
26 department for at least 20 years. If recall and resentencing is not
27 granted under that petition, the defendant may file another petition
28 after having served 24 years. The final petition may be submitted,
29 and the response to that petition shall be determined, during the
30 25th year of the defendant's sentence.

31 (I) In addition to the criteria in subparagraph (F), the court may
32 consider any other criteria that the court deems relevant to its
33 decision, so long as the court identifies them on the record,
34 provides a statement of reasons for adopting them, and states why
35 the defendant does or does not satisfy the criteria.

36 (J) This subdivision shall have retroactive application.

37 (e) (1) Notwithstanding any other law and consistent with
38 paragraph (1) of subdivision (a), if the secretary or the Board of
39 Parole Hearings or both determine that a prisoner satisfies the

1 criteria set forth in paragraph (2), the secretary or the board may
2 recommend to the court that the prisoner's sentence be recalled.

3 (2) The court shall have the discretion to resentence or recall if
4 the court finds that the facts described in subparagraphs (A) and
5 (B) or subparagraphs (B) and (C) exist:

6 (A) The prisoner is terminally ill with an incurable condition
7 caused by an illness or disease that would produce death within
8 six months, as determined by a physician employed by the
9 department.

10 (B) The conditions under which the prisoner would be released
11 or receive treatment do not pose a threat to public safety.

12 (C) The prisoner is permanently medically incapacitated with
13 a medical condition that renders him or her permanently unable
14 to perform activities of basic daily living, and results in the prisoner
15 requiring 24-hour total care, including, but not limited to, coma,
16 persistent vegetative state, brain death, ventilator-dependency, loss
17 of control of muscular or neurological function, and that
18 incapacitation did not exist at the time of the original sentencing.

19 The Board of Parole Hearings shall make findings pursuant to
20 this subdivision before making a recommendation for resentence
21 or recall to the court. This subdivision does not apply to a prisoner
22 sentenced to death or a term of life without the possibility of parole.

23 (3) Within 10 days of receipt of a positive recommendation by
24 the secretary or the board, the court shall hold a hearing to consider
25 whether the prisoner's sentence should be recalled.

26 (4) Any physician employed by the department who determines
27 that a prisoner has six months or less to live shall notify the chief
28 medical officer of the prognosis. If the chief medical officer
29 concurs with the prognosis, he or she shall notify the warden.
30 Within 48 hours of receiving notification, the warden or the
31 warden's representative shall notify the prisoner of the recall and
32 resentencing procedures, and shall arrange for the prisoner to
33 designate a family member or other outside agent to be notified
34 as to the prisoner's medical condition and prognosis, and as to the
35 recall and resentencing procedures. If the inmate is deemed
36 mentally unfit, the warden or the warden's representative shall
37 contact the inmate's emergency contact and provide the information
38 described in paragraph (2).

39 (5) The warden or the warden's representative shall provide the
40 prisoner and his or her family member, agent, or emergency

1 contact, as described in paragraph (4), updated information
2 throughout the recall and resentencing process with regard to the
3 prisoner's medical condition and the status of the prisoner's recall
4 and resentencing proceedings.

5 (6) Notwithstanding any other provisions of this section, the
6 prisoner or his or her family member or designee may
7 independently request consideration for recall and resentencing
8 by contacting the chief medical officer at the prison or the
9 secretary. Upon receipt of the request, the chief medical officer
10 and the warden or the warden's representative shall follow the
11 procedures described in paragraph (4). If the secretary determines
12 that the prisoner satisfies the criteria set forth in paragraph (2), the
13 secretary or board may recommend to the court that the prisoner's
14 sentence be recalled. The secretary shall submit a recommendation
15 for release within 30 days in the case of inmates sentenced to
16 determinate terms and, in the case of inmates sentenced to
17 indeterminate terms, the secretary shall make a recommendation
18 to the Board of Parole Hearings with respect to the inmates who
19 have applied under this section. The board shall consider this
20 information and make an independent judgment pursuant to
21 paragraph (2) and make findings related thereto before rejecting
22 the request or making a recommendation to the court. This action
23 shall be taken at the next lawfully noticed board meeting.

24 (7) Any recommendation for recall submitted to the court by
25 the secretary or the Board of Parole Hearings shall include one or
26 more medical evaluations, a postrelease plan, and findings pursuant
27 to paragraph (2).

28 (8) If possible, the matter shall be heard before the same judge
29 of the court who sentenced the prisoner.

30 (9) If the court grants the recall and resentencing application,
31 the prisoner shall be released by the department within 48 hours
32 of receipt of the court's order, unless a longer time period is agreed
33 to by the inmate. At the time of release, the warden or the warden's
34 representative shall ensure that the prisoner has each of the
35 following in his or her possession: a discharge medical summary,
36 full medical records, state identification, parole medications, and
37 all property belonging to the prisoner. After discharge, any
38 additional records shall be sent to the prisoner's forwarding
39 address.

1 (10) The secretary shall issue a directive to medical and
2 correctional staff employed by the department that details the
3 guidelines and procedures for initiating a recall and resentencing
4 procedure. The directive shall clearly state that any prisoner who
5 is given a prognosis of six months or less to live is eligible for
6 recall and resentencing consideration, and that recall and
7 resentencing procedures shall be initiated upon that prognosis.

8 (f) Notwithstanding any other provision of this section, for
9 purposes of paragraph (3) of subdivision (h), any allegation that
10 a defendant is eligible for state prison due to a prior or current
11 conviction, sentence enhancement, or because he or she is required
12 to register as a sex offender shall not be subject to dismissal
13 pursuant to Section 1385.

14 (g) A sentence to state prison for a determinate term for which
15 only one term is specified, is a sentence to state prison under this
16 section.

17 (h) (1) Except as provided in paragraph (3), a felony punishable
18 pursuant to this subdivision where the term is not specified in the
19 underlying offense shall be punishable by a term of imprisonment
20 in a county jail for 16 months, or two or three years.

21 (2) Except as provided in paragraph (3), a felony punishable
22 pursuant to this subdivision shall be punishable by imprisonment
23 in a county jail for the term described in the underlying offense.

24 (3) Notwithstanding paragraphs (1) and (2), where the defendant
25 (A) has a prior or current felony conviction for a serious felony
26 described in subdivision (c) of Section 1192.7 or a prior or current
27 conviction for a violent felony described in subdivision (c) of
28 Section 667.5, (B) has a prior felony conviction in another
29 jurisdiction for an offense that has all the elements of a serious
30 felony described in subdivision (c) of Section 1192.7 or a violent
31 felony described in subdivision (c) of Section 667.5, (C) is required
32 to register as a sex offender pursuant to Chapter 5.5 (commencing
33 with Section 290) of Title 9 of Part 1, ~~or~~ (D) is convicted of a crime
34 and as part of the sentence an enhancement pursuant to Section
35 186.11 is imposed, *or (E) is convicted of a felony or felonies*
36 *punishable pursuant to this subdivision and is sentenced to an*
37 *aggregate term of more than three years*, an executed sentence for
38 a felony punishable pursuant to this subdivision shall be served in
39 state prison.

1 (4) Nothing in this subdivision shall be construed to prevent
2 other dispositions authorized by law, including pretrial diversion,
3 deferred entry of judgment, or an order granting probation pursuant
4 to Section 1203.1.

5 (5) The court, when imposing a sentence pursuant to paragraph
6 (1) or (2) of this subdivision, may commit the defendant to county
7 jail as follows:

8 (A) For a full term in custody as determined in accordance with
9 the applicable sentencing law.

10 (B) (i) For a term as determined in accordance with the
11 applicable sentencing law, but suspend execution of a concluding
12 portion of the term selected in the court's discretion, during which
13 time the defendant shall be supervised by the county probation
14 officer in accordance with the terms, conditions, and procedures
15 generally applicable to persons placed on probation, for the
16 remaining unserved portion of the sentence imposed by the court.
17 The period of supervision shall be mandatory, and may not be
18 earlier terminated except by court order. Any proceeding to revoke
19 or modify mandatory supervision under this subparagraph shall
20 be conducted pursuant to either subdivisions (a) and (b) of Section
21 1203.2 or Section 1203.3. During the period when the defendant
22 is under such supervision, unless in actual custody related to the
23 sentence imposed by the court, the defendant shall be entitled to
24 only actual time credit against the term of imprisonment imposed
25 by the court. Any time period which is suspended because a person
26 has absconded shall not be credited toward the period of
27 supervision.

28 (ii) The portion of a defendant's sentenced term during which
29 time he or she is supervised by the county probation officer
30 pursuant to this subparagraph shall be known as mandatory
31 supervision.

32 (6) The sentencing changes made by the act that added this
33 subdivision shall be applied prospectively to any person sentenced
34 on or after October 1, 2011.

35 (i) This section shall remain in effect only until January 1, 2017,
36 and as of that date is repealed, unless a later enacted statute, that
37 is enacted before that date, deletes or extends that date.

38 SEC. 3. Section 1170 of the Penal Code, as amended by Section
39 6 of Chapter 508 of the Statutes of 2013, is amended to read:

1 1170. (a) (1) The Legislature finds and declares that the
2 purpose of imprisonment for crime is punishment. This purpose
3 is best served by terms proportionate to the seriousness of the
4 offense with provision for uniformity in the sentences of offenders
5 committing the same offense under similar circumstances. The
6 Legislature further finds and declares that the elimination of
7 disparity and the provision of uniformity of sentences can best be
8 achieved by determinate sentences fixed by statute in proportion
9 to the seriousness of the offense as determined by the Legislature
10 to be imposed by the court with specified discretion.

11 (2) Notwithstanding paragraph (1), the Legislature further finds
12 and declares that programs should be available for inmates,
13 including, but not limited to, educational programs, that are
14 designed to prepare nonviolent felony offenders for successful
15 reentry into the community. The Legislature encourages the
16 development of policies and programs designed to educate and
17 rehabilitate nonviolent felony offenders. In implementing this
18 section, the Department of Corrections and Rehabilitation is
19 encouraged to give priority enrollment in programs to promote
20 successful return to the community to an inmate with a short
21 remaining term of commitment and a release date that would allow
22 him or her adequate time to complete the program.

23 (3) In any case in which the punishment prescribed by statute
24 for a person convicted of a public offense is a term of imprisonment
25 in the state prison of any specification of three time periods, the
26 court shall sentence the defendant to one of the terms of
27 imprisonment specified unless the convicted person is given any
28 other disposition provided by law, including a fine, jail, probation,
29 or the suspension of imposition or execution of sentence or is
30 sentenced pursuant to subdivision (b) of Section 1168 because he
31 or she had committed his or her crime prior to July 1, 1977. In
32 sentencing the convicted person, the court shall apply the
33 sentencing rules of the Judicial Council. The court, unless it
34 determines that there are circumstances in mitigation of the
35 punishment prescribed, shall also impose any other term that it is
36 required by law to impose as an additional term. Nothing in this
37 article shall affect any provision of law that imposes the death
38 penalty, that authorizes or restricts the granting of probation or
39 suspending the execution or imposition of sentence, or expressly
40 provides for imprisonment in the state prison for life, except as

1 provided in paragraph (2) of subdivision (d). In any case in which
2 the amount of preimprisonment credit under Section 2900.5 or any
3 other provision of law is equal to or exceeds any sentence imposed
4 pursuant to this chapter, the entire sentence shall be deemed to
5 have been served and the defendant shall not be actually delivered
6 to the custody of the secretary. The court shall advise the defendant
7 that he or she shall serve a period of parole and order the defendant
8 to report to the parole office closest to the defendant's last legal
9 residence, unless the in-custody credits equal the total sentence,
10 including both confinement time and the period of parole. The
11 sentence shall be deemed a separate prior prison term under Section
12 667.5, and a copy of the judgment and other necessary
13 documentation shall be forwarded to the secretary.

14 (b) When a judgment of imprisonment is to be imposed and the
15 statute specifies three possible terms, the court shall order
16 imposition of the middle term, unless there are circumstances in
17 aggravation or mitigation of the crime. At least four days prior to
18 the time set for imposition of judgment, either party or the victim,
19 or the family of the victim if the victim is deceased, may submit
20 a statement in aggravation or mitigation to dispute facts in the
21 record or the probation officer's report, or to present additional
22 facts. In determining whether there are circumstances that justify
23 imposition of the upper or lower term, the court may consider the
24 record in the case, the probation officer's report, other reports,
25 including reports received pursuant to Section 1203.03, and
26 statements in aggravation or mitigation submitted by the
27 prosecution, the defendant, or the victim, or the family of the victim
28 if the victim is deceased, and any further evidence introduced at
29 the sentencing hearing. The court shall set forth on the record the
30 facts and reasons for imposing the upper or lower term. The court
31 may not impose an upper term by using the fact of any
32 enhancement upon which sentence is imposed under any provision
33 of law. A term of imprisonment shall not be specified if imposition
34 of sentence is suspended.

35 (c) The court shall state the reasons for its sentence choice on
36 the record at the time of sentencing. The court shall also inform
37 the defendant that as part of the sentence after expiration of the
38 term he or she may be on parole for a period as provided in Section
39 3000.

1 (d) (1) When a defendant subject to this section or subdivision
2 (b) of Section 1168 has been sentenced to be imprisoned in the
3 state prison and has been committed to the custody of the secretary,
4 the court may, within 120 days of the date of commitment on its
5 own motion, or at any time upon the recommendation of the
6 secretary or the Board of Parole Hearings, recall the sentence and
7 commitment previously ordered and resentence the defendant in
8 the same manner as if he or she had not previously been sentenced,
9 provided the new sentence, if any, is no greater than the initial
10 sentence. The court resentencing under this subdivision shall apply
11 the sentencing rules of the Judicial Council so as to eliminate
12 disparity of sentences and to promote uniformity of sentencing.
13 Credit shall be given for time served.

14 (2) (A) (i) When a defendant who was under 18 years of age
15 at the time of the commission of the offense for which the
16 defendant was sentenced to imprisonment for life without the
17 possibility of parole has served at least 15 years of that sentence,
18 the defendant may submit to the sentencing court a petition for
19 recall and resentencing.

20 (ii) Notwithstanding clause (i), this paragraph shall not apply
21 to defendants sentenced to life without parole for an offense where
22 the defendant tortured, as described in Section 206, his or her
23 victim or the victim was a public safety official, including any law
24 enforcement personnel mentioned in Chapter 4.5 (commencing
25 with Section 830) of Title 3, or any firefighter as described in
26 Section 245.1, as well as any other officer in any segment of law
27 enforcement who is employed by the federal government, the state,
28 or any of its political subdivisions.

29 (B) The defendant shall file the original petition with the
30 sentencing court. A copy of the petition shall be served on the
31 agency that prosecuted the case. The petition shall include the
32 defendant's statement that he or she was under 18 years of age at
33 the time of the crime and was sentenced to life in prison without
34 the possibility of parole, the defendant's statement describing his
35 or her remorse and work towards rehabilitation, and the defendant's
36 statement that one of the following is true:

37 (i) The defendant was convicted pursuant to felony murder or
38 aiding and abetting murder provisions of law.

39 (ii) The defendant does not have juvenile felony adjudications
40 for assault or other felony crimes with a significant potential for

1 personal harm to victims prior to the offense for which the sentence
2 is being considered for recall.

3 (iii) The defendant committed the offense with at least one adult
4 codefendant.

5 (iv) The defendant has performed acts that tend to indicate
6 rehabilitation or the potential for rehabilitation, including, but not
7 limited to, availing himself or herself of rehabilitative, educational,
8 or vocational programs, if those programs have been available at
9 his or her classification level and facility, using self-study for
10 self-improvement, or showing evidence of remorse.

11 (C) If any of the information required in subparagraph (B) is
12 missing from the petition, or if proof of service on the prosecuting
13 agency is not provided, the court shall return the petition to the
14 defendant and advise the defendant that the matter cannot be
15 considered without the missing information.

16 (D) A reply to the petition, if any, shall be filed with the court
17 within 60 days of the date on which the prosecuting agency was
18 served with the petition, unless a continuance is granted for good
19 cause.

20 (E) If the court finds by a preponderance of the evidence that
21 the statements in the petition are true, the court shall hold a hearing
22 to consider whether to recall the sentence and commitment
23 previously ordered and to resentence the defendant in the same
24 manner as if the defendant had not previously been sentenced,
25 provided that the new sentence, if any, is not greater than the initial
26 sentence. Victims, or victim family members if the victim is
27 deceased, shall retain the rights to participate in the hearing.

28 (F) The factors that the court may consider when determining
29 whether to recall and resentence include, but are not limited to,
30 the following:

31 (i) The defendant was convicted pursuant to felony murder or
32 aiding and abetting murder provisions of law.

33 (ii) The defendant does not have juvenile felony adjudications
34 for assault or other felony crimes with a significant potential for
35 personal harm to victims prior to the offense for which the sentence
36 is being considered for recall.

37 (iii) The defendant committed the offense with at least one adult
38 codefendant.

39 (iv) Prior to the offense for which the sentence is being
40 considered for recall, the defendant had insufficient adult support

1 or supervision and had suffered from psychological or physical
2 trauma, or significant stress.

3 (v) The defendant suffers from cognitive limitations due to
4 mental illness, developmental disabilities, or other factors that did
5 not constitute a defense, but influenced the defendant's
6 involvement in the offense.

7 (vi) The defendant has performed acts that tend to indicate
8 rehabilitation or the potential for rehabilitation, including, but not
9 limited to, availing himself or herself of rehabilitative, educational,
10 or vocational programs, if those programs have been available at
11 his or her classification level and facility, using self-study for
12 self-improvement, or showing evidence of remorse.

13 (vii) The defendant has maintained family ties or connections
14 with others through letter writing, calls, or visits, or has eliminated
15 contact with individuals outside of prison who are currently
16 involved with crime.

17 (viii) The defendant has had no disciplinary actions for violent
18 activities in the last five years in which the defendant was
19 determined to be the aggressor.

20 (G) The court shall have the discretion to recall the sentence
21 and commitment previously ordered and to resentence the
22 defendant in the same manner as if the defendant had not
23 previously been sentenced, provided that the new sentence, if any,
24 is not greater than the initial sentence. The discretion of the court
25 shall be exercised in consideration of the criteria in subparagraph
26 (B). Victims, or victim family members if the victim is deceased,
27 shall be notified of the resentencing hearing and shall retain their
28 rights to participate in the hearing.

29 (H) If the sentence is not recalled, the defendant may submit
30 another petition for recall and resentencing to the sentencing court
31 when the defendant has been committed to the custody of the
32 department for at least 20 years. If recall and resentencing is not
33 granted under that petition, the defendant may file another petition
34 after having served 24 years. The final petition may be submitted,
35 and the response to that petition shall be determined, during the
36 25th year of the defendant's sentence.

37 (I) In addition to the criteria in subparagraph (F), the court may
38 consider any other criteria that the court deems relevant to its
39 decision, so long as the court identifies them on the record,

1 provides a statement of reasons for adopting them, and states why
2 the defendant does or does not satisfy the criteria.

3 (J) This subdivision shall have retroactive application.

4 (e) (1) Notwithstanding any other law and consistent with
5 paragraph (1) of subdivision (a), if the secretary or the Board of
6 Parole Hearings or both determine that a prisoner satisfies the
7 criteria set forth in paragraph (2), the secretary or the board may
8 recommend to the court that the prisoner's sentence be recalled.

9 (2) The court shall have the discretion to resentence or recall if
10 the court finds that the facts described in subparagraphs (A) and
11 (B) or subparagraphs (B) and (C) exist:

12 (A) The prisoner is terminally ill with an incurable condition
13 caused by an illness or disease that would produce death within
14 six months, as determined by a physician employed by the
15 department.

16 (B) The conditions under which the prisoner would be released
17 or receive treatment do not pose a threat to public safety.

18 (C) The prisoner is permanently medically incapacitated with
19 a medical condition that renders him or her permanently unable
20 to perform activities of basic daily living, and results in the prisoner
21 requiring 24-hour total care, including, but not limited to, coma,
22 persistent vegetative state, brain death, ventilator-dependency, loss
23 of control of muscular or neurological function, and that
24 incapacitation did not exist at the time of the original sentencing.

25 The Board of Parole Hearings shall make findings pursuant to
26 this subdivision before making a recommendation for resentence
27 or recall to the court. This subdivision does not apply to a prisoner
28 sentenced to death or a term of life without the possibility of parole.

29 (3) Within 10 days of receipt of a positive recommendation by
30 the secretary or the board, the court shall hold a hearing to consider
31 whether the prisoner's sentence should be recalled.

32 (4) Any physician employed by the department who determines
33 that a prisoner has six months or less to live shall notify the chief
34 medical officer of the prognosis. If the chief medical officer
35 concurs with the prognosis, he or she shall notify the warden.
36 Within 48 hours of receiving notification, the warden or the
37 warden's representative shall notify the prisoner of the recall and
38 resentencing procedures, and shall arrange for the prisoner to
39 designate a family member or other outside agent to be notified
40 as to the prisoner's medical condition and prognosis, and as to the

1 recall and resentencing procedures. If the inmate is deemed
2 mentally unfit, the warden or the warden's representative shall
3 contact the inmate's emergency contact and provide the information
4 described in paragraph (2).

5 (5) The warden or the warden's representative shall provide the
6 prisoner and his or her family member, agent, or emergency
7 contact, as described in paragraph (4), updated information
8 throughout the recall and resentencing process with regard to the
9 prisoner's medical condition and the status of the prisoner's recall
10 and resentencing proceedings.

11 (6) Notwithstanding any other provisions of this section, the
12 prisoner or his or her family member or designee may
13 independently request consideration for recall and resentencing
14 by contacting the chief medical officer at the prison or the
15 secretary. Upon receipt of the request, the chief medical officer
16 and the warden or the warden's representative shall follow the
17 procedures described in paragraph (4). If the secretary determines
18 that the prisoner satisfies the criteria set forth in paragraph (2), the
19 secretary or board may recommend to the court that the prisoner's
20 sentence be recalled. The secretary shall submit a recommendation
21 for release within 30 days in the case of inmates sentenced to
22 determinate terms and, in the case of inmates sentenced to
23 indeterminate terms, the secretary shall make a recommendation
24 to the Board of Parole Hearings with respect to the inmates who
25 have applied under this section. The board shall consider this
26 information and make an independent judgment pursuant to
27 paragraph (2) and make findings related thereto before rejecting
28 the request or making a recommendation to the court. This action
29 shall be taken at the next lawfully noticed board meeting.

30 (7) Any recommendation for recall submitted to the court by
31 the secretary or the Board of Parole Hearings shall include one or
32 more medical evaluations, a postrelease plan, and findings pursuant
33 to paragraph (2).

34 (8) If possible, the matter shall be heard before the same judge
35 of the court who sentenced the prisoner.

36 (9) If the court grants the recall and resentencing application,
37 the prisoner shall be released by the department within 48 hours
38 of receipt of the court's order, unless a longer time period is agreed
39 to by the inmate. At the time of release, the warden or the warden's
40 representative shall ensure that the prisoner has each of the

1 following in his or her possession: a discharge medical summary,
2 full medical records, state identification, parole medications, and
3 all property belonging to the prisoner. After discharge, any
4 additional records shall be sent to the prisoner's forwarding
5 address.

6 (10) The secretary shall issue a directive to medical and
7 correctional staff employed by the department that details the
8 guidelines and procedures for initiating a recall and resentencing
9 procedure. The directive shall clearly state that any prisoner who
10 is given a prognosis of six months or less to live is eligible for
11 recall and resentencing consideration, and that recall and
12 resentencing procedures shall be initiated upon that prognosis.

13 (f) Notwithstanding any other provision of this section, for
14 purposes of paragraph (3) of subdivision (h), any allegation that
15 a defendant is eligible for state prison due to a prior or current
16 conviction, sentence enhancement, or because he or she is required
17 to register as a sex offender shall not be subject to dismissal
18 pursuant to Section 1385.

19 (g) A sentence to state prison for a determinate term for which
20 only one term is specified, is a sentence to state prison under this
21 section.

22 (h) (1) Except as provided in paragraph (3), a felony punishable
23 pursuant to this subdivision where the term is not specified in the
24 underlying offense shall be punishable by a term of imprisonment
25 in a county jail for 16 months, or two or three years.

26 (2) Except as provided in paragraph (3), a felony punishable
27 pursuant to this subdivision shall be punishable by imprisonment
28 in a county jail for the term described in the underlying offense.

29 (3) Notwithstanding paragraphs (1) and (2), where the defendant
30 (A) has a prior or current felony conviction for a serious felony
31 described in subdivision (c) of Section 1192.7 or a prior or current
32 conviction for a violent felony described in subdivision (c) of
33 Section 667.5, (B) has a prior felony conviction in another
34 jurisdiction for an offense that has all the elements of a serious
35 felony described in subdivision (c) of Section 1192.7 or a violent
36 felony described in subdivision (c) of Section 667.5, (C) is required
37 to register as a sex offender pursuant to Chapter 5.5 (commencing
38 with Section 290) of Title 9 of Part 1, or (D) is convicted of a crime
39 and as part of the sentence an enhancement pursuant to Section
40 186.11 is imposed, or (E) is convicted of a felony or felonies

1 *punishable pursuant to this subdivision and is sentenced to an*
2 *aggregate term of more than three years, an executed sentence for*
3 *a felony punishable pursuant to this subdivision shall be served in*
4 *state prison.*

5 (4) Nothing in this subdivision shall be construed to prevent
6 other dispositions authorized by law, including pretrial diversion,
7 deferred entry of judgment, or an order granting probation pursuant
8 to Section 1203.1.

9 (5) The court, when imposing a sentence pursuant to paragraph
10 (1) or (2) of this subdivision, may commit the defendant to county
11 jail as follows:

12 (A) For a full term in custody as determined in accordance with
13 the applicable sentencing law.

14 (B) (i) For a term as determined in accordance with the
15 applicable sentencing law, but suspend execution of a concluding
16 portion of the term selected in the court's discretion, during which
17 time the defendant shall be supervised by the county probation
18 officer in accordance with the terms, conditions, and procedures
19 generally applicable to persons placed on probation, for the
20 remaining unserved portion of the sentence imposed by the court.
21 The period of supervision shall be mandatory, and may not be
22 earlier terminated except by court order. Any proceeding to revoke
23 or modify mandatory supervision under this subparagraph shall
24 be conducted pursuant to either subdivisions (a) and (b) of Section
25 1203.2 or Section 1203.3. During the period when the defendant
26 is under such supervision, unless in actual custody related to the
27 sentence imposed by the court, the defendant shall be entitled to
28 only actual time credit against the term of imprisonment imposed
29 by the court. Any time period which is suspended because a person
30 has absconded shall not be credited toward the period of
31 supervision.

32 (ii) The portion of a defendant's sentenced term during which
33 time he or she is supervised by the county probation officer
34 pursuant to this subparagraph shall be known as mandatory
35 supervision, and shall begin upon release from custody.

36 (6) The sentencing changes made by the act that added this
37 subdivision shall be applied prospectively to any person sentenced
38 on or after October 1, 2011.

39 (i) This section shall become operative on January 1, 2017.

40 SEC. 4. Section 3000.08 of the Penal Code is amended to read:

1 3000.08. (a) A person released from state prison prior to or
2 on or after July 1, 2013, after serving a prison term, or whose
3 sentence has been deemed served pursuant to Section 2900.5, for
4 any of the following crimes is subject to parole supervision by the
5 Department of Corrections and Rehabilitation and the jurisdiction
6 of the court in the county in which the parolee is released, resides,
7 or in which an alleged violation of supervision has occurred, for
8 the purpose of hearing petitions to revoke parole and impose a
9 term of custody:

10 (1) A serious felony as described in subdivision (c) of Section
11 1192.7.

12 (2) A violent felony as described in subdivision (c) of Section
13 667.5.

14 (3) A crime for which the person was sentenced pursuant to
15 paragraph (2) of subdivision (e) of Section 667 or paragraph (2)
16 of subdivision (c) of Section 1170.12.

17 (4) Any crime for which the person is classified as a high-risk
18 sex offender.

19 (5) Any crime for which the person is required, as a condition
20 of parole, to undergo treatment by the State Department of State
21 Hospitals pursuant to Section 2962.

22 *(b) A person released from state prison on or after January 1,*
23 *2015, after serving a prison term, or whose sentence has been*
24 *deemed served pursuant to Section 2900.5, to whom any of the*
25 *following apply, is subject to the jurisdiction of, and parole*
26 *supervision by, the Department of Corrections and Rehabilitation*
27 *and the jurisdiction of the court in the county in which the parolee*
28 *is released, resides, or in which an alleged violation of supervision*
29 *has occurred, for the purpose of hearing petitions to revoke parole*
30 *and impose a term of custody:*

31 *(1) The person has a prior conviction of a serious felony*
32 *described in subdivision (c) of Section 1192.7.*

33 *(2) The person has a prior conviction of a violent felony*
34 *described in subdivision (c) of Section 667.5.*

35 *(3) The person has a prior conviction for which the person was*
36 *sentenced pursuant to paragraph (2) of subdivision (e) of Section*
37 *667 or paragraph (2) of subdivision (c) of Section 1170.12.*

38 *(4) The person has a prior conviction of a crime for which the*
39 *person was classified as a high-risk sex offender.*

1 (5) *The person has a conviction of a crime for which the person*
2 *was required, as a condition of parole, to undergo treatment by*
3 *the State Department of State Hospitals pursuant to Section 2962.*

4 ~~(b)~~

5 (c) Notwithstanding any other law, all other offenders released
6 from prison shall be placed on postrelease supervision pursuant
7 to Title 2.05 (commencing with Section 3450).

8 ~~(e)~~

9 (d) At any time during the period of parole of a person subject
10 to this section, if any parole agent or peace officer has probable
11 cause to believe that the parolee is violating any term or condition
12 of his or her parole, the agent or officer may, without warrant or
13 other process and at any time until the final disposition of the case,
14 arrest the person and bring him or her before the court, or the court
15 may, in its discretion, issue a warrant for that person's arrest
16 pursuant to Section 1203.2.

17 ~~(d)~~

18 (e) Upon review of the alleged violation and a finding of good
19 cause that the parolee has committed a violation of law or violated
20 his or her conditions of parole, the supervising parole agency may
21 impose additional and appropriate conditions of supervision,
22 including rehabilitation and treatment services and appropriate
23 incentives for compliance, and impose immediate, structured, and
24 intermediate sanctions for parole violations, including flash
25 incarceration in a city or a county jail. Periods of "flash
26 incarceration," as defined in subdivision ~~(e)~~ (f) are encouraged as
27 one method of punishment for violations of a parolee's conditions
28 of parole. This section does not preclude referrals to a reentry court
29 pursuant to Section 3015.

30 ~~(e)~~

31 (f) "Flash incarceration" is a period of detention in a city or a
32 county jail due to a violation of a parolee's conditions of parole.
33 The length of the detention period can range between one and 10
34 consecutive days. Shorter, but if necessary more frequent, periods
35 of detention for violations of a parolee's conditions of parole shall
36 appropriately punish a parolee while preventing the disruption in
37 a work or home establishment that typically arises from longer
38 periods of detention.

39 ~~(f)~~

1 (g) If the supervising parole agency has determined, following
2 application of its assessment processes, that intermediate sanctions
3 up to and including flash incarceration are not appropriate, the
4 supervising parole agency shall, pursuant to Section 1203.2,
5 petition either the court in the county in which the parolee is being
6 supervised or the court in the county in which the alleged violation
7 of supervision occurred, to revoke parole. At any point during the
8 process initiated pursuant to this section, a parolee may waive, in
9 writing, his or her right to counsel, admit the parole violation,
10 waive a court hearing, and accept the proposed parole modification
11 or revocation. The petition shall include a written report that
12 contains additional information regarding the petition, including
13 the relevant terms and conditions of parole, the circumstances of
14 the alleged underlying violation, the history and background of
15 the parolee, and any recommendations. The Judicial Council shall
16 adopt forms and rules of court to establish uniform statewide
17 procedures to implement this subdivision, including the minimum
18 contents of supervision agency reports. Upon a finding that the
19 person has violated the conditions of parole, the court shall have
20 authority to do any of the following:

21 (1) Return the person to parole supervision with modifications
22 of conditions, if appropriate, including a period of incarceration
23 in county jail.

24 (2) Revoke parole and order the person to confinement in the
25 county jail.

26 (3) Refer the person to a reentry court pursuant to Section 3015
27 or other evidence-based program in the court's discretion.

28 ~~(g)~~

29 (h) Confinement pursuant to paragraphs (1) and (2) of
30 subdivision ~~(f)~~ (g) shall not exceed a period of 180 days in the
31 county jail.

32 ~~(h)~~

33 (i) Notwithstanding any other law, if Section 3000.1 or
34 paragraph (4) of subdivision (b) of Section 3000 applies to a person
35 who is on parole and the court determines that the person has
36 committed a violation of law or violated his or her conditions of
37 parole, the person on parole shall be remanded to the custody of
38 the Department of Corrections and Rehabilitation and the
39 jurisdiction of the Board of Parole Hearings for the purpose of
40 future parole consideration.

1 ~~(i)~~

2 (j) Notwithstanding subdivision (a), any of the following persons
3 released from state prison shall be subject to the jurisdiction of,
4 and parole supervision by, the Department of Corrections and
5 Rehabilitation for a period of parole up to three years or the parole
6 term the person was subject to at the time of the commission of
7 the offense, whichever is greater:

8 (1) The person is required to register as a sex offender pursuant
9 to Chapter 5.5 (commencing with Section 290) of Title 9 of Part
10 1, and was subject to a period of parole exceeding three years at
11 the time he or she committed a felony for which they were
12 convicted and subsequently sentenced to state prison.

13 (2) The person was subject to parole for life pursuant to Section
14 3000.1 at the time of the commission of the offense that resulted
15 in a conviction and state prison sentence.

16 ~~(j)~~

17 (k) Parolees subject to this section who have a pending
18 adjudication for a parole violation on July 1, 2013, are subject to
19 the jurisdiction of the Board of Parole Hearings. Parole revocation
20 proceedings conducted by the Board of Parole Hearings prior to
21 July 1, 2013, if reopened on or after July 1, 2013, are subject to
22 the jurisdiction of the Board of Parole Hearings.

23 ~~(k)~~

24 (l) Except as described in subdivision ~~(e)~~ (d), any person who
25 is convicted of a felony that requires community supervision and
26 who still has a period of state parole to serve shall discharge from
27 state parole at the time of release to community supervision.

28 ~~(l)~~

29 (m) Any person released to parole supervision pursuant to
30 subdivision (a) *or* (b) shall, regardless of any subsequent
31 determination that the person should have been released pursuant
32 to subdivision ~~(b)~~ (c), remain subject to subdivision (a) *or* (b) after
33 having served 60 days under supervision pursuant to subdivision
34 (a) *or* (b).

35 ~~(m) This section shall become operative on July 1, 2013.~~

36 SEC. 5. Section 3451 of the Penal Code is amended to read:

37 3451. (a) Notwithstanding any other law and except for persons
38 serving a prison term for any crime described in subdivision (b),
39 all persons released from prison on and after October 1, 2011, or,
40 whose sentence has been deemed served pursuant to Section 2900.5

1 after serving a prison term for a felony shall, upon release from
2 prison and for a period not exceeding three years immediately
3 following release, be subject to community supervision provided
4 by a county agency designated by each county's board of
5 supervisors which is consistent with evidence-based practices,
6 including, but not limited to, supervision policies, procedures,
7 programs, and practices demonstrated by scientific research to
8 reduce recidivism among individuals under postrelease supervision.

9 (b) This section shall not apply to any person released from
10 prison after having served a prison term for any of the following:

11 (1) A serious felony described in subdivision (c) of Section
12 1192.7.

13 (2) A violent felony described in subdivision (c) of Section
14 667.5.

15 (3) A crime for which the person was sentenced pursuant to
16 paragraph (2) of subdivision (e) of Section 667 or paragraph (2)
17 of subdivision (c) of Section 1170.12.

18 (4) Any crime for which the person is classified as a ~~high-risk~~
19 *high-risk* sex offender.

20 (5) Any crime for which the person is required, as a condition
21 of parole, to undergo treatment by the State Department of State
22 Hospitals pursuant to Section 2962.

23 (c) *This section shall not apply to any person released from*
24 *prison to whom any of the following apply:*

25 (1) *The person has a prior conviction of a serious felony*
26 *described in subdivision (c) of Section 1192.7.*

27 (2) *The person has a prior conviction of a violent felony*
28 *described in subdivision (c) of Section 667.5.*

29 (3) *The person has a prior conviction for which the person was*
30 *sentenced pursuant to paragraph (2) of subdivision (e) of Section*
31 *667 or paragraph (2) of subdivision (c) of Section 1170.12.*

32 (4) *The person has a prior conviction of a crime for which the*
33 *person was classified as a high-risk sex offender.*

34 (5) *The person has a conviction of a crime for which the person*
35 *was required, as a condition of parole, to undergo treatment by*
36 *the State Department of State Hospitals pursuant to Section 2962.*

37 ~~(e)~~

38 (d) (1) Postrelease supervision under this title shall be
39 implemented by a county agency according to a postrelease strategy
40 designated by each county's board of supervisors.

1 (2) The Department of Corrections and Rehabilitation shall
2 inform every prisoner subject to the provisions of this title, upon
3 release from state prison, of the requirements of this title and of
4 his or her responsibility to report to the county agency responsible
5 for serving that inmate. The department shall also inform persons
6 serving a term of parole for a felony offense who are subject to
7 this section of the requirements of this title and of his or her
8 responsibility to report to the county agency responsible for serving
9 that parolee. Thirty days prior to the release of any person subject
10 to postrelease supervision by a county, the department shall notify
11 the county of all information that would otherwise be required for
12 parolees under subdivision (e) of Section 3003.

13 (d)

14 (e) Any person released to postrelease community supervision
15 pursuant to subdivision (a) shall, regardless of any subsequent
16 determination that the person should have been released to parole
17 pursuant to Section 3000.08, remain subject to subdivision (a) after
18 having served 60 days under supervision pursuant to subdivision
19 (a).

20 SEC. 6. Section 3455 of the Penal Code is amended to read:

21 3455. (a) If the supervising county agency has determined,
22 following application of its assessment processes, that intermediate
23 sanctions as authorized in subdivision (b) of Section 3454 are not
24 appropriate, the supervising county agency shall petition the court
25 pursuant to Section 1203.2 to revoke, modify, or terminate
26 postrelease community supervision. At any point during the process
27 initiated pursuant to this section, a person may waive, in writing,
28 his or her right to counsel, admit the violation of his or her
29 postrelease community supervision, waive a court hearing, and
30 accept the proposed modification of his or her postrelease
31 community supervision. The petition shall include a written report
32 that contains additional information regarding the petition,
33 including the relevant terms and conditions of postrelease
34 community supervision, the circumstances of the alleged
35 underlying violation, the history and background of the violator,
36 and any recommendations. The Judicial Council shall adopt forms
37 and rules of court to establish uniform statewide procedures to
38 implement this subdivision, including the minimum contents of
39 supervision agency reports. Upon a finding that the person has
40 violated the conditions of postrelease community supervision, the

1 revocation hearing officer shall have authority to do all of the
2 following:

3 (1) Return the person to postrelease community supervision
4 with modifications of conditions, if appropriate, including a period
5 of incarceration in county jail.

6 (2) Revoke and terminate postrelease community supervision
7 and order the person to confinement in the county jail.

8 (3) Refer the person to a reentry court pursuant to Section 3015
9 or other evidence-based program in the court's discretion.

10 (4) *If the person has been found to have violated the conditions*
11 *of postrelease community supervision on two prior occasions,*
12 *revoke and terminate postrelease community supervision and order*
13 *the person to confinement in the state prison for a period of one*
14 *year.*

15 (b) (1) At any time during the period of postrelease community
16 supervision, if any peace officer has probable cause to believe a
17 person subject to postrelease community supervision is violating
18 any term or condition of his or her release, the officer may, without
19 a warrant or other process, arrest the person and bring him or her
20 before the supervising county agency established by the county
21 board of supervisors pursuant to subdivision (a) of Section 3451.
22 Additionally, an officer employed by the supervising county agency
23 may seek a warrant and a court or its designated hearing officer
24 appointed pursuant to Section 71622.5 of the Government Code
25 shall have the authority to issue a warrant for that person's arrest.

26 (2) The court or its designated hearing officer shall have the
27 authority to issue a warrant for any person who is the subject of a
28 petition filed under this section who has failed to appear for a
29 hearing on the petition or for any reason in the interests of justice,
30 or to remand to custody a person who does appear at a hearing on
31 the petition for any reason in the interests of justice.

32 (c) The revocation hearing shall be held within a reasonable
33 time after the filing of the revocation petition. Based upon a
34 showing of a preponderance of the evidence that a person under
35 supervision poses an unreasonable risk to public safety, or the
36 person may not appear if released from custody, or for any reason
37 in the interests of justice, the supervising county agency shall have
38 the authority to make a determination whether the person should
39 remain in custody pending the first court appearance on a petition
40 to revoke postrelease community supervision, and upon that

1 determination, may order the person confined pending his or her
2 first court appearance.

3 (d) Confinement pursuant to paragraphs (1) and (2) of
4 subdivision (a) shall not exceed a period of 180 days in the county
5 jail for each custodial sanction.

6 (e) A person shall not remain under supervision or in custody
7 pursuant to this title on or after three years from the date of the
8 person's initial entry onto postrelease community supervision,
9 except when his or her supervision is tolled pursuant to Section
10 1203.2 or subdivision (b) of Section 3456.