

**CPOC 2010
PROBATION OFFICERS
WAGES BENEFITS SURVEY**

COUNTY	DPO I	DPO II	DPO III	SAFETY RETIREMENT?	TYPE	ARMED?
AMADOR	48984	59278	67776	YES	3% @ 50	YES
CALAVERAS	45240	53165	62816	YES	3% @ 50	
COLUSA	43189	47625	53648	YES	3% @ 50	YES
DEL NORTE	46059	50780	53318	YES	2% @ 55	YES
EL DORADO	45365	50606	54392	YES	3% @ 50	YES
GLENN	40248	44429	49067	YES	2% @ 55	YES
HUMBOLDT	43905	51502	56059	YES	3% @ 50	
LAKE	44441	48996	52732	YES	2.5% @ 55	YES
LASSEN	38301	42000	46092			
MADERA	42018	48799	53918			YES
MARIPOSA		49177	55436			YES
MONO	48776	53819	59413	YES	3% @ 50	YES
PLACER	60372	60372	69288			YES
SAN JOAQUIN	83269	61069	67330	YES	3% @ 50	YES
SANTA CRUZ		76128	85296	YES	2% @ 55	
SHASTA	44940	49548	53316	YES	2% @ 50	YES
SIERRA	41596	49291	52085			YES
SUTTER	57440	63952	70508			YES
TEHAMA	48696	52476	57900			
TRINITY	43102	46678	52593			YES
YOLO	55884	62352	67044			YES
AVERAGE	48,517	53,431	59,049	12		16
MEDIAN	45,240	50,780	55,436	12		16
PLUMAS	41,640	45,048	49,668			

57.14%

76.19%

Overview of court-related impact of criminal justice realignment

Sentencing. The Realignment Act will eliminate prison as a sentence option for various felonies by authorizing courts to impose terms of over one year in county jail for certain felonies committed by specified defendants. There is no limit to the amount of time that may be served in county jail if the conviction is for a felony punishable by imprisonment in county jail. Offenders who serve their sentences in county jail pursuant to this change in the law are not subject to automatic parole or postrelease supervision. However, the court will be authorized to impose a sentence that includes a period of county jail time less than the maximum allowed by law, and a subsequent period of mandatory supervision, for a total period not to exceed that of the maximum sentence allowed by law.

(Pen. Code § 1170(h), effective October 1, 2011.)

Revocation hearing officer. Superior courts will be authorized to appoint hearing officers to carry out the duties of the courts in conducting parole and community postrelease revocation hearings. Appointment to serve as a revocation hearing officer will require that the individual has been an active member of the State Bar for at least 10 years continuously prior to appointment; was a judge of a court of record of California within the last 5 years or is currently eligible for the Assigned Judges Program; or was a commissioner, magistrate, referee, or hearing officer authorized to perform the duties of a subordinate judicial officer of a court of record of California within the last 5 years. The superior courts of two or more counties may appoint the same person as a hearing officer.

(Gov. Code § 71622.5, effective October 1, 2011.)

Postrelease community supervision. Persons released from state prison on or after October 1, 2011, after serving a prison term for a felony that is not a serious felony (as described in Pen. Code § 1192.7(c)), a violent felony (as described in Pen. Code § 667.5(c)), a third strike (pursuant to paragraph (2) of subdivision (e) of Pen. Code § 667 or paragraph (2) of subdivision (c) of Pen. Code § 1170.12), a crime where the person is classified as a high risk sex offender, or a crime where the person is required as a condition of postrelease supervision to undergo treatment by the California Department

of Mental Health, will be supervised by a county agency, such as a probation department (to be determined by the board of supervisors). All other persons released from state prison on or after October 1, and all persons currently on parole will continue to be supervised by state parole.

(Pen. Code, § 3451, effective October 1, 2011.)

Violation of condition of postrelease community supervision. County supervising agencies will have authority to dispose of violations of conditions of postrelease supervision using specified intermediate sanctions up to and including a period of “flash incarceration” in county jail for up to 10 days. There is no court involvement in cases disposed of in this way.

(Pen. Code, § 3454, effective October 1, 2011.)

Revocation of postrelease supervision. If a supervising county agency determines, following application of its assessment processes, that authorized intermediate sanctions up to and including flash incarceration are not appropriate, the supervising county agency shall petition the revocation hearing officer to revoke and terminate postrelease supervision. The Judicial Council must adopt forms and rules of court to establish uniform statewide procedures to implement the final revocation process.

Upon a finding that the person has violated the conditions of postrelease supervision, the revocation hearing officer shall have authority to (1) return the person to postrelease supervision with modifications of conditions, if appropriate, including a period of incarceration in county jail; (2) revoke postrelease supervision and order the person to confinement in the county jail; or (3) refer the person to a reentry court pursuant to Penal Code section 3015 or other evidence-based program in the hearing officer’s discretion. Confinement pursuant to paragraphs (1) and (2) shall not exceed a period of 180 days in the county jail.

(Pen. Code, § 3455, effective October 1, 2011.)

State parole supervision. Phase I (October 1, 2011, to July 1, 2013). Persons released from state prison on or after October 1, 2011, who do not meet the criteria described above for postrelease community supervision will continue to be subject to the jurisdiction of and parole supervision by the California Department of Corrections and Rehabilitation (CDCR). Until July 1, 2013, the Board of Parole Hearings will continue to conduct all revocation proceedings. Persons whose parole is revoked by the board will be referred to county jail, rather than being returned to state prison. There is no court involvement in revocation of parole for these individuals during phase I.

(Pen. Code, § 3000.08, effective October 1, 2011, and operative until July 1, 2013.)

Phase II (beginning July 1, 2013. The supervising parole agency will have authority to dispose of violations of conditions of parole using authorized intermediate sanctions up to and including a period of “flash incarceration” in county jail for up to 10 days. There is no court involvement in cases disposed of in this way. If the supervising parole agency has determined, following application of its assessment processes, that intermediate sanctions up to and including flash incarceration are not appropriate, the supervising agency shall petition the revocation hearing officer to revoke parole. The Judicial Council must adopt forms and rules of court to establish uniform statewide procedures to implement the final revocation process.

Upon a finding that the person has violated the conditions of parole, the revocation hearing officer shall have authority to (1) return the person to parole supervision with modifications of conditions, if appropriate, including a period of incarceration in county jail; (2) revoke parole and order the person to confinement in the county jail; or (3) refer the person to a reentry court pursuant to section 3015 or other evidence-based program in the hearing officer’s discretion. Confinement pursuant to paragraphs (1) and (2) shall not exceed a period of 180 days in the county jail.

(Pen. Code, § 3000.08, effective July 1, 2013.)

Community corrections partnership. Each county’s local community corrections partnership is required to recommend a local plan to the county board of supervisors for the implementation of the Realignment Act. The plan shall be voted on by an executive committee consisting of the chief probation officer of the county as chair, a chief of police, the sheriff, the district attorney, the public defender, the presiding judge of the superior court, or his or her designee, and specified county representatives.

latimes.com/news/cooley-on-prison-transfer-m,0,5961715.story

latimes.com

D.A. predicts crime spike when state hands over prisoners

By Rong-Gong Lin II

Los Angeles Times Staff Writer

3:13 PM PDT, August 30, 2011

Los Angeles County Dist. Atty. Steve Cooley said a new state law to force counties, instead of the state, to jail non-violent felons is a "horribly flawed plan" that would increase crime on the streets.

"Public safety will be seriously jeopardized," Cooley said Tuesday. "We're not kidding. There will be tens of thousands of people let out all over California, who would otherwise be incarcerated.... I've been predicting ... that there will be a spike in crime.

"The state Legislature is abandoning their highest-priority core mission in terms of public safety, shifting it to the counties. And it is a bait and switch. They had a big fiscal problem, so they're abandoning a core mission and the county's going to pick up the pieces, and the public is going to pay the price," Cooley told reporters outside the L.A. County Hall of Administration.

Cooley said there's not enough room in the county jails to house felons who would otherwise go to state prison. Already, county jails are being forced to release their own inmates early.

Officials estimate that in Los Angeles County, about 7,500 non-serious, non-sexual and non-violent felons who would have gone to state prison will instead stay in county custody.

Cooley's comments come as the county Board of Supervisors is finalizing plans on how to handle the state felons in the county system. The state law will go into effect Oct. 1.

A couple of supervisors cited some minor problems in the plan, and requested that a countywide committee, led by Probation chief Donald Blevins, resolve them and return it to the supervisors for final approval.

Sheriff Lee Baca, however, told reporters he didn't know if the state's plan would lead to an increase in crime.

"That is an unpredictable reality. We don't know. There's a lot of reasons to believe it could go up. But there's also a need for us to be cautious about that point of view and weigh it against how effective law enforcement can be integrated into this plan," Baca said.

advertisement

CNA has established a catastrophe operations center in the event your business is affected by Hurricane Irene.

For CNA business claims contact:
877-CNA-ASAP (877-262-2727)
or click here.

CNA

The biggest challenge, Baca said, would be the felons, who will stay in county custody instead of going to state prison, beginning Oct. 1.

"The buildup of that population is going to be the challenging part," Baca said.

Supervisors, meanwhile, fretted that Sacramento would renege on promises in future fiscal years to continue funding the counties for their oversight of state prisoners. "This is a state responsibility that has been dumped on counties," said Supervisor Zev Yaroslavsky. "Now we're left holding the bag."

"Common sense tells you that the sheriff doesn't have the jail capacity to house all of these folks that are going to have to be housed as inmates," Yaroslavsky said.

"You're going to have to kick some ... people out the door."

Copyright © 2011, Los Angeles Times