

**RIVERSIDE COUNTY  
COMMUNITY CORRECTIONS PARTNERSHIP  
EXECUTIVE COMMITTEE**

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DOWNTOWN LAW BUILDING  
3960 ORANGE STREET, 5<sup>TH</sup> FLOOR CONFERENCE ROOM, RIVERSIDE, CA

JANUARY 7, 2014, 1:30 P.M.

AGENDA

1. CALL TO ORDER – ROLL CALL
2. APPROVAL OF MINUTES – ACTION ITEMS
  - a) SEPTEMBER 10, 2013
  - b) NOVEMBER 5, 2013
3. PROPOSAL TO USE AB 109 GRANT FUNDS FOR EVALUATION OF AB 109 PUBLIC SAFETY REALIGNMENT IMPLEMENTATION - ACTION ITEM
4. CSAC REALIGNMENT ALLOCATION COMMITTEE UPDATE - DISCUSSION ITEM
5. STAFF REPORTS – DISCUSSION ITEMS
  - a) PROBATION
  - b) SHERIFF
  - c) MENTAL HEALTH
  - d) POLICE
  - e) DISTRICT ATTORNEY
  - f) PUBLIC DEFENDER
  - g) COURT
6. PUBLIC COMMENTS
7. NEXT MEETING: APRIL 1, 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](http://www.probation.co.riverside.ca.us) under Related Links tab or at Probation Administration, 3960 Orange St., 6<sup>th</sup> Floor, Riverside, CA.*
- *Items may be called out of order.*

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

September 10, 2013 – 1:30 p.m.  
Downtown Law Building, 3960 Orange Street, 5<sup>th</sup> Floor, Riverside

**MINUTES**

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1. CALL TO ORDER - ROLL CALL

The meeting was called to order by the Chairman, Chief Probation Officer Mark Hake at 1:34 p.m.

Roll call of the members:

Adriaan Ayers, Countywide Operations Deputy, Superior Court  
Mark Hake, Chief Probation Officer, Chairman  
Steven Harmon, Public Defender  
Stan Sniff, Sheriff  
Paul Zellerbach, District Attorney, Vice-Chairman

Not Present:

Frank Coe, Chief of Police, Beaumont  
Jerry Wengerd, Director, Mental Health

2. APPROVAL OF MINUTES

Mark Hake entertained a motion to approve the July 9, 2013 minutes of the Community Corrections Partnership Executive Committee (CCPEC) meeting. Motion was moved by Paul Zellerbach, and seconded by Steven Harmon. Mark Hake requested a roll call vote of the motion which did not pass due to an inadequate quorum. The minutes will carry over to the next CCPEC meeting for approval.

Aye: Hake, Harmon, Zellerbach

Nay: None

Absent: Coe, Wengerd

Abstain: Ayers, Sniff

3. FY 2012/13 YEAR END FINANCIAL REPORT

Chief Deputy Probation Administrator Doug Moreno provided an update on the FY 2012/13 CCPEC Financial Reports for the period July 1, 2012 to June 30, 2013. The Summary of Expenditures (Schedule A) was also provided. It summarizes the CCPEC agency budgets as approved on October 18, 2012 (\$54.29M).

CCPEC Budget \$52.73M:

- \$43.18M, FY 2012/13 9-Month Budgets, including contingency of \$3.07M
- \$8.81M, FY 2011/12 Rollover Funds
- \$0.74M, FY 2011/12 Contingency Funds

Other Funds \$1.56M:

- 0.85M, additional funding for the District Attorney and Public Defender
- 0.34M, funding for the Superior Court
- 0.36M, AB 109 Planning Allocation Funds, including \$0.16M from FY 2011/12

Mark Hake recommended that the CCPEC receive and file the FY 2012/13 Period 4 Financial Report – Summary of Expenditures (Schedule A) and the individual CCPEC Agency Financial Reports. The motion was moved by Paul Zellerbach, and seconded by Mark Hake. Mark Hake requested a roll call vote of the motion, which passed as follows:

Aye: Hake, Harmon, Sniff, Zellerbach

Nay: None

Absent: Coe, Wengerd

Abstain: Ayers

4. AB 109 IMPLEMENTATION PLAN UPDATE

Mark Hake entertained a motion to approve the County of Riverside Public Safety Realignment and Post-release Community Supervision Implementation Plan Update dated for September 24, 2013. The motion was moved by Stan Sniff, and seconded by Steven Harmon. Mark Hake requested a roll call vote, which passed as follows:

Aye: Hake, Harmon, Sniff, Zellerbach

Nay: None

Absent: Coe, Wengerd

Abstain: Ayers

5. STATE'S PLAN FOR PRISON OVERCROWDING

Mark Hake advised that the Governor unveiled his plan to address the need to continue reducing the prison state population by another 9000 offenders in order to meet the Three-Judge Panel deadline of December 31, 2013. He then shared an update from the Chief Probation Officers of California (CPOC) Quarterly meeting regarding the state's plan for prison overcrowding and an announcement that was made on the compromised agreement.

6. AB 109 FY 12/13 GROWTH FUNDS FOR FY 2013/14 ALLOCATION

Mark Hake reviewed and provided handouts on the *Proposed AB 109 FY 2012/13 Growth Funds for FY 2013/14 Allocation Distribution*, the totals of the estimated revenues sheet, and a copy of the *Recommended AB 109 Growth Allocation* power point that was presented by the County Administrative Officers Association of California (CAOAC) Realignment Allocation Committee. Mark Hake advised that the proposed Growth Funds handout is a recommendation of the Realignment Allocation Committee (RAC) to the Department of Finance. The funding allocations will be allocated to the counties in October, 2013. The RAC will revisit the AB 109 allocation formula. He advised that live data may be needed by each department to provide to RAC in the future.

7. THIRD ANNUAL CONFERENCE ON PUBLIC SAFETY REALIGNMENT

The Third Annual Conference on Public Safety Realignment will be held on October 24-25, 2013 in Sacramento. The Probation Department will register Riverside County/agency representatives who would like to attend the conference.

The Joint Training Partnership (JTP) is seeking proposals for conference presentations. Probation Division Director Stacy Adams responded on behalf of Riverside County and provided a copy of the proposal submission. The proposals will be reviewed by the JTP and potential presenters will be contacted to discuss proposals in more detail. Stacy indicated that the selections and notifications have been extended and counties may be notified this coming week. If Riverside County is selected, Stacy will inform each department.

8. AB 109 PUBLIC SAFETY REALIGNMENT TRAINING OPPORTUNITY ON SSI/SSDI ACCESS

A flyer was provided by Jerry Wengerd to distribute to the committee. In Jerry's absence, a brief description of the training sponsored by the California Institute for Mental Health (CiMH) was given by Mark Hake. Deputy Director of Mental Health Services/Forensics Deborah Johnson stated that Jerry is working with the State in providing this upcoming training opportunity. The training is scheduled to be held in November.

9. STAFF REPORTS

a) PROBATION: Stacy Adams reviewed the AB 109 Status Report dated September 10, 2013, as follows:

Post-Release Community Supervision (PRCS):

- Clients Assigned to a Caseload: 1,725
- Grand Total Active Supervision: 1,907
- Revocation Petitions: 2,450
- Flash Incarcerations: 985

Mandatory Supervision (MS):

- Clients Ordered by the Court: 2,897
- Clients Assigned to a Caseload: 1,239
- Grand Total Active Supervision: 1,562
- Revocation Petitions: 2,276

Total PRCS and MS Offenders Assigned to a Caseload: 2,964

The *PRCS Fact Sheet, PRCS Population by City, Mandatory Supervision Offenders Population by City, and Active MS Offenders Population by City* (handouts) dated September 3, 2013 were also briefly reviewed .

b) SHERIFF: Chief Deputy Jerry Gutierrez introduced newly promoted Captain Jason Horton over Coordinated Custody Management (CCM). Jerry reviewed the *AB 109 Impact Update* dated August 31, 2013, as follows:

- Parole Violations (3056 PC), total booked to date: 8,060
- Flash Incarcerations (3454 PC), total booked to date: 1,056
- PRCS Violations (3455 PC), total booked to date: 2,373
- Inmates Sentenced under 1170(h) PC for Felony Sentence to be served in County Jail, total number of inmates sentenced per 1170(h) PC: 4,249
- The total number of 1170(h) Fire Camp participants: 54

- Since January 2012, there have been 303 full-time Supervised Electronic Confinement Program (SECP) participants. There are currently 61 participants.
- Total number of inmates to date booked directly or sentenced to jail due to realignment: 11,758

c) MENTAL HEALTH: Nothing to report.

d) POLICE: Nothing to report.

e) DISTRICT ATTORNEY (DA): Assistant DA Creg Datig stated that the Parole Revocation Hearings are moving more steadily and going well. He gave thanks to the Public Defender's Office, Superior Court, and the Probation Department.

f) PUBLIC DEFENDER: Nothing to report.

g) COURT: Adriaan Ayers advised that Parole has filed 357 petitions to date over a two month period. She stated that most of the petitions are warrants and are being resolved at arraignment or settlement by way of negotiated disposition. There have been only three contested parole revocation hearings in the past two months. For the first two quarters of this year, 835 PRCS petitions have been filed. Additionally, quarterly statistics were provided to the AOC and those statistics include about 30 data elements that will be used to establish a new funding allocation report. To date, the Court has received approximately \$30,000.

#### 10. PUBLIC COMMENTS:

No public comments.

#### 11. NEXT MEETING: NOVEMBER 5, 2013:

Mark Hake motioned to cancel the CCPEC meeting scheduled for October 1, 2013. Paul Zellerbach seconded the motion. Mark Hake requested a roll call vote of the motion which passed as follows:

Aye: Hake, Harmon, Sniff, Zellerbach

Nay: None

Absent: Coe, Wengerd

Abstain: Ayers

Additionally, Mark Hake suggested the possibility of conducting the CCPEC meetings every other month or quarterly to be discussed at the next meeting in November.

Meeting adjourned at 2:20 p.m.

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

*Minutes submitted by Andria Bartkowski, Executive Secretary, Riverside County Probation Department*

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

November 5, 2013 - 1:30 p.m.  
Downtown Law Building, 3960 Orange Street, 5th Floor, Riverside

**MINUTES**

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1. CALL TO ORDER - ROLL CALL

The meeting was called to order by the Chairman, Chief Probation Officer Mark Hake at 1:34 p.m.

Roll call of the members:

Frank Coe, Chief of Police, Beaumont  
Mark A. Hake, Chief Probation Officer, Chairman  
Steven Harmon, Public Defender  
Jerry Wengerd, Director, Mental Health  
Paul Zellerbach, District Attorney, Vice-Chairman

Not Present:

Adriaan Ayers, Countywide Operations Deputy, Superior Court  
Stan Sniff, Sheriff

Mark Hake stated that prior to the approval of the previous CCPEC meeting minutes he would like to advise there is an email in the packets that contains web links to reports titled "Voices from the Field: How California Stakeholders View Public Safety Realignment" and "California Victims' Rights in a Post-Realignment World." The web links will be forwarded electronically to the CCPEC members following the meeting.

2. APPROVAL OF MINUTES

Mark Hake entertained a motion to approve the meeting minutes of the Community Corrections Partnership Executive Committee (CCPEC) meetings from July 9, 2013, and 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:

a) CCPEC meeting minutes from July 9, 2013:

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

b) CCPEC Meeting Minutes from September 10, 2013:

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

The motion for the September 10, 2013, meeting minutes did not pass due to CCPEC members abstaining from the motion. The minutes will carry over to the next CCPEC meeting for approval.

3. PROPOSED REGULAR MEETING SCHEDULE FOR 2014

Mark Hake reviewed the schedule of the *Proposed Regular Meeting Dates - 2014*. He recommended that the meetings be held quarterly, with additional meetings during the end of Fiscal Year (FY) 13/14 to ensure that the AB 109 budget is approved in a timely manner. Mark Hake entertained a motion to approve the regular CCPEC meeting dates for 2014. The motion was moved by Frank Coe, and was seconded by Steve Harmon. Mark Hake requested a roll call vote of the motion which passed as follows:

Aye: Coe, Hake, Harmon, Wengerd, Zellerbach

Nay: None

Absent: Ayers, Sniff

4. AB 109 BUDGET UPDATE

a) FIRST REVISED BUDGET REPORT FOR FY 13/14

Mark Hake explained that the FY 13/14 AB 109 Budget was developed including an estimate of the growth allocation distribution to the county and an estimate of the separate growth allocation distribution divided between the offices of the Public Defender and District Attorney. The final dollar amounts came in higher than estimated and the budget revision is proposed to reflect the change.

Chief Deputy Administrator Doug Moreno gave the following summary of the *FY 13/14 CCPEC Financial Report for July 1, 2013 to September 30, 2013*:

CCPEC Budget \$66.53M (including contingency of \$6.74M)

- \$51.24M, FY 2013/14 Annual Budgets, including contingency \$1.5M
- \$13.14M FY 2012/13 Rollover Funds, including contingency \$3.07M
- \$2.15M FY 2012/13 Growth Funds, allocated to the contingency fund

Other Funds \$1.71M

- \$1.71M, additional funding for District Attorney and Public Defender
- \$0.54M, AB 109 Planning Grant

Doug Moreno advised that all departments (excluding the District Attorney) provided FY 2013/14 Financial Reports. The reports include actual expenditures for the period July 1, 2013 to September 30, 2013, and year end estimates through June 30, 2014. All the reporting agencies, except Health and Human Services, anticipate to fully expend their respective CCPEC allocations for FY 2013/14.

Doug Moreno further indicated that the Riverside County AB 109 Operating Fund FY 12/13 growth allocation, originally estimated at \$2.15M, was actually \$4.32M, an increase of \$2.17M. The District Attorney and Public Defender FY 2012/13 growth allocation, originally estimated \$0.18M, was actually \$0.34M, an increase of \$0.16M.

Mark Hake recommended a motion that the CCPEC receive and file the FY 2013/14 Financial Report. The motion was moved by Jerry Wengerd and was seconded by Steven Harmon. Mark Hake requested a roll call vote of the motion which passed as follows:

Aye: Coe, Hake, Harmon, Wengerd, Zellerbach

Nay: None

Absent: Ayers, Sniff

b) REVISED FY 13/14 BUDGET PROPOSAL

Doug Moreno briefly reviewed the *AB 109 CCPEC Revised Budget Summary for FY 13/14*. He stated that the District Attorney and the Public Defender were originally estimated to receive funds in the amount of \$1,173,338 (\$586,669 each), inclusive of \$175,125 in estimated growth allocation. The final growth allocation increased to \$337,629 (an increase total of \$162,504).

The original estimated growth allocation for the Riverside County AB 109 Operating Fund was \$2,253,200. The final growth allocation increased to \$4,315,216 (an increase of \$2,062,016).

Doug Moreno stated that the Revised FY 13/14 Budget Proposal recommends that \$162,504 (\$81,252 each) be removed from the District Attorney and Public Defender funding due to the increase of the growth allocation. It is recommended that the funding be added to the Contingency Fund. The resulting CCPEC Public Defender and District Attorney previously approved operating budgets will remain unchanged. Both Steven Harmon and Paul Zellerbach agreed that this is a fair recommendation.

Also, the Riverside County AB 109 Operating Fund FY 2012/13 growth allocation increased a total of \$2,062,016 to a grand total of \$4,315,216. It is recommended that the additional growth allocation from the AB 109 Operating Fund also be added to the Contingency Fund.

Mark Hake motioned to approve the Revised Budget Proposal. The motion was seconded by Paul Zellerbach. Mark Hake requested a roll call vote of the motion which passed as follows:

Aye: Coe, Hake, Harmon, Wengerd, Zellerbach

Nay: None

Absent: Ayers, Sniff

5. AB 109 IMPACTS ON RIVERSIDE COUNTY REGIONAL MEDICAL CENTER (RCRMC)

Mark Hake introduced Christopher Hans, the Interim Chief Financial Officer for RCRMC. Christopher apologized that in the past, the CCPEC was not presented with an accurate representation of the costs that are incurred by RCRMC to care for AB 109 offenders.

Mark Hake advised that he would like to be provided with the Detention Health costs for offenders prior to the implementation of realignment to provide a baseline for cost comparison. Paul Zellerbach stated that he would like to know how RCRMC plans to identify AB 109 offenders. Discussion ensued regarding the Affordable Care Act and what is reimbursable to the county. Jerry Wengerd clarified that an initiative recently passed that when Medi-CAL eligible inmates are taken into the hospital while in custody, the costs are now reimbursable. Christopher Hans stated that in the future detailed reports will be provided to the CCPEC to ensure that RCRMC costs are correctly reflected in the AB 109 budget. Christopher asked that if there are any specific requests or suggestions on what should be included in the reports to please contact him.

6. COMMUNITY CORRECTIONS PARTNERSHIP REPORT SURVEY

Mark Hake advised that the Board of State Community Corrections (BSCC) distributed a survey to gather information to assist in developing an AB 109 report format. He stated that representatives from the CCPEC agencies have worked collectively to complete the survey but lacked a consensus on priority rankings. After a brief discussion, it was decided that the CCPEC Measurable Goals Workgroup will establish a ranking consensus and submit the survey prior to the December 15<sup>th</sup> deadline.

## 7. CALIFORNIA SMARTJUSTICE

Mark Hake reported that California SmartJustice is the State's effort to create a statewide database that utilizes supervised release files to track offenders due to realignment. Once the database is completed it will be accessible to all law enforcement officers. There are various stages of readiness throughout the state; Riverside County is in the process of inputting data into the SmartJustice system. Chief Deputy Jerry Gutierrez from the Sheriff's Department is participating in the pilot program for Riverside County. He has been working with the state and a contracted firm to advise what Riverside would like from the SmartJustice System. Once Jerry Gutierrez is able to log into the system he will provide more information.

## 8. ANNUAL CCP MEETING

Mark Hake stated that the annual Community Corrections Partnership (CCP) meeting will be held in January 2014. He recommended that the CCP and CCPEC meetings be held consecutively due to the majority of meeting participants attending both meetings. Mark Hake recapped that the CCP was established by SB 678.

## 9. STAFF REPORTS

a) PROBATION: Andrea Greer reviewed the *AB 109 Status Report* dated October 30, 2013, as follows:

### Post Release Community Supervision (PRCS):

- Clients Assigned to a Caseload: 1,675
- Grand Total Active Supervision: 1,890
- Revocation Petitions: 2,750
- Flash Incarcerations: 1,086

### Mandatory Supervision (MS)

- Cases Ordered by the Court: 3,144
- Clients Assigned to a Caseload: 1,236
- Grand Total Active Supervision: 1,581
- Revocation Petitions: 2,745
- Total PRCS and MS Offenders Assigned to a Caseload: 2,911

Paul Zellerbach questioned if flash incarcerations are having the desired effect on the offender population. Andrea Greer stated that there are some offenders that have multiple flash incarcerations but she does not have the data at this time to confirm the success rate. Steve Harmon asked if there have been any constitutional challenges to flash incarceration that have been raised in California. Mark Hake stated that he is not aware of any and that other counties use flash incarceration on the normal probation population.

Division Director Stacy Adams reported that they are currently looking for a location to set up a Day Reporting Center (DRC) in the desert. The Probation Department is also looking into establishing a traveling desert DRC. She briefly discussed some of the courses that are offered to the offenders at the DRC's.

b) SHERIFF: Jerry Gutierrez reviewed the *AB 109 Impact Update* dated November 1, 2013, as follows:

- Parole Violations (3056 PC): Total booked to date - 8,511
- Flash Incarcerations (3454 PC): Total booked to date - 1,175
- PRCS Violations (3455 PC): Total booked to date - 2,710

- Inmates Sentenced under 1170(h) PC for Felony Sentence to be served in County Jail: 4,764
- The total number of inmates to date booked directly or sentenced to jail due to realignment is 12,824.

Jerry Gutierrez introduced Captain Jason Horton who is now the Coordinating Custody Manager and Commander and oversees the Electronic Monitoring Program. Jerry Gutierrez advised that they have been looking into improving their electronic monitoring and other career building skills programs. He stated that the Sheriff's Department is in the process of conducting research on paying other cities and counties to rent jail bed space due to overcrowding.

- c) MENTAL HEALTH: Jerry Wengerd referred to the Health and Human Services Realignment Status Report which was included in the *First Quarter Budget Report for FY 13/14*. Housing data is now included in the report. Jerry Wengerd added that if there are any suggestions to make the report more user friendly, to please contact him.
- d) DISTRICT ATTORNEY (DA): Assistant District Attorney Creg Datig announced that he, along with other Riverside County staff attend the Third Annual Realignment Conference in Sacramento. He advised that Riverside County is in the forefront of implementing programs and procedures for realignment. Paul Zellerbach, Steve Harmon, Chad Firetag and Creg Datig toured the Banning Courthouse which is currently under construction. Creg Datig reported that Judge Levine informed him that the court plans to centralize all PRCS parole violation hearings at the Banning Courthouse once it opens.
- e) POLICE: Frank Coe reported that all three PACT teams are "up and running" and he is happy with the cooperation from all involved agencies. He would like to have a standardized PACT report format established.
- f) PUBLIC DEFENDER: Steve Harmon stated that he had nothing to report.
- g) COURT: Not in attendance.

#### 10. PUBLIC COMMENTS

There were no public comments.

#### 11. NEXT MEETING: DECEMBER 3, 2013

Mark Hake recommended a motion to cancel the CCPEC meeting scheduled for December 3, 2013. The motion was moved by Frank Coe and was seconded by Paul Zellerbach which passed as follows:

Aye: Coe, Hake, Harmon, Wengerd, Zellerbach

Nay: None

Absent: Ayers, Sniff

The next meeting is scheduled for January 7, 2014, at 1:30 p.m.

Meeting adjourned at 2:55 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*



# MEMORANDUM

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## RIVERSIDE COUNTY PROBATION DEPARTMENT

Serving Courts • Protecting Our Community • Changing Lives

MARK A. HAKE  
CHIEF PROBATION OFFICER

**TO:** Community Corrections Partnership Executive Committee (CCPEC)

**FROM:** Mark A. Hake *M. Hake*  
Chief Probation Officer, CCPEC Chairman

**DATE:** January 7, 2014

**RE:** Evaluation/Consultation Proposal

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In April of 2011, Governor Brown signed into law the Criminal Justice Alignment of 2011 (AB109) which drastically changed the landscape of our criminal justice system in Riverside County. With implementation that began in October of 2011, we have been faced with new responsibilities and challenges, some of which were anticipated and others that were not. Collectively, we have partnered together to develop a comprehensive implementation plan that we review and update on an on-going basis in order to identify the aspects of our local system, which are working, and the areas in need of further attention and improvement.

To date, we have developed and implemented new systems and programs that include new case processing systems in our courts, split sentencing and flash incarcerations, new or expanded alternative sentencing programs, offender risk assessment, supervision criteria and standards, treatment programs to address substance abuse and mental illness, housing for the homeless, a Day Reporting Center, and our innovative Police Accountability and Compliance Teams to name a few. Yet we still face other challenges such as chronic early releases from our county jails, increased costs in health and mental health care of local county inmates, hiring and training an adequate number of qualified staff, and regional expansion of our Day Reporting Center.

With just over two years of experience from the October 2011 implementation date, we are beginning to see various studies and evaluations of AB109. The Stanford Criminal Justice Center has recently published reports that include, "Voices from the Field: How California Stakeholders View Public Safety Realignment," "Follow the Money: How California Counties Are Spending Their Public Safety Realignment Funds," and "Assessing Judicial Sentencing Preferences After Public Safety Realignment: A Survey of California Judges." Additionally, the Public Policy Institute of California recently published a study on AB109's impact on crime rates, "Public Safety Realignment and Crime Rates in California". Each of these efforts are worthwhile endeavors to begin to describe the experience the State of California has had with AB109 and they certainly begin to frame the focus of future conversations on realignment. While we can

certainly see some of our county experience in these various reports, what is missing is an actual full assessment and evaluation of our local experience with realignment in a manner that would be useful to describe our experience and assist in identifying where our future efforts and resources should be directed to bring the greatest benefit to the citizens of Riverside County.

AB109 funding has provided the county with an annual \$200,000 Community Corrections Partnership Executive Committee planning grant to be used for training, consultation, and evaluation activities to assist the CCPEC in developing a new comprehensive plan for the continued implementation of AB109 and measuring success of our implementation efforts. Currently, the CCPEC has used a small amount of these funds for training activities and legal consultation provided by County Counsel. The current balance of these funds stands at approximately \$0.33M, with an additional \$0.2M expected to be received this fiscal year.

Given the challenges each of our agencies currently face it would be prudent to expend a portion of these funds to contract with a local university, consultant, foundation, or other research entity to provide an evaluation and consultation on Riverside County's implementation of the Public Safety Realignment Act (AB109).

**Recommendation:**

1. Assign the Outcome Measures Workgroup the task of developing a scope of work for an evaluation and consultancy project for Riverside County's implementation of AB109.

## Long-term Allocation Framework (11-21-2013)

### Realignment Allocation Committee with input from CAOAC

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The Realignment Allocation Committee has begun its works to develop a recommended approach for the long-term AB 109 allocation, effective beginning in 2014-15. The committee will determine:

- The specific elements to be included and the weighting of such factors;
- Whether and how those factors may change within the period in which the formula is in effect;
- The duration of the proposed allocation formula;
- How to manage the step down in programmatic funding in 2014-15 tied to the natural drop-off in the locally supervised population;
- The short- and long-term role of growth during the period in which the formula is in effect; and
- How to appropriately balance the workload associated with the implementation of public safety realignment, other factors affecting counties' efforts, and appropriate incentives to encourage use of programs that have been shown to reduce recidivism and improve offender outcomes.

Principles guiding the committee's work:

- 1- Formula driven by data
  - a. Reliable
  - b. Consistent
  - c. Standardized
  - d. Available on a statewide basis
  - e. Based upon agreed-upon data definitions
  - f. Statistically relevant driving factors
- 2- Funding allocations
  - a. Protect current funding levels to the greatest extent possible / adjust over time to avoid disproportional impacts
  - b. Predictable and stable
  - c. Defined by legislative intent
  - d. Fair and equitable distribution
  - e. One size does not fit all / need to recognize counties' different circumstances
  - f. Opportunity to revisit
  - g. Mechanism to adjust for changing conditions (above baseline)
- 3- Incentives
  - a. Encourage use of defined evidence-based practices and achieved results over time
  - b. Reward performance and efforts to improve justice system outcomes, such as reduced recidivism
  - c. Encourage regionalized services that result in greater efficiencies and cost savings
- 4- Other elements
  - a. Maximize flexibility and local control
  - b. Maximize communication between Department of Finance, RAC, and CAOAs
  - c. Build services, program and facility capacity, including jails

# RIVERSIDE COUNTY PROBATION DEPARTMENT



MARK A. HAKE  
 CHIEF PROBATION OFFICER  
**AB 109 STATUS REPORT**



Prepared by: Chief Deputy Probation Officer Andrea Greer  
 Date of Report: January 7, 2014

	POST-RELEASE COMMUNITY SUPERVISION		MANDATORY SUPERVISION	
<b><u>Clients Ordered by the Court:</u></b>	N/A		3,387	
<b><u>Clients Assigned to a Caseload:</u></b>	1,624		1,244	
High:	1,106	68%	717	58%
Medium:	260	16%	263	21%
Low:	258	16%	264	21%
Pending Assessment:	232		394	
 Grand Total Active Supervision:	 1,856		 1,638	
<b><u>Revocation Petitions:</u></b>	3,007		3,262	
New Offense:	1,006	33%	1,281	39%
<i>New Offense Offenders:</i>	825		740	
Technical:	2,001	67%	1,981	61%
<i>Technical Offenders:</i>	1,128		1,082	
Dismissed/Withdrawn:	57		58	
<b><u>Flash Incarcerations:</u></b>	1,179		N/A	
<i>Flash Incarceration Offenders:</i>	814		N/A	

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

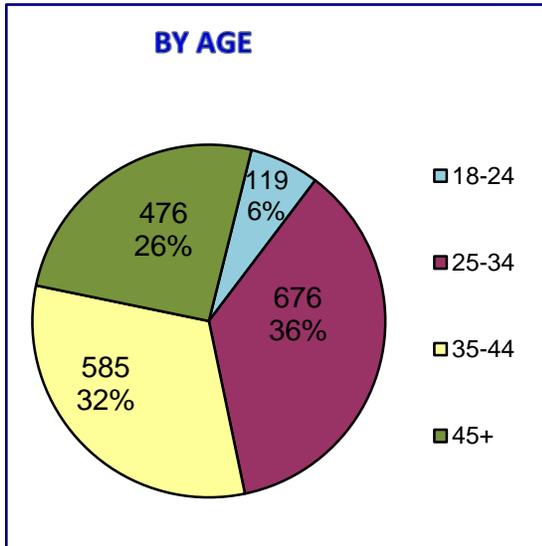
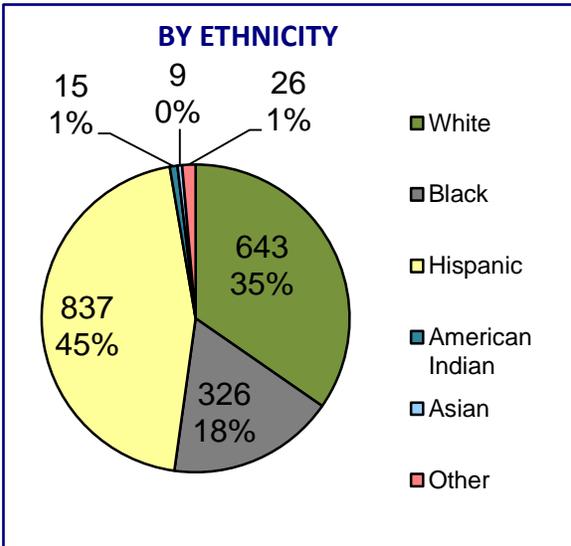
\*Pursuant to PC 1170(h)(5)(B)(ii), Supervised Release will be referred to as Mandatory Supervision

# RIVERSIDE COUNTY PROBATION

## Post-release Community Supervision Fact Sheet

### Offenders Under Supervision

Data as of  
December 31, 2013



#### \*Supervisorial District

District	Count	Percentage
District 1	455	24%
District 2	330	18%
District 3	275	15%
District 4	259	14%
District 5	390	21%
Out of County/State	147	8%
<b>Total</b>	<b>1,856</b>	

#### Gender

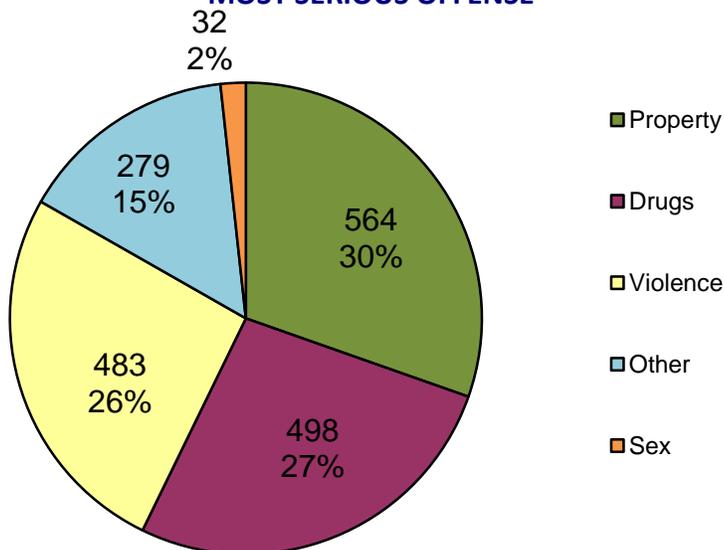
Gender	Count	Percentage
Males	1,686	91%
Females	170	9%
<b>Total</b>	<b>1,856</b>	

\*Districts Include Resident and Homeless

#### Resides In:

Aguanga	1	Homeland	8	Palm Desert	11	
Anza	3	Idyllwild	3	Palm Spring	35	
Banning	40	Indio	43	Perris	126	
Baumont	18	Jurupa Valley	86	Quail Valley	2	
Bermuda Dunes	2	La Quinta	11	Rancho Mirage	2	
Blythe	18	Lake Elsinore	62	Ripley	2	
Cabazon	7	March Air Reserve Base	3	Riverside	264	
Calimesa	3	Mecca	3	Romoland	2	
Canyon Lake	4	Menifee	20	San Jacinto	39	
Cathedral City	20	Mira Loma	15	Sun City	11	
Cherry Valley	1	Moreno Valley	162	Temecula	21	
Coachella	20	Mountain Center	1	Thermal	4	
Corona	96	Murrieta	42	Thousand Palms	5	
Desert Hot Springs	48	Norco	21	Whitewater	2	
Eastvale	3	North Palm Springs	3	Wildomar	23	
Hemet	129	Nuevo	6	Winchester	4	
					Resident	1,455
					Homeless	254
					Out of County/State Resident	141
					Out of County/State Homeless	6
					<b>Total</b>	<b>1,856</b>

### UNIVERSAL CRIME REPORTING CATEGORIES FOR MOST SERIOUS OFFENSE



#### Sub-Categories

Crimes Against Children	26
Domestic Violence	211
Drug/Manufacture/Sell	257
Drug/Possess/Use	241
DUI	53
Other	105
Possession of a Weapon	121
Property/Other	26
Property/Theft	538
Sex	32
Use of Firearms/Weapons	116
Violence	130
<b>Total</b>	<b>1,856</b>

**RIVERSIDE COUNTY PROBATION DEPARTMENT**  
**Post Release Community Supervision (PRCS)**  
**Population by City as of December 31, 2013**  
**Active Supervision 1,856 Offenders**  
**Male: 1,686; Female: 170**

<b>PRCS Riverside County</b>					
Aguanga	1	Indio	43	Perris	126
Anza	3	Jurupa Valley	86	Quail Valley	2
Banning	40	La Quinta	11	Rancho Belago	0
Beaumont	18	Lake Elsinore	62	Rancho Mirage	2
Bermuda Dunes	2	March Air Reserve Base	3	Ripley	2
Blythe	18	Mead Valley	0	Riverside	264
Cabazon	7	Mecca	3	Romoland	2
Calimesa	3	Meniffee	20	San Jacinto	39
Canyon Lake	4	Mira Loma	15	Sun City	11
Cathedral City	20	Moreno Valley	162	Temecula	21
Cherry Valley	1	Mountain Center	1	Thermal	4
Coachella	20	Murrieta	42	Thousand Palms	5
Corona	96	Norco	21	Whitewater	2
Desert Hot Springs	48	North Palm Springs	3	Wildomar	23
Eastvale	3	North Shore	0	Winchester	4
Hemet	129	Nuevo	6	<b>Total</b>	<b>1,455</b>
Homeland	8	Palm Desert	11		
Idyllwild	3	Palm Springs	35	<b>Out of County</b>	<b>126</b>
				<b>Out of State</b>	<b>15</b>
<b>PRCS Homeless</b>					
Banning	6	Indio	14	Perris	26
Beaumont	4	Jurupa Valley	2	Riverside	119
Blythe	4	La Quinta	1	San Jacinto	2
Cabazon	1	Lake Elsinore	6	Temecula	5
Cathedral City	2	Meniffee	1		
Coachella	4	Moreno Valley	11		
Corona	14	Mountain Center	1	<b>Total</b>	<b>254</b>
Desert Hot Springs	4	Murrieta	1	<b>Out of County</b>	<b>6</b>
Hemet	15	Palm Desert	2	<b>Out of State</b>	<b>0</b>
Homeland	0	Palm Springs	9		

**RIVERSIDE COUNTY PROBATION DEPARTMENT**  
**Mandatory Supervision Offenders**  
**Population by City as of December 31, 2013**  
**Court Ordered Mandatory Supervision Offenders: 3,387**  
**Male: 2,687; Female: 700**

<b>Court Ordered Mandatory Supervision Riverside County</b>					
Aguanga	1	Indio	134	Quail Valley	1
Anza	1	Jurupa Valley	120	Rancho Mirage	9
Banning	59	La Quinta	19	Ripley	2
Beaumont	32	Lake Elsinore	82	Riverside	435
Bermuda Dunes	4	March Air Reserve Base	1	Romoland	7
Blythe	40	Mead Valley	1	San Jacinto	67
Cabazon	12	Mecca	9	Sky Valley	0
Calimesa	5	Menifee	29	Sun City	17
Canyon Lake	6	Mira Loma	18	Temecula	34
Cathedral City	56	Moreno Valley	208	Thermal	15
Cherry Valley	8	Mountain Center	2	Thousand Palms	12
Coachella	63	Murrieta	33	Whitewater	6
Corona	161	Norco	19	Wildomar	38
Desert Hot Springs	96	North Shore	2	Winchester	10
Eastvale	3	Nuevo	13	<b>Total</b>	<b>2,361</b>
Hemet	191	Palm Desert	37		
Homeland	11	Palm Springs	74	<b>Out of County</b>	<b>546</b>
Idyllwild	2	Perris	156	<b>Out of State</b>	<b>33</b>
<b>Court Ordered Mandatory Supervision Homeless</b>					
Banning	8	Idyllwild	0	Palm Springs	21
Beaumont	6	Indio	49	Perris	21
Bermuda Dunes	1	Jurupa Valley	9	Riverside	177
Blythe	3	La Quinta	4	San Jacinto	1
Cabazon	1	Lake Elsinore	11	Temecula	6
Cathedral City	8	Menifee	0	Thermal	1
Coachella	7	Mira Loma	1	Thousand Palms	1
Corona	27	Moreno Valley	19	Wildomar	2
Desert Hot Springs	21	Murrieta	1	<b>Total</b>	<b>428</b>
Eastvale	0	North Palm Springs	1	<b>Out of County</b>	<b>18</b>
Hemet	20	Palm Desert	1	<b>Out of State</b>	<b>1</b>

**RIVERSIDE COUNTY PROBATION DEPARTMENT**  
**Active Mandatory Supervision Offenders**  
**Population by City as of December 31, 2013**

**Active Supervision: 1,638**

**Male: 1,281; Female: 357**

<b>Active Mandatory Supervision Riverside County</b>					
Aguanga	1	Idyllwild	1	Quail Valley	1
Anza	0	Indio	57	Rancho Mirage	4
Banning	25	Jurupa Valley	59	Ripley	2
Beaumont	10	La Quinta	9	Riverside	234
Bermuda Dunes	3	Lake Elsinore	49	Romoland	3
Blythe	15	March Air Reserve Base	1	San Jacinto	26
Cabazon	7	Mecca	6	Sky Valley	0
Calimesa	2	Menifee	17	Sun City	10
Canyon Lake	3	Mira Loma	8	Temecula	20
Cathedral City	21	Moreno Valley	105	Thermal	6
Cherry Valley	4	Murrieta	19	Thousand Palms	5
Coachella	35	Norco	10	Whitewater	4
Corona	78	North Shore	1	Wildomar	21
Desert Hot Springs	46	Nuevo	9	Winchester	5
Eastvale	2	Palm Desert	21	<b>Total</b>	<b>1,201</b>
Hemet	106	Palm Springs	35	<b>Out of County</b>	<b>238</b>
Homeland	5	Perris	90	<b>Out of State</b>	<b>26</b>
<b>Active Mandatory Supervision Homeless</b>					
Banning	3	Indio	21	Riverside	62
Beaumont	1	Jurupa Valley	4	Temecula	1
Blythe	2	La Quinta	2	Thermal	1
Cabazon	1	Lake Elsinore	5	Wildomar	2
Cathedral City	7	Moreno Valley	4	<b>Total</b>	<b>166</b>
Coachella	2	North Palm Springs	0		
Corona	9	Palm Desert	1	<b>Out of County</b>	<b>6</b>
Desert Hot Springs	11	Palm Springs	11	<b>Out of State</b>	<b>1</b>
Hemet	8	Perris	8		



# RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

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## 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, 9,296 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**

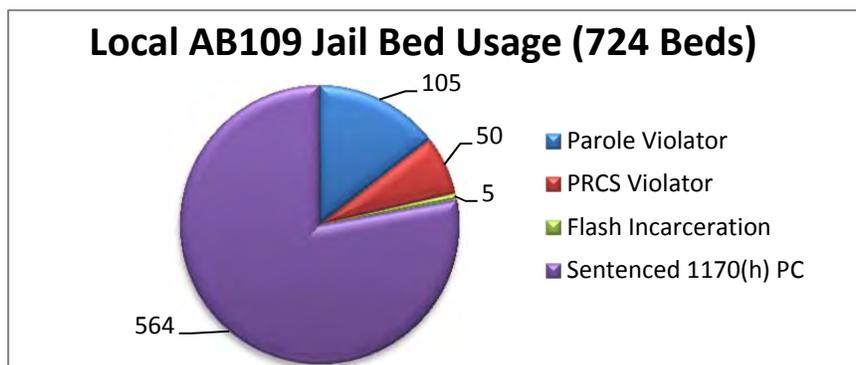
The total number of inmates sentenced per 1170(h) PC is 5,225. The number of these inmates that remain in custody is 564, or approximately 14.9% of the total jail population. 276 of these inmates have been sentenced to 3 years or more, with the longest local sentence standing at 12 years, 8 months.

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.





**Riverside County Department of Mental Health**  
**Health and Human Services Realignment Status Report**  
 Second Quarter Fiscal Year 2013/2014 (10/1/2013 to 12/31/2013)

	CLIENTS SERVED
<b>INTENSIVE TREATMENT TEAMS (ITT)</b>	<b>55</b>
<b>DETENTION</b>	
Detention Screening	582
Detention Assessments & Treatment Services	364
Mental Health Court	13
Realignment / Pre-Sentencing	41
<b>CONTRACTED PLACEMENT SERVICES</b>	
Crisis Services (ETS/OCS/CRT)	30
Long Term Care (State Hosp/IMD/BC/ART)	2
RCRMC Mental Health Inpatient Treatment (ITF/PHF)	24
Other Hospitals	1
<b>CLINIC SERVICES</b>	
Medication Services	120
Mental Health Screening	109
Mental Health Treatment/Assessment	267
Substance Abuse Screening	180
Substance Abuse Treatment Services	78
Substance Abuse Residential Treatment Services	31
<b>DETENTION UNDUPLICATED CLIENTS SERVED – 2<sup>nd</sup> QUARTER 2013/14</b>	<b>946</b>
<b>MENTAL HEALTH UNDUPLICATED CLIENTS SERVED – 2<sup>nd</sup> QUARTER 2013/14</b>	<b>268</b>
<b>SUBSTANCE ABUSE UNDUPLICATED CLIENTS SERVED – 2<sup>nd</sup> QUARTER 2013/14</b>	<b>435</b>
<b>HOSPITAL (RCRMC) UNDUPLICATED CLIENTS SERVED – 2<sup>nd</sup> QUARTER 2013/14</b>	<b>000</b>
<b>GRAND TOTAL 2<sup>nd</sup> QUARTER FY2013/2014</b>	<b>590</b>
<b>MENTAL HEALTH UNDUPLICATED CLIENTS SERVED July 1, 2013 – December 31, 2013</b>	<b>515</b>
<b>SUBSTANCE ABUSE UNDUPLICATED CLIENTS SERVED July 1, 2013 – December 31, 2013</b>	<b>846</b>
<b>GRAND TOTAL July 1, 2013 – December 31, 2013</b>	<b>1148</b>
<b>HOUSING DATA</b>	
<b>2<sup>nd</sup>. Quarter Fiscal Year 2013/2014</b>	
<b>Non-Mental Health – Probation – Public Safety Realignment Housing:</b>	
a) 2391 bed nights of emergency housing - 52 clients served	
<b>Mental Health AB109 Housing:</b>	
a) 694 bed nights of emergency housing – 29 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 carry a serious mental health diagnosis. The intent is to break the cycle of homelessness, psychiatric hospitalization and/or incarceration related to their mental health disorders.

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. Services are delivered in an effective and safe manner with the objective of safeguarding the public and reducing recidivism.

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. Services include evaluations, crisis intervention, and referral to psychiatric hospitalization. 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. This includes evaluation, crisis stabilization, and referrals for psychiatric hospitalization, as needed for adults, children and adolescents, patients may be referred to ITF.

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: "Institution for the Mentally Diseased", although operated in a hospital like setting it is a lower level of care than a state hospital.

BC: "Board and Care", normally a private setting, such as a house, serving a small number of clients at one time. Clients need round the clock supervision, but not necessarily a locked secure environment.

ART: "Adult Residential Treatment", setting very similar to a Board and Care but specifically for those clients over the age of 18.

ITF: "Inpatient Treatment Facility", ITF is owned and operated by the County of Riverside, Riverside County Regional Medical Center.

PHF: "Psychiatric Health Facility", located at the Oasis Rehabilitation Center in Indio, the PHF is a 16 bed acute, locked, 5150-designated inpatient facility for voluntary and involuntary clients. Admissions occur 24 hours a-day, the facility is administered by a private contractor.

Medication Services: Initial contact with the Psychiatrist for evaluation, ongoing medication support as prescribed by the Psychiatrist.

Housing: 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, and are re-entering the community. 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 in the courts.

Mental Health: Programs that provide treatment and support services to all ages, transition aged youth (TAY), adults, older adults who have a mental illness, and children 0-5 (Pre-school), and children, who are seriously emotionally disturbed. Services include outpatient services, medication, peer recovery services, education, housing, residential care, as well as subacute and acute care. Peer-to-Peer support services are a component of the program and are provided in clinics and by contract providers.

Substance Abuse: "Substance Use Programs" provide a wide range of Outpatient and Inpatient Substance Use Services, including: Co-Occurring Disorder Treatment, Drinking Driver Program, Drug Court, MOMS Perinatal Program, and Special Multidisciplinary Aggressive Response Team (SMART).

**Intensive Treatment Services (ITT):**

The second quarter of this fiscal year has seen an increase over the first quarter of 54%. During the first quarter of 2013, 36 clients were served, 55 clients were served during the second quarter of this fiscal year.

**Detention Assessment and Treatment Services:**

Clients served during the second quarter this year increased by 48 over the first period this fiscal year. The first quarter of 2013, 316 clients had assessment and treatment services, while 364 were served the second quarter of 2013/14.

**Contracted Placement Services:**

Inpatient Treatment Services at both RCRMC ITF and the Psychiatric Health Facility (PHF) in the desert remained constant during the second quarter of FY2013.2014, with a total population served of 24.

**Clinic Services:**

Throughout the County Medication services for AB109 clients has had an increase of 12.2%, there were 107 clients served in the first quarter of 2013, and 120 clients served in the second quarter. Mental Health Treatment and Assessment services have seen an increase of 7.5%, 247 clients served during the first quarter and 267 were served in the second quarter this fiscal year.

**Average Caseloads:**

The average caseload per clinician is 33.3.



## County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

Board of Supervisors  
GLORIA MOLINA  
First District  
MARK RIDLEY-THOMAS  
Second District  
ZEV YAROSLAVSKY  
Third District  
DON KNABE  
Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

December 19, 2013

Mr. Jay Orr  
County Executive Officer Riverside County  
Riverside, CA 92501

Dear Mr. Orr:

On December 17, 2013, the Los Angeles County Board of Supervisors unanimously adopted a motion in support of advocating in Sacramento for an immediate increase to the statewide allocation for the AB 109 Program to provide adequate resources for counties to make critical investments in operational capacity, systems integration and jail facility improvements to address the AB 109 population. Attached is a copy of our memo related to this issue.

While the enactment of AB 109 was designed to reduce prison overcrowding, address ongoing litigation and alleviate the State's fiscal deficit, the transfer of responsibilities from the State to counties has exacerbated the stresses on our operational capacity both within our jails and throughout our communities. Even with guaranteed funding made possible through the passage of Proposition 30 of 2013, current funding levels are woefully inadequate for counties to ensure successful implementation of the AB 109 Program.

As you know, since the implementation of AB 109 in 2011, counties have been severely burdened with the responsibility to address the needs of the AB 109 population particularly as it relates to their medical and mental health needs. In fact, several counties are already facing lawsuits which are modeled after the litigation against the State and focus on subpar medical and mental health care in local jail facilities.

It is clear that in order to avoid the costly litigation that has plagued the State for many years, counties must address the operational, physical and clinical infrastructure issues presented by AB 109 that many, if not all, counties are currently grappling with.

*"To Enrich Lives Through Effective And Caring Service"*

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Mr. Jay Orr  
December 19, 2013  
Page 2

In Los Angeles County, we have identified major shortfalls within the health and mental health services system to address the needs of the AB 109 population who has presented us with significantly higher rates of serious illness than anticipated. Within the jails, we are now tasked with housing more serious inmates for longer periods of time. This new dynamic has created serious population management challenges and has required us to transform our jail medical and mental health services from a focus on episodic and short-term services to chronic and continuity of care services. The long-term cost of the jail population challenges and clinical infrastructure needs was not clearly contemplated when AB 109 was enacted.

As you know, the State has begun to realize significant savings as a result of AB 109 and is poised to see additional savings in the billions of dollars in the coming years. **Therefore, I strongly urge you to join Los Angeles County and work with your delegation to advocate with the Governor and the Legislature to provide additional funding to all counties to support the necessary operational expansions, systems integration and jail facility improvements required by AB 109 to guarantee program success and support future systemic changes.**

I look forward to working with you on this critical issue facing California counties.

Sincerely,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:RA  
MR:KA:ma

Attachment



WILLIAM T FUJIOKA  
Chief Executive Officer

County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

December 12, 2013

To: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

**ADVOCACY TO INCREASE FUNDING FOR OPERATIONS, SYSTEMS  
INTEGRATION AND FACILITY IMPROVEMENTS RELATED TO IMPLEMENTATION  
OF THE 2011 PUBLIC SAFETY REALIGNMENT AND AB 109**

Implementation of the 2011 Public Safety Realignment and AB 109 represented a major shift in California's justice system, transferring the State's responsibility for custody, community supervision, and rehabilitation of certain inmates to California's counties. While AB 109 was designed to reduce the State's prison population, address ongoing litigation and alleviate its fiscal deficit, the shift has exacerbated the stresses on the counties' jail system's physical and clinical resource capacity to address the housing, medical, and mental health needs of the new population of inmates. Even with guaranteed funding for the new AB 109 responsibilities, made possible through the passage of Proposition 30 of 2013, current funding levels fall far short of what the County of Los Angeles needs to ensure full and successful implementation of AB 109.

**We recommend the Board:**

1. Send a five-signature letter to the Governor, Legislative Leadership, and the Los Angeles County Legislative Delegation requesting an immediate increase to funding for:
  - Operations and systems integration to effectively provide the needed treatment services and supervision for AB 109 offenders supervised in the community, as well as appropriate clinical and mental health care within the jails;

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Each Supervisor  
December 12, 2013  
Page 2

- Infrastructure and facilities improvements to adequately address population management and the needs of AB 109 inmates, especially those with acute and chronic illness and serious mental health issues.
2. Instruct the Chief Executive Officer to urge the California State Association of Counties and its member counties to support and advocate this request.

### **DISCUSSION**

The objective of the State's implementation of AB 109 was to reduce the State prison population to comply with the Federal three-judge panel's order to address ongoing constitutional issues related to health and mental health care in the prison system and to reduce the State's budget deficit. After two years of realignment, counties have absorbed the realigned inmate population, but have also assumed the responsibility to address their associated medical and mental health needs without adequate State investment in systems integration, operational needs in the community, and infrastructure and facilities improvements.

To successfully implement AB 109 and avoid the costly litigation that has plagued the State, it is clear that counties must address these operational, physical, and clinical infrastructure issues. Since implementation of AB 109, several of California's counties are already facing class action lawsuits filed by attorneys advocating for inmates' rights. These lawsuits are modeled after the litigation against the State and focus on subpar medical and mental health care in local jail facilities.

#### **Operations and Systems Integration**

Funding for AB 109 has been insufficient for the County to fully invest in the required systems integration and operational improvements needed to effectively provide adequate levels of treatment services and supervision for the AB 109 offenders supervised in the community, as well as appropriate clinical and mental health care within the jails.

The Department of Mental Health has identified significant shortfalls within its community mental health services system to address the mental health needs of the AB 109 population, which has presented much higher acuity and rates of serious mental health issues than originally estimated. Based on current utilization rates for acute inpatient care, State hospital and Institutions for Mental Disease beds, the current amount of funding allocated for these levels of care needs to be doubled to adequately address those offenders that require this type of treatment.

Each Supervisor  
December 12, 2013  
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In addition, the current number of community-based specialized residential treatment beds is also inadequate to meet the needs of individuals who have co-occurring mental health and substance use disorders. Outpatient mental health and co-occurring substance abuse treatment services is also insufficient to meet the needs of AB 109 offenders supervised in the community.

Within the jails, the Sheriff, Health Services, and Mental Health Departments have had to transform medical and mental health services from a focus on episodic and short-term services to chronic and continuity of care services. This integration of services will ultimately improve medical and mental health care for inmates, but the long-term financial cost was not clearly contemplated in the AB 109 funding allocation.

The County is already facing increases in the unreimbursed medical costs for inmates compared to the pre-AB 109 baseline, attributable to a 15 percent increase in the number of inmates admitted to the acute hospital, a 30 to 40 percent increase in the number of referrals for a broader spectrum of ongoing specialty care and diagnostic services, a number of medically necessary surgical procedures for long-term AB 109 inmates, and corresponding drug costs.

Similarly, the County's AB 109 funding allocation has not been sufficient to increase jail mental health staffing proportionate to the increase in mentally ill AB 109 inmates. Lack of staffing and adequate and suitable treatment space seriously impedes the County's ability to provide effective and evidence-based mental health care within the custodial setting, as well as appropriately transition inmates to community care.

#### Jail Infrastructure

County jails were designed, and have been traditionally used, as holding facilities for individuals awaiting adjudication of their cases and as short-term lock-ups for low-risk, locally-sentenced inmates. In-custody medical and mental health services were likewise not designed for inmates with long-term sentences. However, post-AB 109, the County jail is now tasked with housing more serious inmates for longer periods of time.

Within the span of two years, the Los Angeles County jail population has increased by 23 percent from 15,400 to over 19,000 inmates, including 6,200 AB 109 inmates. In order to provide the capacity to accommodate this new population, who are all serving the full length of their sentence; other locally sentenced inmates now only serve 10 to 40 percent of their term. Compared to a pre-AB 109 average sentence of one year, AB 109 inmates are serving an average two and a half year sentences, with some inmates serving much more, including one sentenced to a 42-year term. The average

AB 109 inmate is now occupying a jail bed that would have otherwise been available for two inmates during the same span of time.

Furthermore, 50 percent of the AB 109 inmates have been classified as medium to high risk, requiring additional staff to maintain a safe and secure custody environment for both staff and inmates. Currently, 350 AB 109 inmates are housed in long-term single cell or restricted housing due to safety and security issues. This has required the Sheriff to convert the jail system's limited available double or multi-person units to one-man cells to house these inmates.

#### Funding Adequacy

The State has already begun realizing general fund savings as a result of realignment. According to the California Department of Corrections and Rehabilitation's (CDCR) report, *The Future of California Corrections: A Blueprint to Save Billions of Dollars, End Federal Oversight and Improve the Prison System*, the State is poised to realize annual net savings in the billions of dollars.

Fiscal Year	CDCR Realignment Savings (A)	AB 109 Statewide Funding (B)	AB 109 Funding as a % of CDCR Savings	CDCR's Net Savings Available for AB 109 (A minus B)
2011-12	\$0.43 billion	\$0.37 billion	86%	\$0.06 billion
2012-13	\$1.00 billion	\$0.87 billion	87%	\$0.13 billion
2013-14	\$1.60 billion	\$1.02 billion	64%	\$0.58 billion
2014-15	\$2.68 billion	\$0.95 billion	35%	\$1.73 billion
2015-16	\$3.63 billion	\$0.95 billion	26%	\$2.68 billion

Furthermore, the Legislative Analyst's Office recently projected State operating surpluses of billions of dollars in the coming years, growing to approximately \$10 billion by Fiscal Year 2018-19. The State should use some of these funds to reduce the significant burden that AB 109 has placed on county governments, particularly the County of Los Angeles, and provide needed investment to ensure its successful implementation.

#### CONCLUSION

Current funding levels fall far short of what the County of Los Angeles needs to ensure full and successful implementation of AB 109. It is clear that the AB 109 funding allocation has been insufficient for the County to make investments in systems integration and operational improvements to effectively provide treatment services and

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supervision for AB 109 offenders supervised in the community, as well as appropriate clinical and mental health care within the jails. The State must provide more funding to allow counties to make these needed investments.

In order to provide the necessary level of long-term custody housing and medical and mental health care, the County jail system's physical and clinical infrastructure must also be expanded. The State's existing capital projects grants, such as AB 900, were developed prior to the implementation of AB 109 and are not adequate to address the needs of county jails in a post-AB 109 environment. Additional funding is needed to reflect the long-term housing and medical and mental health needs of the AB 109 population.

Given the significant fiscal savings projected by the CDCR and economists' consensus of ongoing economic recovery, the State must provide all California counties with adequate funding to support the necessary operational improvements, systems integration, and jail facility improvements required by AB 109. This funding will ensure the provision of appropriate community treatment and supervision, as well as housing and effective custodial medical and mental health care for AB 109 offenders.

Should you have any questions, please contact Georgia Mattera, Public Safety, at (213) 893-2374, or Ryan Alsop, Office of Intergovernmental and External Affairs, at (213) 974-1100.

WTF:GAM:RA  
SW:DT:llm

c: Executive Office, Board of Supervisors  
County Counsel  
Sheriff  
Health Services  
Mental Health

PS.AB109.Advocacy to Increase Funding.bm.121213