

The CCP Executive Committee will advise on the progress of the Implementation Plan. Chaired by the Chief Probation Officer, the executive committee will oversee the realignment process and advise the Board of Supervisors in determining funding and programming for the various components of the plan.

Research Supporting Evidence-Based Correctional Programming

There is growing support among criminal justice practitioners and scholars regarding the effectiveness of evidence-based programs on the reduction of recidivism. Evidence-based practices are based on five primary principles. These principles address the questions of who, what and how to apply the most effective correctional interventions.

1. The Risk Principle (who) – Target resources to higher risk offenders. Ideally, sufficient resources would be applied to supervise, case manage and treat high- and moderate-risk offenders appropriately.
2. The Need Principle (what) – Apply interventions that target each offender's particular criminogenic needs. Criminogenic needs are those areas that are dynamic (can be changed) and have been scientifically demonstrated to be correlated with likelihood to re-offend. These factors include: antisocial attitudes and beliefs, antisocial peers, antisocial personality pattern, lack of positive family support, low levels of education or employment success, lack of pro-social leisure activities, and substance abuse.
3. The Responsivity Principle – Interventions should be applied based on the individual characteristics of the offender that may affect how he/she may respond to the given intervention. Such characteristics include mental health issues, medical issues, intelligence level, readiness for change, etc.
4. The Treatment Principle – The most effective correctional interventions are behavioral, focusing on factors that influence behavior, are action-oriented, and are appropriately reinforced. These include cognitive-behavioral approaches, structured social learning where new skills and behaviors are modeled, and family based approaches where the family is trained in new skills and techniques.
5. The Fidelity Principle – Ensure that evidence-based programs are implemented as designed, often including structured measurements of model-adherence, extensive quality assurance mechanisms, pre/post evaluation, and other methodologies for ensuring fidelity.

PROPOSED IMPLEMENTATION STRATEGIES

The proposed strategies that follow take into consideration the multifaceted needs of the AB109 population, and the resources necessary to achieve desired public safety outcomes. A foundation of all of these strategies is a validated risk and needs assessment tool, and in the interim a modified adult case plan using the juvenile case plan adopted by the State, made possible through the STRONG risk assessment tool that is being implemented with

guidance from Assessments.com and administered by the Adult Division Probation Officers. The results of said assessment will be shared with relevant partners. As part of this implementation process, the Adult Division of the Probation Department will be modifying the current STRONG Policy and Procedures manual to help guide the complex process of connecting policies to explicit operations that can be measured for performance. In addition, alternative sentencing options will be developed and implemented by both the Probation Department and the Plumas County Jail.

PROBATION DEPARTMENT

The Probation Department will continue to utilize evidence-based practices implemented via Senate Bill 678, "Recidivism Reduction Program". The goal of the program is to reduce prison incarceration and recidivism by instructing felony adult probationers in evidence-based practices (i.e., motivational interviewing, cognitive restructuring, etc). All Probation Department staff involved in the utilization of the Static Risk Assessment Offender Needs Guide (STRONG) risk/needs assessment tool will be highly trained in its implementation, including refresher courses, and closely monitored by the Supervising Probation Officer/Chief Probation Officer.

The STRONG accomplishes four basic objectives:

1. Determining an offender's level of risk for re-offending as a way to target resources to higher-risk offenders.
2. Identifying the risk and protective factors linked to criminal behavior so the rehabilitative effort can be tailored to address the offender's unique assessment profile.
3. Developing an automated case plan focused on reducing risk factors and increasing protective factors.
4. Allowing probation officers to determine if targeted factors change as a result of the interventions.

The Static Risk Assessment (STR) piece of the tool predicts the offender's risk to re-offend and assists Probation Officers in determining the most appropriate supervision level. The Offenders Need Guide (ONG) has the following purposes:

- Identifying factors that place the offender at risk to re-offend
- Identifying the areas of strength specific to the offender and family
- Developing a case plan targeting the areas of need
- Making targeted, cost-effective service referrals that minimize the offender's exposure to new or existing risk factors
- Monitoring the offender's success
- Assisting the Court at sentencing

To ensure quality assurance and valid outcome measures, the Department will contract with a consultant highly knowledgeable of the STRONG risk/needs assessment tool. Data will be compiled using a Probation-specific case management system, which will be purchased using realignment dollars. The data tracking tool currently available in Plumas County is limited and historical data is incomplete, making it difficult to establish any baseline against which to measure desired future outcomes. Data input, monitoring and report development will be conducted by a .5 FTE Fiscal Officer position.

Probation Officers are trained to have a broad knowledge of the criminal justice system, their roles, relationships, and responsibilities to the Courts, community, and the offenders under their supervision. Enforcing offenders' court orders, community safety and offender rehabilitation are their top priorities. However, Probation Officer safety is also of concern. Plumas County is a rural community and is composed of geographical areas that are remote or clustered with offenders. As a result, Officer-safety equipment will be updated and specified Probation Officers will be armed especially in light of the fact the PRCS and Mandatory Supervision population can have a history of serious or violent offenses, or lengthy criminal history. This, too, will afford Probation Officers the opportunity to provide intensive field supervision without having to depend on the availability of other law-enforcement agencies; thus, promoting public safety.

Furthermore, specific Probation Officers will be trained to facilitate evidence-based groups, such as Cognitive Behavior Programs, Anger Management, Thinking for a Change, etc. These groups will be scheduled and held at various locations throughout Plumas County. A minimum of one Probation Assistant will be hired to assist in coordinating these groups, as well as assist offenders in securing housing, financial and medical support, mental health and AOD services, education, employment, life skills, transportation, etc. The Probation Department will contract with and the Probation Assistant will partner with Community Based Organizations to ensure appropriate referrals and services are made and offenders engage in all services available to them in the community.

The Probation Department will also be expanding on its Electronic Monitoring Program to help alleviate jail overcrowding. A Probation Officer will be hired to monitor this caseload to ensure compliance with home detention; thereby, enhancing public safety. Additionally, an additional Probation Officer will be hired to supervise a high-risk caseload. Currently, the Probation Officer monitoring the high-risk caseload has approximately 58 offenders, which is too large to effectively manage. The Department's goal is to have a minimum of two high-risk caseloads with no more than 40 offenders per caseload; CDCR's recommendation is no more than 20 offenders per caseload. However, given the funding appropriated to Plumas County for realignment, that goal will be difficult to achieve.

Probation Department staff will also be utilizing a program of graduated sanctions and incentives. Sanctions will be swift and appropriate to the offender's violation. Intermediate sanctions (those that do not require the filing of a revocation petition can include, but are not limited to, community service work, program participation, and flash incarceration), will also

be implemented. Research has proven that immediate sanctions are significantly more effective than those that are prolonged. Furthermore, the more time a high-risk offender's time can be occupied reduces the risk of recidivism. A program of incentives will also be developed, which fall in the realm of verbal affirmations, gift certificates and larger incentives, and early termination from supervision, to promote change and reduce the risk to re-offend.

SHERIFF'S OFFICE

The realignment of state prisoners and the shifting of parole violators being housed in the county jails will substantially increase Plumas County Sheriff's Office costs associated with housing, processing, feeding, and out-of-custody supervision. It is anticipated there will also be increased inmate health costs as the average length of stay for inmate population increases.

The Board of Parole Hearings will begin conducting parole hearings at the County Jail on October 1, 2011, under AB109. This process adds additional stress to an already understaffed and inadequate facility. Additionally, those offenders found in violation of their parole will be housed in the County Jail for up to 180 days; thereby, adding to the risk of overpopulating the jail and increasing costs in a rather unprecedented manner.

As a result of overcrowding and additional expenses in the County Jail, alternative measures of incarceration will be implemented. Electronic monitoring of some variation for pre-trial offenders will be researched, and only those that do not present a risk to public safety will be considered for the program. This adds a financial burden to an already overtaxed Department and the already understaffed Sheriff's Deputies will now be burdened with the responsibility of supervising this population. The Sheriff's Office and Probation Department will work closely to develop a MOU that qualifies offenders for the Probation Department's program. Furthermore, an expansion of both the mission and the staffing of the current "Work Release" program will be essential.

DISTRICT ATTORNEY'S OFFICE

Summary of 2011 Realignment Legislation

The Plumas County District Attorney's Office is committed to vigorously, fairly and compassionately seeking justice every day. Part and parcel of this dedication is their desire to assure those who live, work and play in Plumas County are able to do so in a safe and just community. On October 1, 2011, the District Attorney's Office's mission will be challenged as The 2011 Realignment Legislation Addressing Public Safety goes into effect.

Nearly 500 criminal statutes were amended to create realignment. Avoiding this sweeping change was the fundamental principle that public safety "is the first responsibility of local government" as found in Article XIII, Section 35 of the California Constitution. The Plumas County District Attorney's Office takes this mandate seriously.

Scope of Plumas County District Attorney's Office

The Plumas County District Attorney's Office consists of nine proud and hard working public servants. Including the elected District Attorney there are three prosecutors in Plumas County.

The District Attorney's Office receives criminal referrals from a multitude of law enforcement agencies, including the Plumas County Sheriff's Office, California Highway Patrol, Department of Fish and Game, etc. The actions the District Attorney's Office takes directly impacts many other entities including the Superior Court, Retained and Contract Attorneys, the Plumas County Correctional Facility and the Plumas County Probation Department. While the Superior Court sentences defendants, the Probation Department supervises defendants and the Correctional Facility houses defendants, none of these entities can perform their necessary functions without action from the District Attorney's Office. Equally important, the quality of work performed by the District Attorney's Office directly impacts the sentence, supervision and incarceration of defendants within the Plumas County criminal justice system.

Plumas County has an idyllic setting both in its physical beauty and in the level of safety it provides its residents. This quality of life is achieved, in large part, because adherence to our laws and personal liberties is demanded.

Recent Budget Cuts

In meeting our constitutional obligations the Plumas County District Attorney's Office has been severely tested by a wretched and unbending economy. From 2009 to present the DA's office has suffered an approximate 13% cut in general fund contributions and even greater percentage cut in grant funding. Due to these reductions an employee has been laid off while others have had their hours of employment reduced. Through this painful downturn the District Attorney's Office continues to do more with less. Unfortunately, the dramatic increase in responsibilities brought forth by the 2011 Public Safety Realignment creates a new challenge in the District Attorney's Office's ability to carry out their obligations.

New Obligations / Changes

Undoubtedly, realignment will create a substantial change in every step of a prosecution. We have every right to expect an increase in our workload and a new dynamic challenging our efforts to maintain the public's safety in a fair and just manner.

In meeting this challenge the Plumas County District Attorney's Office is addressing the following:

- Providing training for our public safety partners and the general public about realignment
- Assisting with preparation and implementation of new rules related to realignment (ex.: Sheriff's Home Detention PC § 1203.016 and Electronic Surveillance PC § 1203.018)

- Review and Recommendations of Problematic Provisions to Prevent County Liability (ex.: “flash incarceration” and “contracting back”)
- Prosecution of Post Release Community Supervision Revocations
- Preparation of prosecution for Parole Revocations 7/13
- Updating felony plea form and process of taking felony pleas
- Assisting with the preparation of “prison prior” packets per PC § 969b
- Update complaint language (PC § 1170(h) eligibility)
- Updating case management system to respond to realignment
- Assuring compliance with the constitutional rights of crime victims (*Marsy’s* rights)
- Provide appropriate staffing for all criminal courts in light of increasing caseloads
- Staff and appear during the Drug Court calendar and provide support to allow Drug Court to numerically increase to a level consistent with the needs created by realignment

Other Services Rendered to Assist Public Safety Partners with Realignment

The Plumas County District Attorney’s Office recognizes the strain public safety realignment will place on its partners and will continue in assisting other agencies to meet their obligations. Among the services presently being provided as realignments implementation begins include:

- Assist probation by filing juvenile petitions
- Assist investigating agencies by conducting further investigations
- Maintaining real time communication with correctional facility re: inmate population

Policy changes

The 2011 Criminal Justice Realignment legislation inherently causes all prosecutors’ offices to review and re-work how they meet their constitutional obligations. In implementing realignment, the District Attorney’s Office expects to undertake a substantial review and make appropriate changes in areas such as:

- Charging considerations
- Disposition considerations
- Review of pending cases
- Bail setting
- Revocations practices

Assessing Realignment

Perhaps the greatest need in implementation is the ability to monitor the impact of realignment on the criminal justice system and public safety. Appropriate monitoring allows public safety partners to identify successes and correct deficiencies in realignment implementation.

To this end, the Plumas County District Attorney's Office is in a unique position to provide a meaningful statistical evaluation of the implementation of realignment. This evaluation will focus on the recidivism rate at the outset and use ProsecutorbyKarpel, the District Attorney's new case management system.

In providing system-wide access to data for realignment implementation and evaluation, potential benefits include:

- Maintain case management system w/ unique adaptations for Criminal Justice Realignment (complaint language, statistical composition of criminal cases, disposition details)
- Integrate law enforcement agencies and probation to receive and contribute to the overall efficiency and accuracy of the case management system
- Allow the dissemination of accurate information to our public safety partners as we are confronted by evolving parameters of sentences under realignment
- Prepare appropriate reports to monitor recidivism as well as uniformity in prosecution and sentencing

Funding Request

The District Attorney's Office will be requesting realignment funding to meet the challenges and new obligations previously set forth. Primarily, funding will enable the District Attorney's Office to manage the increased workload implicit in realignment while maintaining a case management system capable of monitoring Plumas County's criminal justice system and post-realignment recidivist rate.

PUBLIC DEFENDER

There are currently four private attorneys who have a contract with Plumas County to handle those cases where the Court appoints a public defender for criminal defendants. The cases include all aspects, hearings, and trials of felony and misdemeanor charges for adults and juvenile defendants. The contract public defenders also represent adult criminal defendants regarding various probation violations, as well as those defendants participating in the Drug Court and Proposition 36 drug probation programs.

It is anticipated that Realignment will have a significant impact on the workload of the public defenders in the following areas:

First, the public defenders will now be responsible for handling all post-conviction/post-release community supervision violation hearings, which will now also include hearings formerly heard by the Board of Parole Hearings. The volume of hearings, as well as the Court's protocol for handling the hearings, will determine the amount of additional work required.

Second, in light of the fact local authorities will have additional responsibilities to track and monitor offenders after conviction, the number of appearances and length of representation of defendants on post release community supervision may increase under Realignment.

Lastly, the public defenders must now develop expertise in alternative sentencing as well as working closely with other criminal justice and community agencies to make certain that sentencing under the Realignment statutes follows those mandates established by that legislation. Each public defender will have to undergo training on the court procedures and representation of defendants under the Realignment provisions.

Financial Impact

The public defenders are currently under contract with Plumas County through May 31, 2012, at which time the attorneys can assess the additional workload which is anticipated under the Realignment legislation and address that issue during the contract negotiations. Currently, under the Realignment legislation the sum of \$5,512.00 has been allocated for any impact on the District Attorney and Public Defender offices of Plumas County.

SUPERIOR COURT

Under the terms of AB109 the Superior Court is responsible for conducting final revocation hearings for those offenders who do not meet the terms of post release community supervision. The Court is authorized to have either a judge or an appointed hearing officer preside over these revocation hearings. The possible consequences of these revocation hearings include 1) modified conditions of post release community supervision, 2) imposition of no more than 180 days in County Jail, or 3) referral of the defendant to an evidence-based program.

The Superior Court is also responsible for the imposition of the new sentencing guidelines for those defendants who would have previously been sentenced to state prison for a term of up to three years. Sentencing options include 1) time served in County Jail, 2) probation, 3) split sentence (time in county jail and a period of post sentence community release), or other alternative custody options.

CURRENT DEFENDANT POPULATION & FUNDING

Initial statistics provided by the state concerning projected incarceration and supervision obligations stemming from the 2011 Realignment Legislation Addressing Public Safety proved wholly inaccurate.

Understanding the necessity of analyzing accurate statistical information to assess our future needs, members of the Community Corrections Partnership have undertaken a review of criminal cases demonstrating incarceration and supervision during the fiscal year 2010-11.

This review has revealed the following:

Incarceration Needs Under Realignment

During the fiscal year 2010-11, 34 defendants were sentenced to state prison. Had realignment been in place 24 would have remained in county jail to serve their sentence. Of the 24, the average sentence was 24.33 months. During this same time period, 455 defendants were sentenced to county jail as a term of probation. The average county jail sentence was 39.127 days. In assessing the need for incarceration space it should also be noted that in addition to those serving PC § 1170(h) sentences (state prison sentences now served in county jail) and county jail time servers, the Plumas County Correctional Facility also houses inmates being held for probation violations, parole revocations, warrants, immigration holds, etc.

Jail Capacity

The Plumas County Correctional Facility has 67 beds to house inmates. This correctional facility, however, is outdated and designed in a linear fashion so as to create safety and housing issues for staff. Based on the fluctuations in the male and female population, problem inmates and the classification of inmates, the jail capacity can rapidly decrease.

Supervision Needs Under Realignment

During the fiscal year 2010-11, there were 569 total grants of probation. Of these, 460 were summary probation grants, 93 were formal probation grants, 11 were probations granted pursuant to Proposition 36, and 5 defendants were placed on formal probation and assigned to Drug Court

NEW POPULATIONS AND FUNDING

Projected Population

The State has estimated Plumas County will assume responsibility for approximately 69 additional offenders between October 1, 2011 and June 30, 2013. This population is diverse and includes offenders who have been convicted of property, public order and drug offenses.

Projected Funding

The formula establishing a statewide allotment was developed by the State Department of Finance and agreed to by County Administrative Officers (CAO) and the California State Association of Counties (CSAC). The level of funding is based on a weighted formula containing three elements:

- 60%: Average Daily Population (ADP) of offenders meeting AB109 eligibility criteria;
- 30%: U.S. Census Data pertaining to total population of adults in the county;
- 10%: SB678 Prison reduction outcomes

Based on this formula, Plumas County is projected to receive \$264,616 for FY 2011-12 for training, program implementation and sustainability, recruitment, etc. Furthermore, approximately 69 additional offenders will be either sentenced to service time in county jail and/or released under the supervision of the Probation Department. This number does not include those offenders who will be ordered to serve time on parole violations in the County Jail. Funding includes:

Post-release Community Supervision/Local Incarceration	\$153,766
AB109 Planning Grant	\$100,000
AB109 Training and Implementation	<u>\$ 10,850</u>
	\$264,616

Funding in the amount of \$5,700, to be divided by the District Attorney and Public Defender for revocation activities, is not included in the above calculation. Funding for Plumas County Superior Court operations is to be determined by the DOF and Administrative Office of the Courts.

The post-release community supervision funding formula is based on an October 1, 2011, implementation through June 30, 2012, and is for the first year only. CSAC/CAOs and the Department of Finance will revisit the formula for future years. State funding for planning, training, and implementation is expected to be provided to counties prior to October 1, 2011. Thereafter, annual state funding for community supervision will be allocated to Plumas County's Community Corrections Performance Incentive Fund (CCPIF). This fund was established by SB678 (2009), the California Community Corrections Performance Incentives Act. SB678 gives broad discretion to probation departments in selecting and implementing evidence based practices to maximize return on investment and improve outcomes with more effective supervision of probationers, which ultimately impacts commitments to state prison.

In addition to the above-stated funding allocation for the implementation of AB109 in Plumas County, another funding stream available to enhance services and promote successful rehabilitation of a segment of this population are the Drug Court Grants, which total approximately \$192,000. Increasingly, research is demonstrating that treatment for drug-addicted offenders during and after incarceration can have a significant, beneficial effect on future drug use, criminal behavior, and social functioning. Combining criminal justice system and community treatment and support services for offenders reduces the risk of both recidivism to drug-related criminal behavior and relapse to drug use.

MONITORING AND CONTROL

Data necessary to develop baselines and measure anticipated outcomes will be gathered by the organization responsible for a particular program. This data will be compiled into a report and submitted to the CCP Chair. The data will be aggregated and used to develop reports (in collaboration with the reporting agency or agencies), which will be used to monitor implementation success. The CCP Chair will present this data along with

implementation and planning updates to the CCP committee on a quarterly basis. The same type of data and status reporting will be presented to the Board of Supervisors on a semi-annual basis.

Systems Integration

Establishing and maintaining a systems-wide approach to managing adult offenders must bring to bear all of the necessary resources and services, both public and private, and requires equally broad ongoing formal partnerships and ongoing assessment.

It is recommended that partners establish formal collaborations to insure a maximum degree of long range cooperation and administrative planning in order to provide for the health, safety and security of the community and offenders. As a collaborative, local partners will seek to maximize the capacity of major community institutions, nonprofit organizations, community coalitions and service organizations, families, and youth in the areas of assessment, collaboration, and resource development. Partners will also recognize that the issues affecting the criminal justice system and the community are multifaceted, affect offenders as well as families and the community, and will be effectively addressed by a collaborative approach. In doing so, this initiative will maximize the collective impact of a comprehensive network of programs, services, strategies, and activities to address issues that cross many diverse sectors of the community.

The following guiding principles will serve as the framework for providing a comprehensive continuum of services to support successful outcomes for criminal offenders:

Fiscal Practices: Agencies are encouraged to access and leverage alternate public and private funding streams to maximize the availability of services, such as fees, grants, donations, etc.

Evidence-Based Approaches: Agencies providing safety net, prevention, early intervention, treatment, and recovery services shall utilize evidence-based, culturally relevant strategies and assess fidelity annually.

Continuous Quality Improvement: Agencies/individuals providing treatment services for substance use disorders shall conduct quality assurance activities, which at a minimum shall include reviews of criminal justice system client charts at least quarterly.

Agencies/individuals shall engage in regular evaluation activities, including coordinating with an independent evaluator and relevant contract management staff, to assess progress in achieving the desired outcomes and identify the need for course corrections if necessary.

Assessment: Prospective treatment service clients, as well as current treatment service clients being recommended for another level of services, shall be coordinated. All clients receiving treatment for substance use disorders shall receive post treatment monitoring and support. Follow-up with clients shall be at 3 months, 6 months and 1 year post discharge

from a level of service to assess client progress and provide linkages to recovery support services as needed.

A successful model will integrate criminal justice and treatment and community services in a unified approach in which public and community based services work as a team with criminal justice on plans and implementation of screening, placement, testing, monitoring, supervision, as well as the systematic use of sanctions and rewards.

Multidisciplinary teams are essential to oversee the implementation of broad reaching system enhancements. Valuable information comes from having the right stakeholders at the table and a collaborative, deliberative process in place to assess a multitude of policy considerations.

SUMMARY OF REALIGNMENT COMPONENTS & LOCAL PLAN

Population Affected	Component of Public Safety Realignment	Local Plan
Release from State Prison	State prisoners serving sentences for non-violent, non-serious, and non-high-risk sex offenses (as defined by CDCR) with one of these offenses in their criminal history will be placed on county post-release community supervision instead of state parole. The Court will adjudicate violations of county post-release community supervision.	The Probation Department is designated as the administrator of county post-release community supervision.
On State Parole	Violations of State Parole will be adjudicated by Board of Parole hearings inside the County Jail	The Sheriff will provide a venue for Parole Board hearings.
Currently Held Pretrial in County Jail	Certain inmates may be released pre-trial on electronic monitoring	The Sheriff is designated as administrator of electronic monitoring for pre-trial inmates
Currently Sentenced in County Jail	Certain sentenced inmates may be placed on home detention	Probation is designated as administrator of electronic monitoring for sentenced inmates
Measures and Outcomes	Establish outcome measures related to local incarceration inmates and post-release community supervision populations (per AB109)	The Probation Department is designated to develop research design, collect data, and report on outcomes associated with AB109.
Evidence Based Practices and Treatment	Each of the involved agencies, including those participating in the CCP, will support and/or assist in the implementation of the following activities, practices, and efforts.	<ul style="list-style-type: none"> ● Flash Incarceration ● Alternative Sanctions ● Vocational Training ● Educational Training ● Multi-agency Operations ● MH and AOD Services ● Housing ● Financial Assistance

CONCLUSION

As a result of the implementation of SB678 and AB109, it is obvious the practices of the Courts, District Attorney's Office, Sheriff's Office and the Probation Department will significantly change. The challenges ahead will be vast, but the stakeholders involved in the implementation of this plan have shown a tremendous commitment to developing a collaborative partnership and promoting public safety. These two legislative acts provide an opportunity for Plumas County to enhance services provided to the new populations of clients served locally in hopes of creating successful rehabilitation and community integration programs. However, as the language in AB109 is consistently undergoing change, this document will be considered a living document subject to change, as needed. Any modification to this Community Corrections Partnership Plan will be submitted to the Board of Supervisors for approval.